

State of New York  
Department of Correctional Services  
Division of Parole

The Nineteenth Annual  
Shock Legislative  
Report  
2007

Eliot Spitzer  
Governor

Brian Fischer, Commissioner  
Department of Correctional Services

George Alexander, Chairman  
Division of Parole

## **EXECUTIVE SUMMARY**

In July 1987, New York State established the Shock Incarceration Program by enabling legislation, which mandated that the Department of Correctional Services (DOCS) create a six-month program that would prepare young, non-violent inmates for early parole release consideration. The program was to operate in special facilities, and provide a schedule of rigorous physical activity, intensive regimentation, discipline, and drug rehabilitation. DOCS was directed to develop a process to select legally eligible inmates for participation.

In addition, the Division of Parole created a special supervision program for Shock Incarceration parolees, designed to build upon the intensity of programming which began at the institutional level, providing coordinated aftercare for Shock graduates. Shock community supervision was tailored to meet the needs of Shock graduates and included increased contacts between parole officers and parolees and their families. Supervision requirements also included curfew checks and frequent random drug testing. Shock aftercare emphasized comprehensive employment and relapse prevention programming for six months after release.

The Legislature required that an evaluation of Shock Incarceration be conducted to assure its programmatic objectives were being met while assessing the impact of Shock. As part of an ongoing cooperative relationship between DOCS and the Division of Parole, this report explores the degree to which the legislative intent has been achieved. Findings indicate that DOCS and Parole have cooperated to create an institutional and aftercare program that responds to the requests and concerns of the Legislature.

The Nineteenth Annual Report documents the creation of a rigorous multi-treatment program that emphasizes discipline, academic education, substance abuse treatment and education, with group and individual counseling, all within a military structure. Between July 1987 and September 2006, 94,552 non-violent inmates were screened for participation in Shock. Among those reviewed, 51,522 inmate volunteers were sent to Shock Facilities, including 35,102 who graduated and were granted an early release to parole supervision.

New York has been a leader in developing program components that are now considered critical to the success of Shock correctional programs. In 2003, a report published by the National Institute of Justice reviewed a decade of research on correctional boot camps operating in several states throughout the country (Parent: 2003). The review concluded that, unlike New York, many of the programs had failed to meet their goals of reducing bed space demand and lowering recidivism. Successful initiatives shared certain characteristics, including a) selection of participants by correctional officials after entry into prison; b) commitment to high quality treatment services; c) longer program duration; and d) intensified post release supervision. NYSDOCS Shock Incarceration incorporates all of these important components. In addition, New York runs the largest Shock Incarceration program for sentenced felony offenders in the United States.

A fiscal analysis of Shock indicates that the program is cost effective. On average, Shock graduates were released about one year prior to completion of their court determined minimum period of incarceration. To-date, 35,102 graduates have been released early, resulting in a total estimated savings of \$1.18 billion.

Additionally, despite their short period of incarceration, Shock inmates have made strong academic progress relative to other inmates.

Shock creates a prison environment that is conducive to positive change. Information on the prison disciplinary process suggests that, due to the rigorous yet therapeutic nature of the program, fewer misbehavior reports have been written at the Shock Facilities compared to Minimum and Medium security facilities.

Shock Incarceration and Shock Parole supervision continue to be among New York State's most effective programs for non-violent offenders. The community supervision portion of the program, known as Aftershock, is the most comprehensive program of its kind in the country. Newly released graduates are intensively supervised on specialized caseloads. In addition, parolees in New York City receive services through a community support network which has been established to assist them with employment, vocational training, and relapse prevention.

The report presents information regarding Parole Board activity for Shock Incarceration interviews. A comparative analysis between a group of Shock graduates and two separate groups of non-Shock parolees who were released between March of 1988 and March of 2005 is also included. Parolees from each group were followed for up to three years from release. The Shock and comparison-group community success rates were examined controlling for differences in age-at-release, gender and crime type.

In conclusion, through the careful development of program components that have been recognized as successful, New York's Shock Incarceration program continues to achieve its legislative mandate: to treat and release selected non-violent state prisoners earlier than their court determined minimum period of incarceration, without compromising the safety of the community.

**SHOCK INCARCERATION AND SHOCK PAROLE SUPERVISION  
THE NINETEENTH ANNUAL REPORT TO THE LEGISLATURE**

**TABLE OF CONTENTS**

**SHOCK EVALUATION HIGHLIGHTS**

**i**

**SECTION ONE: INCARCERATION PHASE**

**LEGISLATIVE BACKGROUND I**

<b>NEW YORK'S SHOCK INCARCERATION PROGRAM</b>	<b>4</b>
<b>SCREENING OF LEGALLY ELIGIBLE INMATES</b>	<b>6</b>
<b>FISCAL ANALYSIS OF SHOCK INCARCERATION</b>	<b>20</b>
<b>EDUCATIONAL ACHIEVEMENT IN SHOCK INCARCERATION</b>	<b>29</b>
<b>DISCIPLINARY PROCESS AT SHOCK INCARCERATION</b>	<b>34</b>

**SECTION TWO: COMMUNITY SUPERVISION PHASE**

<b>THE PAROLE PROGRAM</b>	<b>40</b>
<b>COMMUNITY SUPERVISION PLAN</b>	<b>41</b>
<b>PAROLE BOARD ACTIVITY</b>	<b>44</b>
<b>COMMUNITY SUCCESS</b>	<b>45</b>
<b>SHOCK SUCCESS</b>	<b>55</b>

**BIBLIOGRAPHY**

***SHOCK INCARCERATION IN NEW YORK STATE***  
***2007 Report to the Legislature***

- ❖ New York State has the largest Shock Incarceration Program for sentenced state prisoners in the nation with a capacity of 1,290 males, 114 females and 222 beds at Lakeview dedicated to orientation and screening.

Since screening of Shock eligibles began in July 1987, through September 2006:

- ❖ 94,552 legally eligible inmates have been screened for participation.
- ❖ 51,522 inmates entered the Shock program (54% of inmates screened).
- ❖ 35,102 completed the program and were released to Parole (68% of inmates who began).
- ❖ Since Shock began, each month an average of 435 inmates were screened, 242 inmates were admitted to the program, and 171 inmates graduated. Recent declines in the average number of screenings and admissions per month reflect the availability of early release mechanisms and non-prison alternatives for certain nonviolent offenders who would otherwise be eligible for Shock.
- ❖ On September 30, 2006, 1,055 inmates were under custody at Shock facilities, including 190 at Monterey, 121 at Summit, 183 at Moriah, and 561 at Lakeview (including 84 female inmates).
- ❖ Overall, most inmates who were disqualified could not participate because of medical problems. However, successful efforts to include inmates with a variety of medical needs has reduced the rate of medical disqualification in recent years. Most currently, a greater proportion of inmates were excluded because they were assessed as posing a public risk than because of medical problems.
- ❖ Women were more than twice as likely as men to be disqualified due to medical or mental health needs. One in five women screened were excluded for medical reasons; an additional 14 percent were disqualified based on mental health assessments.
- ❖ Failure to complete the program was most often attributed to disciplinary problems (43%). Eleven percent of the removals left voluntarily. On average, Shock removals spent 77 days in the program before leaving.
- ❖ The Shock Incarceration Program saves the State money, while providing inmates intensive treatment and education programs. For the 35,102 releases from Shock through September 30, 2006, the Department saved an estimated \$1.18 billion in both operating and capital costs.

- ❖ Each graduate was released to Parole supervision an average of 345 days or approximately 11.3 months earlier than his/her earliest possible release without Shock.
- ❖ Each year, supervised crews of Shock inmates perform thousands of hours of community service as part of the daily routine of the facilities. It is estimated that in calendar year 2006 inmates from Shock facilities performed approximately 1.2 million hours of community service.
- ❖ On average, Shock inmates who graduated during fiscal year 2005-2006 increased their math and reading scores by at least one grade level. Within six months, 80% of the Shock graduates had increased their math scores and 67% increased their reading scores.
- ❖ During fiscal year 2005-2006, the GED passing rate for Shock inmates was 80%, considerably higher than the passing rates at comparison medium (57%) and minimum (41%) facilities. Since the 1990 report, the GED passing rate for Shock graduates has doubled (from 40% in 1990 to 80% in the current report).
- ❖ The rates of all Tier levels of misbehavior reports occurring at Shock tend to be lower than at the comparison Minimum and Medium security facilities.

### **SHOCK PAROLE IN NEW YORK STATE**

- ❖ Shock Success: Shock graduates are more likely than comparison group parolees to be successful on parole supervision despite remaining at risk for longer periods of time. A total of 32,492 Shock graduates were compared to 43,191 Eligible But Not Sent offenders and 13,306 Removal offenders.
- ❖ After one year, 92% percent of the Shock group remained in the community, compared to 84% of the Eligible But Not Sent offenders and 81% of the Removal group.
- ❖ After two years, the Shock success rate (78%) was significantly higher than the Eligible But Not Sent group (68%) or the Removal group (61%).
- ❖ After three years, the success rate for Shock offenders was 69%, while the rate was 60% for the Eligible But Not Sent offenders and 53% for the Removal group.
- ❖ Shock parolees were the least likely of the groups to have violated within the first six months of release.
- ❖ Age At Release: Shock graduates had higher success rates than comparison group offenders, regardless of age at release. Consistent with other criminal justice literature, younger Shock graduates (those between 16 and 25 years old at the time of release) generally did not perform as well as older graduates.

Nevertheless, young Shock offenders performed better than young comparison group offenders.

- ❖ Gender: Female offenders generally performed better than male offenders. Female Shock offenders performed better than the female comparison groups at all time points.
- ❖ Crime Type: The Shock group contained significantly more drug offenders than the comparison groups. When controls for drug crimes were introduced, the Shock group generally achieved higher success rates than any comparison group at 12, 24 or 36 months.
- ❖ Employment: Shock parolees are more successful than comparison group parolees at securing employment. A total of 43% of the Shock parolees were employed, compared to 25% of the Eligible But Not Sent offenders and 24% of the Removals.
- ❖ Drug Tests: A total of 92% of the drug tests on Shock parolees indicated an abstinence from drug use.

## LEGISLATIVE BACKGROUND

### Legislative History

New York State's Shock Incarceration Program was established by enabling legislation on July 13, 1987, (Chapter 261 of the Laws of New York, 1987). New York's program is the largest Shock Incarceration Program for sentenced state prisoners in the nation, with a capacity for 1,290 male inmates, 120 female inmates, and 222 beds dedicated to orientation and screening.

The Omnibus Bill included Shock as a program designed "to enable the State to protect the public safety by combining the surety of imprisonment with opportunities for the timely release of inmates who have demonstrated their readiness for return to society." The Legislative Bill specifically stated:

***Certain young inmates will benefit from a special six-month program of intensive incarceration. Such incarceration should be provided to carefully selected inmates committed to the State Department of Correctional Services who are in need of substance abuse treatment and rehabilitation. An alternative form of incarceration stressing a highly structured and regimented routine, which will include extensive discipline, considerable physical work and exercise and intensive drug rehabilitation therapy, is needed to build character, instill a sense of maturity and responsibility and promote a positive self-image for these offenders so that they will be able to return to society as law-abiding citizens.***

Pursuant to this legislation, the Department of Correctional Services (DOCS) amended Title 7 of the New York Codes Rules and Regulations (NYCRR) by adding Part 1800, which provided the rules that govern the Shock Incarceration Program. Part 1800.4 describes the eligibility requirements and the framework for establishing Shock facilities and selecting participants.

DOCS originally established five Shock Facilities. The first Shock Incarceration Correctional Facility (SICF) to be designated was Monterey, which was converted from a forestry camp and expanded to 250 beds. Monterey received its first platoon of inmates on September 10, 1987. Summit was the second forestry camp to be converted to Shock. It too was expanded to 250 beds and received its first platoon of inmates on April 12, 1988.

In December 1988, a portion of the Summit Shock Incarceration Facility was set aside to house female inmates. (The facility designation for Shock women was changed to Lakeview in May 1992.) The 250 bed Shock Facility at Moriah received its first platoon on March 28, 1989, and the 250 bed Shock Facility at Butler received its first platoon on June 27, 1989. To accommodate program growth as a result of the expansion of the eligibility criteria in April 1992, the capacities of Moriah, Butler, and Monterey were each increased by 50 beds in July 1992.

In August 1989 the Lakeview Shock Incarceration Correctional Facility (SICF) was opened. Lakeview serves as a 222-bed orientation and screening facility for all Shock eligible inmates and also houses 540 male and 114 female Shock inmates,

with 20 beds for female reception. Lakeview received its first inmates on September 11, 1989.

After the intense growth of the program in 1992, a leveling off in 1993 created a high number of vacant beds, so the number of Shock beds was reduced. Butler SICF was converted to a minimum-security facility, switching over 300 Shock beds to general confinement. Shock inmates at Butler were transferred to the remaining four Shock facilities. In August 1998, 60 Shock beds at Summit were converted to general confinement beds. Summit converted 40 more beds to general confinement during 1999. Most recently, 49 female Shock beds were converted for general confinement at Lakeview during 2002.

All four of the Department's Shock facilities continue to be accredited by the American Correctional Association.

### **Eligibility Criteria**

To be eligible for Shock, inmates must be new commitments under the age of 39, who are sentenced to a term of imprisonment for which the inmate will become eligible for release on parole within three years. Offenders must have been between the ages of 16 and 39 years when they committed their instant offense. Inmates who have prior felony convictions for which they received a prison sentence are not eligible for Shock. In addition, certain crimes of conviction preclude eligibility, including:

- a) a violent felony offense as defined in Article 70 of the Penal Law;
- b) an A-1 felony offense;
- c) manslaughter in the second degree, vehicular manslaughter in the second degree, vehicular manslaughter in the first degree, and criminally negligent homicide as defined in Article 125 of the Penal Law;
- d) rape in the second degree, rape in the third degree, sodomy in the second degree, sodomy in the third degree, attempted sexual abuse in the first degree, attempted rape in the second degree and attempted sodomy in the second degree as defined in Articles 110 and 130 of the Penal Law;
- e) Any Escape or Absconding Offense as defined in Article 205 of the Penal Law; and
- f) B-felony second felony drug offenses with a determinate sentence of 3 ½ years or more.

In addition to the legislatively mandated criteria, the law provides for DOCS to establish various suitability criteria that further restrict program participation. These

suitability criteria impose restrictions based on the medical, mental health, security classification, or criminal histories of otherwise legally eligible inmates. Additionally, those inmates whose outstanding warrants, disciplinary records, or alien status have made them a security risk would also be screened from participation.

Since Shock inmates are eligible to be released prior to serving their judicially mandated minimum sentences, efforts have been made by both the Legislature and DOCS to carefully restrict the eligibility criteria. These restrictions help ensure that those inmates who could benefit the most from this program participate, while those inmates who pose a risk to society are excluded.

In sum, the four major criteria restrict **age** (to reserve the program for relatively younger inmates), **offense type** (to eliminate violent offenders, sex offenders and escape risks from the program), **time to Parole Eligibility** (to set a limit on the time reduction benefits available to a successful participant and to further assure that these inmates have not been the perpetrators of serious crimes), and prohibit **prior service of an indeterminate sentence** (to reserve the program opportunity for first-time commitments).

Shock is a voluntary program; inmates meeting all of the eligible criteria may ultimately refuse to participate.

Since its inception, the original eligibility criteria have at times been modified after careful consideration and testing. Specifically, the Legislature expanded the program to allow older inmates to participate. Originally enacted for inmates 23 years of age or younger, 24 and 25 year-olds were deemed eligible in 1988, in 1989 the age limit was raised to 29 and in 1992 inmates up to age 34 were allowed in the program. Most recently, in August 1999, the Legislature expanded the eligibility age to include inmates who are between 35 and 39 when they come to DOCS. These legislative changes in age eligibility resulted in substantial growth of the Shock program in New York since the program began in 1987.

## **New York's Shock Incarceration Program**

On January 1, 2002, 31 states and the federal Bureau of Prisons operated some type of "boot camp" program. A total of 6,169 were housed in these boot camps—including 1,206 (20%) in New York.

Boot camp programs vary widely in their program emphasis. New York has been a leader in developing program components that are now considered critical to the success of these correctional programs. A report published by the National Institute of Justice reviewed a decade of research on correctional boot camps operating in several states throughout the country (Parent: 2003). The review concluded that, unlike New York, many of the programs had failed to meet their goals of reducing bed space demand and lowering recidivism. Successful initiatives shared certain characteristics found in New York's Shock program, including:

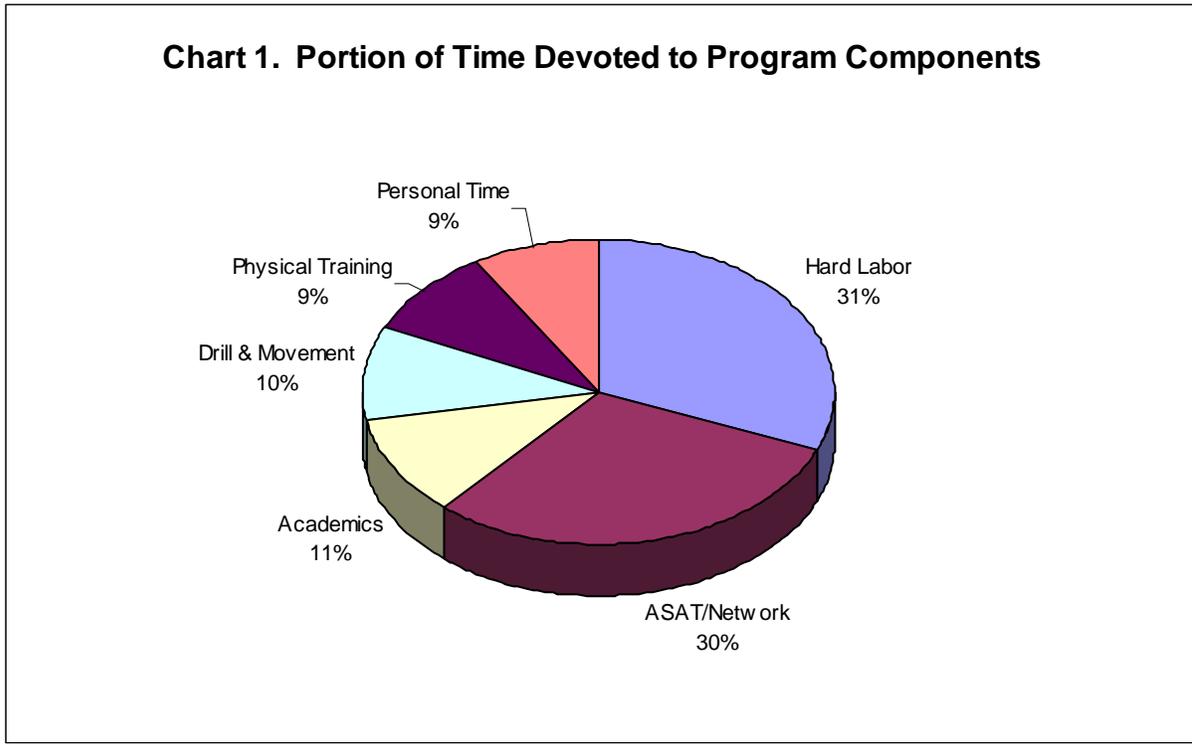
- a) selection of participants by correctional officials after entry into prison;
- b) commitment to high quality treatment services;
- c) longer program duration; and
- d) intensified post release supervision.

New York's Shock Incarceration program has a strong basis in a theoretical model of the causes of delinquency known as control theory. Control theory proposes that criminal behavior results from a breakdown of an individual's bonds to society. The Shock program is designed to provide inmates the tools to restore attachments to the law-abiding community. In addition to rigorous exercise, discipline and military drills, New York's Shock Incarceration program models a therapeutic community approach, including intensive drug and alcohol abuse treatment, decision-making, life skills training, community service work and academic education.

### **The Shock Program Day**

Reveille sounds at 5:30 a.m. week days and, before breakfast, inmates have dressed, squared away their barracks and participated in an hours' worth of military-style calisthenics on the prison parade grounds. Four days a week are spent on outdoor projects performing manual labor for government entities or non-profit groups. The fifth day is spent in academic classrooms at the prison. The weekend program includes peer support group sessions and organized activities directed by staff, religious services on both Saturday and Sunday, family visits twice a month and collect-only calls home to loved ones. Weekend time is also spent on physical training, military drill and ceremony, and taking care of personal needs like ironing prison-issue clothes, cleaning and "squaring away" personal property and quarters.

The pie chart below illustrates the Shock daily program. For every 500 hours of physical training plus drill and ceremony that has led to the media calling it a "boot camp", Shock in New York also includes 546 hours of the therapeutic approach to treating addiction. Shock also includes at least 260 mandatory hours of academic education, and 650 hours of hard labor, where inmates work on facility projects, provide community service work, and work on projects in conjunction with the Department of Environmental Conservation.



### **Emphasis on Staff Training**

Because Shock is not the typical corrections program it is important that staff who work in the program understand the program, the theory behind it, and what is expected of the inmates. One important way to ensure program integrity is staff training. All staff who work in a Shock Incarceration facility in New York State are required to attend a comprehensive, highly structured, rigorous four week training program. The training program has a regimen similar to the Shock program for offenders. The goal of the training is to familiarize all correctional employees with the concepts, goals and structure of the Shock program.

## SCREENING OF LEGALLY ELIGIBLE INMATES

All inmates who are initially eligible for Shock are identified and monitored to provide an understanding of the flow of inmates into and out of the program. This monitoring information has been used to change the medical screening criteria, create population projections, justify program expansion or reduction, conduct follow-up studies, and perform cost savings calculations.

### Inmate Flow: Approval Rates For Eligible Inmates

As shown in Table 1, between July 13, 1987 and September 30, 2006, a total of 94,552 Shock eligible inmates were reviewed for participation in the program. Among these 94,552 inmates, 34,942 (37%) were disqualified, most often for medical reasons. An additional nine percent refused to participate. Ultimately, 51,522 (54%) of the inmates who met the initial eligibility requirements were sent to Shock. Females were more likely than males to have been disqualified (47% vs. 36%).

Table 1						
OUTCOME OF SCREENING OF INITIALLY SHOCK ELIGIBLE INMATES BY GENDER JULY 13, 1987 TO SEPTEMBER 30, 2006						
	ALL		FEMALES		MALES	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>TOTAL</b>	<b>94,552</b>	100.0%	<b>9,967</b>	100.0%	<b>84,585</b>	100.0%
<b>SENT TO SHOCK</b>	<b>51,522</b>	54.5%	<b>4,314</b>	43.3%	<b>47,208</b>	55.8%
<b>REFUSED</b>	<b>8,067</b>	8.5%	<b>991</b>	9.9%	<b>7,076</b>	8.4%
<b>DISQUALIFIED</b>	<b>34,942</b>	37.0%	<b>4,656</b>	46.7%	<b>30,286</b>	35.8%
MEDICAL	9,333	9.9%	1,971	19.8%	7,362	8.7%
MENTAL HEALTH	4,741	5.0%	1,364	13.7%	3,377	4.0%
PENDING CHARGES	872	0.9%	14	0.1%	858	1.0%
CRIMINAL HISTORY	5,142	5.4%	163	1.6%	4,979	5.9%
FOREIGN BORN	448	0.5%	35	0.4%	413	0.5%
JUDGE REFUSE	233	0.2%	26	0.3%	207	0.2%
PE DATE	673	0.7%	116	1.2%	557	0.7%
DISCIPLINARY	428	0.5%	76	0.8%	352	0.4%
PUBLIC RISK	5,564	5.9%	285	2.9%	5,279	6.2%
MOVED W/O PAPER	441	0.5%	29	0.3%	412	0.5%
CRIME OF COMMITMENT	3,777	4.0%	176	1.8%	3,601	4.3%
WEAPONS OFFENSES	1,162	1.2%	13	0.1%	1,149	1.4%
OTHER REASONS	2,128	2.3%	388	3.9%	1,740	2.1%
<b>PENDING</b>	21	0.0%	6	0.1%	15	0.0%
<b>APPROVAL RATE*</b>	<b>54.5%</b>		<b>43.3%</b>		<b>55.8%</b>	

\* The approval rate is the percentage sent to Shock, excluding pending cases.

### Screening Trends

On the following page, Table 2 details the screening outcomes and reasons for disqualification each year since program inception.

Table 2

## OUTCOME OF SCREENING OF SHOCK-ELIGIBLE INMATES

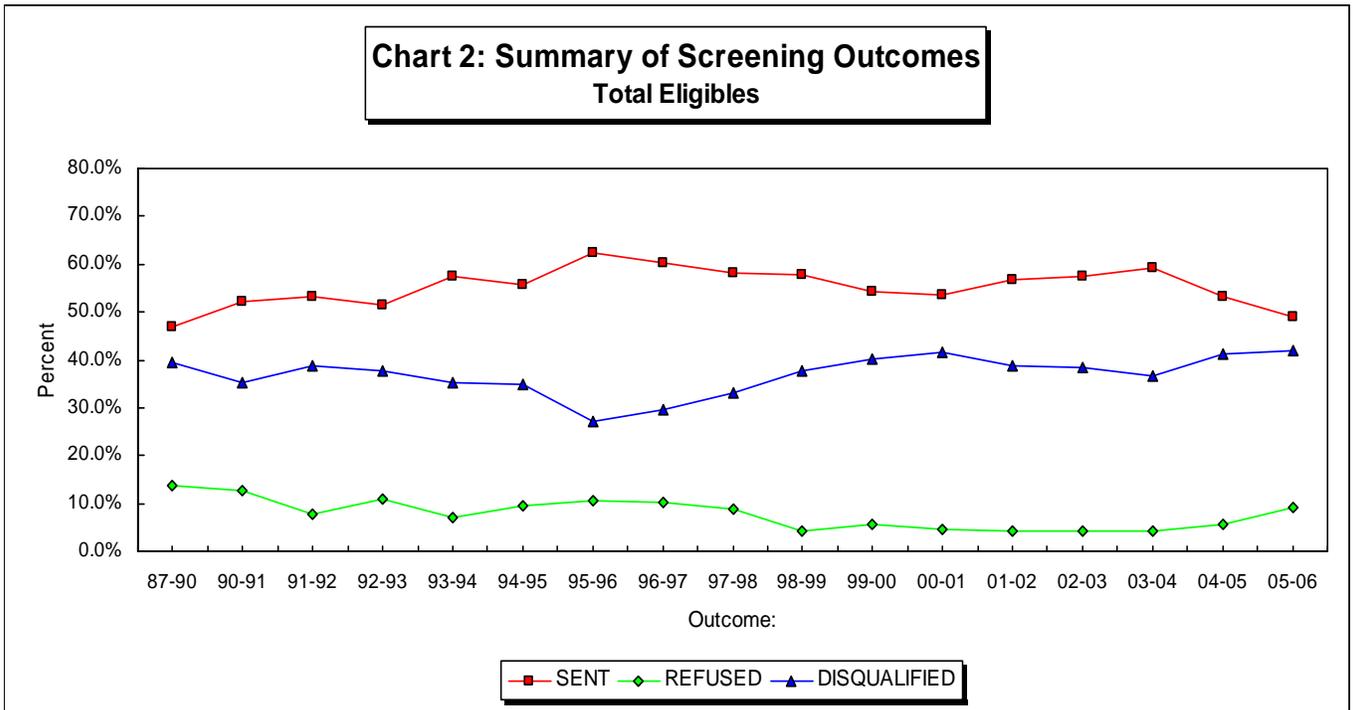
## BY SCREENING PERIOD

JULY 13, 1987 TO SEPTEMBER 30, 2006

	Jul 87 - Sep 98		Oct 98 - Sep 99		Oct 99 - Sep 00		Oct 00 - Sep 01		Oct 01 - Sep 02		Oct 02 - Sep 03		Oct 03 - Sep 04		Oct 04 - Sep 05		Oct 05 - Sep 06	
	NUMBER	PERCENT																
<b>TOTAL</b>	<b>58,926</b>	<b>100.0%</b>	<b>4,739</b>	<b>100.0%</b>	<b>4,963</b>	<b>100.0%</b>	<b>4,650</b>	<b>100.0%</b>	<b>4,455</b>	<b>100.0%</b>	<b>4,481</b>	<b>100.0%</b>	<b>4,180</b>	<b>100.0%</b>	<b>4,013</b>	<b>100.0%</b>	<b>4,145</b>	<b>100.0%</b>
<b>SENT TO SHOCK</b>	<b>31,870</b>	<b>54.1%</b>	<b>2,737</b>	<b>57.8%</b>	<b>2,693</b>	<b>54.3%</b>	<b>2,493</b>	<b>53.6%</b>	<b>2,535</b>	<b>56.9%</b>	<b>2,569</b>	<b>57.3%</b>	<b>2,475</b>	<b>59.2%</b>	<b>2,129</b>	<b>53.1%</b>	<b>2,021</b>	<b>48.8%</b>
<b>REFUSED</b>	<b>6,199</b>	<b>10.5%</b>	<b>208</b>	<b>4.4%</b>	<b>274</b>	<b>5.5%</b>	<b>217</b>	<b>4.7%</b>	<b>193</b>	<b>4.3%</b>	<b>197</b>	<b>4.4%</b>	<b>174</b>	<b>4.2%</b>	<b>227</b>	<b>5.7%</b>	<b>378</b>	<b>9.1%</b>
<b>DISQUALIFIED</b>	<b>20,857</b>	<b>35.4%</b>	<b>1,794</b>	<b>37.9%</b>	<b>1,996</b>	<b>40.2%</b>	<b>1,940</b>	<b>41.7%</b>	<b>1,727</b>	<b>38.8%</b>	<b>1,715</b>	<b>38.3%</b>	<b>1,531</b>	<b>36.6%</b>	<b>1,657</b>	<b>41.3%</b>	<b>1,725</b>	<b>41.6%</b>
MEDICAL	7,154	12.1%	470	9.9%	522	10.5%	431	9.3%	291	6.5%	189	4.2%	99	2.4%	78	1.9%	99	2.4%
MENTAL HEALTH	2,147	3.6%	289	6.1%	383	7.7%	360	7.7%	295	6.6%	283	6.3%	270	6.5%	322	8.0%	392	9.5%
PENDING CHARGES	858	1.5%	0	0.0%	0	0.0%	0	0.0%	1	0.0%	4	0.1%	4	0.1%	3	0.1%	2	0.0%
CRIMINAL HISTORY	3,384	5.7%	248	5.2%	251	5.1%	212	4.6%	202	4.5%	214	4.8%	217	5.2%	219	5.5%	195	4.7%
FOREIGN BORN	446	0.8%	2	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
JUDGE REFUSE	233	0.4%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
PE DATE	571	1.0%	15	0.3%	21	0.4%	15	0.3%	15	0.3%	22	0.5%	12	0.3%	0	0.0%	2	0.0%
DISCIPLINARY	313	0.5%	29	0.6%	34	0.7%	10	0.2%	6	0.1%	16	0.4%	6	0.1%	5	0.1%	9	0.2%
PUBLIC RISK	1,020	1.7%	392	8.3%	482	9.7%	657	14.1%	599	13.4%	631	14.1%	580	13.9%	595	14.8%	608	14.7%
MOVED W/O PAPER	275	0.5%	72	1.5%	68	1.4%	18	0.4%	8	0.2%	0	0.0%	0	0.0%	0	0.0%	0	0.0%
CRIME OF COMMITMENT	1,779	3.0%	213	4.5%	191	3.8%	198	4.3%	259	5.8%	311	6.9%	300	7.2%	271	6.8%	255	6.2%
WEAPONS OFFENSES	1,003	1.7%	21	0.4%	20	0.4%	23	0.5%	23	0.5%	21	0.5%	19	0.5%	21	0.5%	11	0.3%
OTHER REASONS	1,674	2.8%	43	0.9%	24	0.5%	16	0.3%	28	0.6%	24	0.5%	24	0.6%	143	3.6%	152	3.7%
<b>PENDING</b>	<b>0</b>	<b>0.0%</b>	<b>21</b>	<b>0.5%</b>														
<b>APPROVAL RATE*</b>	<b>54.1%</b>		<b>57.8%</b>		<b>54.3%</b>		<b>53.6%</b>		<b>56.9%</b>		<b>57.3%</b>		<b>59.2%</b>		<b>53.1%</b>		<b>49.0%</b>	

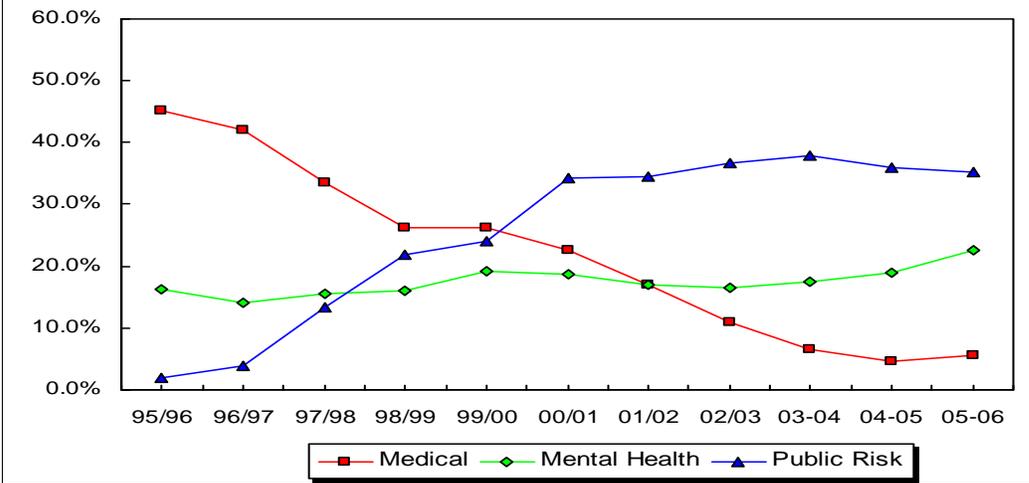
\* The approval rate is the percentage of eligible inmates sent to Shock, excluding pending cases.

In Chart 2, these outcomes are summarized and presented graphically by year. During the most recent year (2005-06), the percentage of eligible inmates ultimately sent to Shock (excluding pending cases) was 49 percent, one of the lowest annual approval rates since program inception, which is illustrated in the chart below. Both disqualifications and refusals increased over the last two years. The increased refusal rate is at least partially a result of sentencing changes for drug offenders introduced in 2005. Analysis of case processing since 2005 shows that Shock-eligible inmates with determinate drug sentences were almost three times as likely as those with indeterminate sentences to refuse Shock (14% refused vs. 5%). [data not shown in tables].



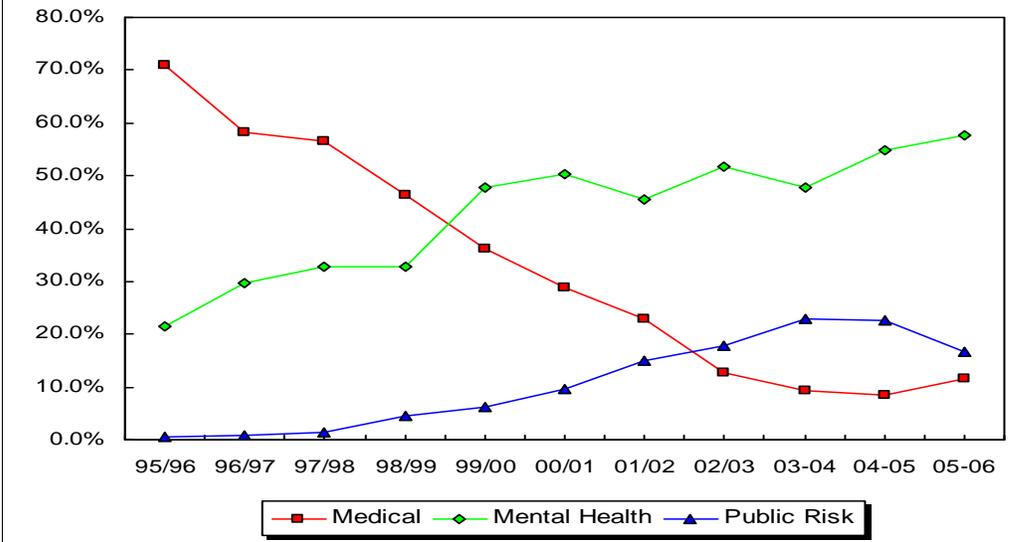
Some of the detailed reasons for disqualification presented in Table 2 are shown as trends in Chart 3. Interestingly, ten years ago, medical exclusions accounted for almost half of all disqualifications, compared to less than ten percent in recent years, even though the upper age limits have expanded incrementally. The percentage of inmates excluded for public risk has increased steadily since program inception.

**Chart 3a. RECENT TRENDS: REASONS FOR DISQUALIFICATION INMATES INTERVIEWED OCTOBER 1995 - SEPTEMBER 2006 BY YEAR**



Women were more than twice as likely as male inmates to be disqualified for mental health reasons. As shown below, about half of all women disqualified from Shock in recent years were unable to participate because of their mental health needs, and the impact continues to grow.

**Reasons for Disqualification among Females**



## **Medical Limitations**

Although Article 26-A of the Corrections Law states that Shock shall provide rigorous physical activity, the program has successfully included inmates with a wide variety of serious ailments, including asthma, HIV, sickle cell disease, epilepsy, and diabetes. In some cases, inmates with musculoskeletal deformities or problems who wish to participate have completed Shock. Since Lakeview has a physician on site or on call 24 hours a day, most of the Shock participants with medical limitations are housed there. During fiscal year 2005-2006, over one third of the Shock participants had some degree of medical limitation.

To increase the positive self-image of program participants, Shock seeks to enhance both their spiritual and physical well being. Participation in Shock can provide medical benefits. Asthmatic inmates have reduced the medicines needed to maintain their breathing. Some inmates with hypertension have had their blood pressure lowered as the result of weight loss attributed to program participation. In fact, the weight loss and weight gain associated with program participation is documented with each graduating class.

Some very serious health problems, such as active tuberculosis, uncontrolled epilepsy, renal failure, musculoskeletal deformities and schizophrenia, preclude enrollment in Shock because inmates with these illnesses cannot participate in the academic and treatment phases of Shock. Table 2 and Chart 3 show that the percentage of screened inmates who were disqualified for medical reasons has declined in recent years.

## **Impact of Age on Approval Rates**

As discussed earlier, since Shock began, the Legislature incrementally expanded the ages eligible to allow inmates up through age 39 to participate. Overall, 59 percent of the inmates screened were 16-25 years old, 20 percent were between 26 and 29, 16 percent were between 30 and 34 years old and five percent were between the ages of 35 and 39 (see Table 3).

**TABLE 3**

**OUTCOME OF SCREENING OF SHOCK-ELIGIBLE INMATES  
BY AGE  
JULY 13, 1987 - SEPTEMBER 2006**

	TOTAL*		16-25 YR OLDS		26-29 YR OLDS		30-34 YR OLDS		35-39 YR OLDS	
	NUMBER	PERCENT								
<b>TOTAL</b>	<b>94,552</b>	<b>100.0%</b>	<b>56,078</b>	<b>100.0%</b>	<b>18,673</b>	<b>100.0%</b>	<b>14,706</b>	<b>100.0%</b>	<b>4,570</b>	<b>100.0%</b>
<b>SENT TO SHOCK</b>	51,522	54.5%	33,256	59.3%	9,190	49.2%	7,175	48.8%	1,787	39.1%
<b>REFUSED</b>	8,067	8.5%	4,480	8.0%	2,003	10.7%	1,282	8.7%	245	5.4%
<b>DISQUALIFIED</b>	34,942	37.0%	18,329	32.7%	7,476	40.0%	6,247	42.5%	2,536	55.5%
MEDICAL	9,333	9.9%	4,169	7.4%	2,297	12.3%	2,223	15.1%	586	12.8%
MENTAL HEALTH	4,741	5.0%	2,060	3.7%	936	1.7%	1,075	7.3%	647	14.2%
PENDING CHARGES	872	0.9%	678	1.2%	162	0.9%	19	0.1%	1	0.0%
CRIMINAL HISTORY	5,142	5.4%	2,773	4.9%	1,233	6.6%	801	5.4%	247	5.4%
FOREIGN BORN	448	0.5%	370	0.7%	47	0.3%	29	0.2%	1	0.0%
JUDGE REFUSE	233	0.2%	3	0.0%	230	1.2%	0	0.0%	0	0.0%
PE DATE	673	0.7%	462	0.8%	118	0.6%	55	0.4%	18	0.4%
DISCIPLINARY	428	0.5%	290	0.5%	84	0.4%	32	0.2%	13	0.3%
PUBLIC RISK	5,564	5.9%	3,055	5.4%	893	4.8%	891	6.1%	669	14.6%
MOVED W/O PAPER	441	0.5%	197	0.4%	93	0.5%	129	0.9%	19	0.4%
CRIME OF COMMITMENT	3,777	4.0%	2,428	4.3%	641	3.4%	470	3.2%	214	4.7%
WEAPONS OFFENSES	1,162	1.2%	818	1.5%	192	1.0%	138	0.9%	8	0.2%
OTHER REASONS	2,128	2.3%	1,026	1.8%	550	2.9%	385	2.6%	113	2.5%
PENDING	21	0.0%	13	0.0%	4	0.0%	2	0.0%	2	0.0%
<b>APPROVAL RATE</b>	<b>54.5%</b>		<b>59.3%</b>		<b>49.2%</b>		<b>48.8%</b>		<b>39.1%</b>	

\*The Total includes 525 cases for which age is missing in the database.

Younger inmates were more likely than older eligibles to be approved for Shock. Fifty-nine percent of the 16 to 25 year- olds were sent to Shock, compared to 49 percent of the 26 to 29 year-olds and 30 to 34 year-olds, and only 39 percent of the 35 to 39 year-olds. (The overall approval rate of the 26 to 29 year- olds was negatively affected by additional restrictions that were placed on their participation for almost three years between 1989 and 1992.)

Older inmates were more likely to be disqualified than younger inmates for medical, mental health, or public risk reasons.

### **Inmates Sent to Shock**

Table 4 examines the status of all inmates who were sent to the Shock program since the program began. As of September 30, 2006, a total of 51,522 inmates were sent to Shock facilities. Among those sent, 1,055 were still participating in the program on September 30, 2006. Among the remaining 50,467 participants, 35,102 (70%) successfully completed Shock, graduated and were released to parole supervision; 726 (1%) completed Shock but were held by the Board of Parole; and 14,456 (29%) were removed from the program.

The typical Shock graduate completes the 180-day program and is then released to parole supervision. However, some participants who have difficulties with the Shock program go through a reevaluation program and, if successful, return to Shock and complete the program.

TABLE 4								
STATUS OF INMATES SENT TO SHOCK								
SEPTEMBER 1987 THROUGH SEPTEMBER 2006								
STATUS	MONTEREY	SUMMIT MALE	SUMMIT FEMALE	MORIAH	BUTLER	LAKEVIEW MALES	LAKEVIEW FEMALES	TOTAL
	Sent from Reception	9,544	6,026	668	8,257	2,395	12,522	2,656
Sent with Medical Limitations	1,994	1,320	0	1,897	0	3,253	990	9,454
<b>TOTAL SENT TO SHOCK*</b>	<b>11,538</b>	<b>7,346</b>	<b>668</b>	<b>10,154</b>	<b>2,395</b>	<b>15,775</b>	<b>3,646</b>	<b>51,522</b>
<b>GRADUATED AND RELEASED TO PAROLE*</b>	<b>8,156</b>	<b>5,206</b>	<b>416</b>	<b>7,573</b>	<b>1,549</b>	<b>10,091</b>	<b>2,111</b>	<b>35,102</b>
<b>GRADUATED FROM SHOCK, BUT HELD BY THE PAROLE BOARD*</b>	<b>150</b>	<b>122</b>	<b>1</b>	<b>181</b>	<b>9</b>	<b>243</b>	<b>20</b>	<b>726</b>
<b>TOTAL REMOVED FROM SHOCK*</b>	<b>2,986</b>	<b>1,856</b>	<b>251</b>	<b>2,161</b>	<b>837</b>	<b>4,942</b>	<b>1,423</b>	<b>14,456</b>
Reasons for Removal:								
DISCIPLINARY	1,500	984	88	925	222	1,824	613	6,156
VOLUNTARY	421	236	74	314	283	299	13	1,640
MEDICAL	185	139	9	79	47	640	360	1,459
MENTAL HEALTH	44	34	2	45	4	42	33	204
UNSAT PROGRAM ADJUSTMENT	469	200	34	450	138	785	183	2,259
BECAME INELIGIBLE	52	42	9	44	17	251	24	439
REEVALUATION REMOVALS	204	161	16	200	75	887	177	1,720
ESCAPE OR ATTEMPT	4	0	0	2	5	5	0	16
OUT TO COURT	4	3	0	7	0	26	4	44
SECURITY RISK	28	8	0	34	2	2	0	74
FAIL WORK RELEASE POST GRADUATION	12	5	0	12	12	12	0	53
OTHER	63	44	19	49	32	169	16	392
<b>AT SHOCK ON SEPT. 30, 2006**</b>	<b>190</b>	<b>121</b>	<b>0</b>	<b>183</b>	<b>0</b>	<b>477</b>	<b>84</b>	<b>1,055</b>

NOTE: THE NUMBER OF GRADUATES, REMOVALS AND CURRENT PARTICIPANTS WILL NOT ADD TO THE TOTAL SENT FROM RECEPTION DUE TO INTER-FACILITY MOVEMENT.

## **Shock Inmates: A Comparison To Other Prisoners**

Due to restrictions on the characteristics of Shock eligible inmates based on age, time to parole eligibility, and crime type, the typical Shock inmate differs from much of the under custody population.

Table 5 compares inmates on 22 demographic and legal characteristics. Shock inmates under custody on September 30, 2006 are compared to inmates housed at a comparison group of Minimum and Medium Security facilities on the same date.

In comparison to the other male inmates, the male Shock inmates were:

- younger at reception*
- serving shorter times to parole eligibility*
- more often committed for drug crimes*
- less often convicted as Second Felony Offenders*
- less likely to have been committed from New York City*
- more likely to be white*
- less likely to have completed 12th grade*
- serving shorter sentences*
- less likely to have had prior felony arrests and convictions*
- entering DOCS after serving fewer jail days*

Table 5 also shows differences among the women. In comparison to their counterparts Shock women were:

- younger at reception*
- less often convicted as Second Felony Offenders*
- serving shorter sentences*
- less likely to have prior felony arrests and convictions*
- given shorter times to parole eligibility*
- entering DOCS after serving fewer jail days*
- less likely to have been committed from New York City*

**TABLE 5**

**PROPORTIONAL DISTRIBUTIONS AND AVERAGES OF SHOCK INMATES AND COMPARISON GROUPS OF INMATES ON DEMOGRAPHIC AND LEGAL VARIABLES USING THE UNDERCUSTODY POPULATION ON SEPTEMBER 30, 2006**

CHARACTERISTICS	SHOCK	MEDIUM	MINIMUM	SHOCK	MEDIUM	MINIMUM
	MALES	MALES	MALES	FEMALES	FEMALES	FEMALES
	N=971	N=3,038	N=673	N=84	N=329	N=243
Percent 21 Years or Older Admission	61.9%	87.5% *	90.8% *	80.8%	94.5%	93.0%
Percent Time to PE 13 mo. Plus	64.8%	90.7% *	84.5% *	64.1%	80.2%	77.0%
Percent Alcoholic MAST Scores	20.2%	21.6%	21.8%	28.8%	44.6%	38.6%
Percent Drug Offenders	59.3%	28.6% *	49.9%	48.7%	44.7%	42.4%
Percent Drug Use	67.5%	51.2% *	61.2%	61.5%	69.4%	61.0%
Percent 2ND Felony Offenders	27.2%	55.1% *	69.2% *	16.7%	46.2% *	44.0% *
Percent White Inmates	24.9%	14.1% *	13.4% *	47.4%	27.7%	70.4%
Percent Black Inmates	45.3%	52.9% *	58.5% *	30.8%	49.5%	51.0%
Percent Hispanic Inmates	72.0%	68.5%	27.0%	17.9%	21.3%	18.5%
Percent N.Y. City Commitments	40.4%	66.3% *	55.6% *	24.4%	47.9% *	43.6%
Percent Education Thru 9th Grade	26.0%	23.6%	23.1%	14.7%	18.8%	14.5%
Percent With 12th Grade Plus	34.0%	49.9% *	43.8%	61.3%	49.3%	53.9%
Average Aggregate Min. Sent. (months)	21.5	74.1 *	38.0 *	20.2	42.6 *	34.1 *
Average Aggregate Max. Sent. (months)	40.9	125.3 *	69.8 *	38.3	78.7 *	68.3 *
Average Prior Felony Arrests	1.5	2.7 *	3.3 *	1.1	2.0 *	2.1 *
Average Prior Felony Convictions	0.5	1.5 *	2.0 *	0.4	1.1 *	1.1 *
Average Age at Recep. (years)	24.8	33.0 *	34.0 *	26.6	36.6 *	37.4 *
Average Time PE At Recep. (months)	17.5	65.5 *	32.0 *	17.1	36.1 *	28.9 *
Average Educational Level (grade)	10.6	10.8	10.7	11.5	11.0	11.2
Average Jail Time At Recep. (days)	124.7	261.6 *	184.0 *	93.1	196.1 *	157.5 *
Average TABE Reading Scores	8.1	7.2	7.1	9.3	7.5	8.2
Average TABE Math Scores	7.0	6.3 *	6.1 *	6.9	5.9	6.5

\* INDICATES A SIGNIFICANT DIFFERENCE BETWEEN SHOCK AND COMPARISON INMATES AT .01 LEVEL

## **Reevaluation Program**

In January 1991, DOCS began allowing marginal Shock inmates an alternative to removal. This opportunity is known as "reevaluation". When a Shock inmate is being considered for removal from the program for unsatisfactory adjustment, the Superintendent's Committee at the facility can recommend that the inmate be reevaluated. With the approval of the Superintendent and the Director of Shock Incarceration, that inmate can be sent for reevaluation. Inmates removed from Shock for disciplinary reasons can also petition the Superintendent of that Shock facility to allow them to return to the program. Again, with the approval of the Superintendent and the Director of Shock Incarceration, that inmate can be placed in the reevaluation unit. An inmate charged with certain disciplinary infractions such as assaulting staff or inmates will not be considered for reevaluation. Inmates participating in reevaluation are transferred to Lakeview, regardless of their initial Shock facility assignment.

Reevaluation inmates are voluntarily sent back for refresher training to re-learn the fundamentals of the program. During this period, the inmates' progress is closely monitored. If they perform satisfactorily, they are integrated into an existing platoon that will graduate at a date closest to the time owed in order for them to successfully complete their six months in the program, exclusive of the reevaluation period. If they do not perform satisfactorily, they either continue in the reevaluation status for an additional period or they are removed from Shock altogether. Thus, inmates who have gone through the reevaluation process spend more time in Shock facilities than inmates who do not go through reevaluation. By keeping these marginal inmates longer and reviewing program concepts and expectations in more detail, we hope to ensure that reevaluated inmates will have a successful return to the community upon their release to parole supervision.

As of September 30, 2006 4,126 inmates had been sent to reevaluation. As of that date, 61 were still active in the reevaluation program. Among the remaining 4,065 inmates sent to reevaluation, 1,721 (42%) completed the reevaluation process, graduated from Shock and have been released to parole supervision. An additional seven inmates (<1%) completed reevaluation and are currently at Lakeview Shock. The remaining 2,337 inmates who were sent to reevaluation either failed to complete the reevaluation phase (1,704 or 42%) or completed reevaluation but then failed at Lakeview Shock (633 or 16%).

## **Shock Program Removals**

Of the 49,558 inmates who have either been removed or graduated from Shock, 14,456 (29%) failed to complete the program at DOCS, having been removed either straight from the program or after reevaluation. This removal rate has declined from a high of 37 percent reported in the 1995 Legislative Report, indicating that the retention rate for the program has improved.

The number and percent distributions for reasons for removal are presented in

Table 6. Through September 30, 2006, most inmates were removed for disciplinary infractions (43%) or Unsatisfactory Program Adjustment (16%). Overall, 11 percent of the withdrawals were voluntary. Four percent of the removals fall into an “Other Reasons” category, which includes escape attempts, early deportation, or security concerns.

Disciplinary removals have generally been increasing since Shock began. During the last two years, removals for unsatisfactory program adjustments have gone down. The increase in medical removals seen last year reversed itself during the current year.

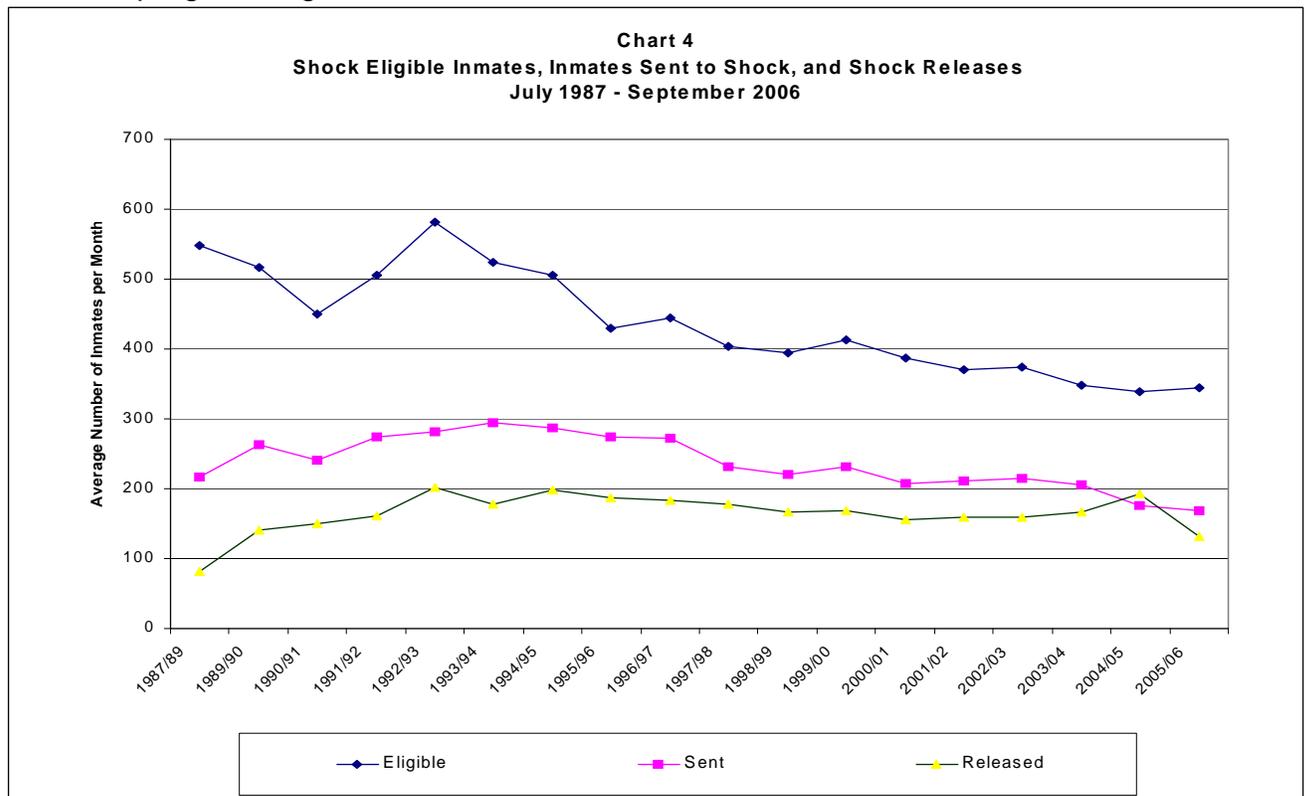
Table 6								
NUMBER AND PERCENT DISTRIBUTION OF REASONS FOR REMOVAL FROM SHOCK								
SEPTEMBER 1987 THROUGH SEPTEMBER 2006								
	Sep-87	Oct-92	Oct-97	Oct-02	Oct-03	Oct-04	Oct-05	
<u>REASON FOR REMOVAL</u>	Sep-92	Sep-97	Sep-02	Sep-03	Sep-04	Sep-05	Sep-06	TOTAL
DISCIPLINARY	1,176	2,301	1,617	319	276	218	249	6,156
VOLUNTARY	1,176	381	32	5	9	19	18	1,640
MEDICAL	211	782	325	44	26	39	32	1,459
MENTAL HEALTH	25	64	70	19	12	5	9	204
UNSAT PROG ADJUSTMENT	667	723	578	98	107	46	40	2,259
REEVALUATION REMOVALS	279	1,117	302	0	18	1	3	1,720
BECAME INELIGIBLE	103	135	115	26	28	14	18	439
OTHER REASONS	233	160	132	14	21	9	10	579
TOTAL REMOVALS	3,870	5,663	3,171	525	497	351	379	14,456
	Sep-87	Oct-92	Oct-97	Oct-02	Oct-03	Oct-04	Oct-05	
<u>REASON FOR REMOVAL</u>	Sep-92	Sep-97	Sep-02	Sep-03	Sep-04	Sep-05	Sep-06	TOTAL
DISCIPLINARY	30.4%	40.6%	51.0%	60.8%	55.5%	62.1%	65.7%	42.6%
VOLUNTARY	30.4%	6.7%	1.0%	1.0%	1.8%	5.4%	4.7%	11.3%
MEDICAL	5.5%	13.8%	10.2%	8.4%	5.2%	11.1%	8.4%	10.1%
MENTAL HEALTH	0.6%	1.1%	2.2%	3.6%	2.4%	1.4%	2.4%	1.4%
UNSAT PROG ADJUSTMENT	17.2%	12.8%	18.2%	18.7%	21.5%	13.1%	10.6%	15.6%
REEVALUATION REMOVALS	7.2%	19.7%	9.5%	0.0%	3.6%	0.3%	0.8%	11.9%
BECAME INELIGIBLE	2.7%	2.4%	3.6%	5.0%	5.6%	4.0%	4.7%	3.0%
OTHER REASONS	6.0%	2.8%	4.2%	2.7%	4.2%	2.6%	2.6%	4.0%
TOTAL REMOVALS	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%	100.0%

On average, Shock removals spent 77 days in the program before leaving (see Table 7). Time in program ranged from a low of 29 days for inmates removed voluntarily to a high of 152 days for those leaving during reevaluation.

<b>TABLE 7</b>		
<b>AVERAGE NUMBER OF DAYS AT SHOCK FACILITIES</b>		
<b>FOR INMATES WHO WERE</b>		
<b>REMOVED FROM SHOCK AS OF SEPTEMBER 30, 2006</b>		
<b>REASON FOR LEAVING:</b>	<b>AVG. NUMBER OF DAYS IN SHOCK</b>	<b>NUMBER OF INMATES</b>
DISCIPLINARY	54.5	6,156
VOLUNTARY	29.1	1,640
MEDICAL	43.6	1,459
MENTAL HEALTH	32.1	204
UNSAT. PROG. ADJUST.	122.7	2,259
BECAME INELGIBLE	104.7	439
REEVALUATION REMOVALS	152.2	1,720
OTHER REASONS	139.1	579
<b>TOTAL REMOVALS</b>	<b>77.4</b>	<b>14,456</b>

## **Longitudinal Review Of Eligible Inmates, Inmate Participants and Releases**

Chart 4 shows the average monthly number of Shock eligible inmates screened for participation, inmates sent to Shock programs, and Shock releases for each year since the program began in 1987.



The average number of eligible inmates screened each month peaked in 1992-1993 at 582 and has since been generally declining. During 2005-2006, the monthly average was 345.

The average number of inmates sent to Shock programs each month has been gradually decreasing since 1993-1994. On average, 242 inmates were sent to Shock each month since the program began. In 2005-2006, an average of 168 inmates were sent to Shock monthly.

During 2005-2006, the average monthly number of graduates was 132, a sharp drop from the previous year. Overall, since program inception, the number of Shock releases each month averaged 171.

The decrease in the number of inmates screened and sent to Shock programs can be attributed to the development of alternatives to prison for non-violent offenders, some of whom would have been eligible for Shock. Certain offenders may be sentenced to attend the Willard Drug Treatment Campus, a secure, intensive, 90-day treatment program for offenders with drug problems. Beginning in 2005, the introduction of determinate drug sentences may have also impacted Shock.

### **FISCAL ANALYSIS OF SHOCK INCARCERATION**

DOCS worked with the Office of the State Comptroller (OSC) and consulted with nationally recognized Boot Camp scholars such as Doris MacKenzie and Dale Parent to assure that our presentation of the cost avoidances attributed to Shock were as accurate as possible. Since the initial Report in this series, DOCS has continually sought to refine its cost analysis methodology.

In weighing the relative costs and benefits of the Shock program, it should be recognized that Shock facilities differ from other prisons. All Shock inmates participate in intensive, rigorous programs that are run under strict discipline. Three of the Shock facilities are run in "camp" settings, with no external security perimeter. The fourth facility, Lakeview, has a perimeter fence. The cost avoidance model presented here compares the cost of running the Shock facilities to operating expenses at six Medium Security facilities (Altona, Walkkill, Taconic, Watertown, Mid-Orange, and Ogdensburg) and five Minimum Security facilities (Camp Pharsalia, Camp Georgetown, Beacon, Camp Gabriels and Lyon Mountain).

### **The New York State Cost Avoidance Model**

Shock costs are weighed against hypothetical costs to the Department if the Shock program did not exist, and all Shock graduates since the start of the program had to serve out their complete sentences in a non-Shock facility. The resultant model consists of two distinct components, **savings due to reduction in the need for care and custody of Shock inmates** and **savings due to the avoidance of capital construction costs**.

Because the New York model examines the fiscal impact of the program from its inception, dollar savings are cumulative. In constructing the model, the following factors have been considered:

1. **The fiscal year expenditures for Shock facilities.**
2. **The fiscal year expenditures for general confinement facilities where Shock inmates would be housed if the program did not exist.**
3. **The original time to parole eligibility (PE) of Shock graduates released to parole supervision.**
4. **For an estimated proportion of inmates graduating since October 1997, the time to Merit Time Release was substituted for Parole Eligibility, based on their potential for pre-PE release. (This factor was first introduced in the 2005 Report.)**
5. **The security level of Shock program graduates.**
6. **The amount of time Shock graduates spent in DOCS custody before their release to parole supervision.**
7. **The proportion of Shock inmates who would not be released to parole supervision at their first appearance and the average duration of their stay in DOCS if Shock did not exist.**
8. **The thirty year amortized costs of constructing a 750 bed facility that would be**

double-bunked (Based on the easement of overcrowding, this factor has been frozen as of October 2000.)

9. The number of vacant beds in the Shock program.
10. The number of inmates removed from Shock before their completion of the program.
11. The number of inmates who completed Shock but were denied early release by the Board of Parole.
12. The number of months Shock graduates were released prior to their earliest possible release date (PE or potential Merit Time release date).

### **Per-diem Expenditures at Shock vs. Non-Shock Facilities**

The starting point for placing a dollar value on the savings component of the cost model is the actual expenditure data for the Shock and comparison facilities. For each facility, the per-inmate, per-diem cost was calculated by dividing the actual fiscal year expenditures by the average daily inmate population for the fiscal year. DOCS Budget Analysts provided facility-level information on expenditures occurring in the 2004 - 2005 fiscal year (the most recent data available).

Table 8 presents the overall per-diem costs for Shock and the comparison facilities during fiscal year 2004-2005. During this time period, the cost per-diem per-inmate at Shock facilities was nine percent less than those costs for inmates housed in the comparison Medium security facilities and three percent less than at the comparison Minimum security facilities.

<b>TABLE 8</b>		
<b>COMPARISON COSTS FOR SELECTED FACILITIES</b>		
<b>BASED ON DOCS BUDGET DATA FOR FY 2004-05</b>		
<b>FACILITY</b>	<b>AVERAGE POPULATION</b>	<b>TOTAL SPENT PER INMATE, PER DAY</b>
MONTEREY	228	\$91.40
SUMMIT	208	\$98.22
MORIAH	225	\$92.16
LAKEVIEW	1,087	\$77.46
<b>SHOCK AVG</b>	<b>437</b>	<b>\$83.64</b>
PHARSALIA	192	\$85.30
BEACON	203	\$89.03
GABRIELS	292	\$87.33
GEORGETOWN	229	\$71.32
LYON MT	155	\$105.32
<b>MINIMUM AVG</b>	<b>214</b>	<b>\$86.47</b>
TACONIC	309	\$119.85
WALLKILL	596	\$77.59
ALTONA	474	\$88.62
OGDENSBURG	590	\$88.91
WATERTOWN	646	\$96.65
MID-ORANGE	723	\$93.84
<b>MEDIUM AVG</b>	<b>556</b>	<b>\$92.28</b>

Annual per-diem costs since Shock began are shown in Table 9. In the early years of the program, the per-diem Shock costs were considerably higher than comparable Minimum or Medium security facilities. Over time, these cost differences have diminished.

Table 9 also includes the *overall* average per-diem costs since Shock started in New York State. Our cost avoidance model applies these overall averages to all the inmates released from the Shock program since March 1988. This averaging of per-diem costs smoothes out the variation in fiscal expenditures from year to year and presents a more accurate picture over the entire period of the program's operation. As shown in Table 9, overall since Shock began, the per-diem costs per inmate have been 13 percent higher at the Shock facilities than at comparison Minimum security facilities and two percent higher than at the Medium security facilities.

<b>TABLE 9</b>			
<b>AVERAGE PER DIEM COSTS BY FACILITY TYPE</b>			
<b>BY FISCAL YEAR</b>			
	<b>SHOCK</b>	<b>MINIMUMS</b>	<b>MEDIUMS</b>
<b>FY 87-88</b>	\$62.12	\$48.48	\$55.09
<b>FY 88-89</b>	\$69.25	\$44.20	\$57.42
<b>FY89-90</b>	\$80.52	\$46.85	\$56.07
<b>FY90-91</b>	\$69.33	\$50.94	\$59.75
<b>FY 91-92</b>	\$64.91	\$51.88	\$56.75
<b>FY 92-93</b>	\$60.04	\$54.06	\$54.65
<b>FY 93-94</b>	\$60.39	\$51.86	\$59.97
<b>FY 94-95</b>	\$59.46	\$55.33	\$60.96
<b>FY 95-96</b>	\$58.29	\$54.82	\$58.12
<b>FY 96-97</b>	\$60.03	\$54.00	\$58.08
<b>FY 97-98</b>	\$62.36	\$56.42	\$64.06
<b>FY 98-99</b>	\$58.92	\$55.61	\$61.88
<b>FY 99-00</b>	\$62.49	\$59.92	\$65.76
<b>FY 00-01</b>	\$72.00	\$68.81	\$73.10
<b>FY 01-02</b>	\$70.65	\$68.02	\$75.76
<b>FY02-03</b>	\$77.32	\$73.95	\$82.42
<b>FY03-04</b>	\$80.35	\$75.38	\$83.16
<b>FY 04-05</b>	\$83.64	\$86.47	\$92.28
<b>FY 05-06*</b>	\$83.64	\$86.47	\$92.28
<b>AVERAGE</b>	<b>\$68.20</b>	<b>\$60.18</b>	<b>\$66.71</b>
* When calculating the cumulative average, FY 05-06 per diem costs are estimated based on data from the prior year, which is the most recent available.			

## **Program Cost Savings Due to Shock Incarceration**

Because successful completion of Shock Incarceration usually results in release to parole supervision before the inmates' Parole Eligibility dates (PE dates), Shock graduates spend less time incarcerated. Other than Shock, limited early release mechanisms are available in New York State, including medical parole for terminal inmates and early release of aliens for deportation purposes. Since October 1997, Merit Time Release has been available to certain non-violent offenders who meet stringent programming requirements and maintain a clean disciplinary record while at DOCS. Merit Time Release may be granted at the discretion of the Board of Parole after an inmate serves six-sevenths of the minimum sentence. Because some proportion of Shock graduates would become Merit Time Releases if the Shock program did not exist, the average number of days Shock graduates would have stayed in prison absent the availability of Shock was reduced from previous years in the cost savings model.

As shown in Table 10, each of the 35,102 Shock releases through September 30, 2006, would have spent an estimated average of 570 days in prison from the date they were admitted to DOCS until parole eligibility (either by serving their minimum sentence or, for a subset of offenders, by reaching their Merit Release date), if the program did not exist.

These 35,102 Shock releases actually spent an average of 225 days in DOCS custody from the date they were admitted to DOCS until they were released to parole supervision. Thus, for the average Shock graduate there is a saving of 345 days or 11.3 months between their actual date of release from Shock to what would have been their earliest release.

Parole does not release all inmates at their parole eligibility date. Based on Department data we have determined that the proportion of inmates who have been released at their initial parole hearings since March 1988 is 58 percent, while a much greater proportion of Shock graduates (96%) have been granted parole releases at their initial hearings. Based on these estimates, if Shock were not available, DOCS expects that 58 percent of the graduates would be released at their Parole Eligibility or Merit Time Release dates, while 42 percent would be given additional time (which is estimated to be ten months by analyzing parole outcomes for Earned Eligibility Program certified inmates.)

As previously noted, by averaging the per-diem costs of the program for the nineteen fiscal years of the Program's existence, we estimated the program cost savings obtained for placing inmates in Shock, rather than housing them at either a Minimum or Medium Security facility (see Table 9). In Table 10, we multiplied the average per-diem cost per inmate (for each facility type) by the average number of days he/she would be incarcerated.

While over the nineteen-year period the average daily cost per inmate is higher for Shock than for the comparison Minimum and Medium facilities, the number of days spent under custody by a released Shock graduate is substantially less than if that

inmate had to serve a full sentence at the other facilities. As a result, for every 100 inmates who graduate from Shock, there is a savings of \$2.04 million because we have housed them for less time. These savings are due to the early release of inmates prior to their PE (or merit) dates.

Additionally, if Shock was not available, it is estimated that 58 of these 100 inmates would be granted release by the Board of Parole at their initial release consideration. The other 42 inmates would stay incarcerated for an average of ten months. DOCS estimates the annual operational and administrative costs per inmate at \$27,645. Therefore, 10 months, or 83.3% of a year of incarceration costs \$23,037. For our purposes, that is an additional savings of \$967,568 for the 42 inmates released after their PE dates.

<b>TABLE 10</b>			
<b>CALCULATIONS USED IN DETERMINING COST AVOIDANCE SAVINGS</b>			
<b>FOR THE 35,102 SHOCK RELEASES THROUGH SEPTEMBER 2006</b>			
Type of Facility	Cost Per Day Per Inmate	Number of Days until Parole or Merit Time Release Eligibility*	Cost Per Day Multiplied By Days To Pe
<b>Shock</b>	\$68.20	225	\$15,345.00
<b>Minimum</b>	\$60.18	570	\$34,302.60
<b>Medium</b>	\$66.71	570	\$38,024.70
Average Costs of Minimum and Medium Combined	\$62.79	570	\$35,791.44
Cost For Housing 100 Inmates in Shock	\$1,534,500.00		
If Shock were not available 60% of these inmates would go to Minimum Security facilities and 40% would go to Medium Security Facilities			
Cost of Housing 60 inmates in Minimum	\$2,058,156.00		
Cost of Housing 40 inmates in Medium	\$1,520,988.00		
<b>Total Non-Shock Housing Costs</b>	<b>\$3,579,144.00</b>		
Savings gained by sending inmates to Shock	<b>\$2,044,644.00</b>		
Savings Post PE Date Since Not All Inmates Are Released At Their First Board Hearing			
Average Number of Inmates Held By Board	42		
Additional Months Spent In Custody	10		
Annual Cost For Care Per Inmate In DOCS	\$27,644.90		
Savings Per Inmate	\$23,037.32		
Post PE Savings For the 42 Inmates	\$967,567.63		
<b>Savings Total In Care and Custody Per 100 Shock Releases</b>	<b>\$3,012,211.63</b>		
<b>Capital Construction Savings (through September 2000)</b>			
24,001	<b>Graduates (through September 2000)</b>		
13,921	<b>Out At Minimum</b>		
0.958	<b>Time Saved</b>		
13,339	<b>Saved</b>		
10,080	Inmates Held At Minimum		
1.792	Time Saved		
18,060	Saved		
31,399	total time saved in man years		
\$136,809,180	cost avoided		
\$10,785,380	empty beds subtraction		
<b>\$126,023,801</b>	net savings		
189.2	number of empty beds		
157	number of months program open		
<b>Capital Construction Savings</b>			<b>\$126,023,801</b>
Savings Summary			
Preliminary Operational Savings			
Graduates	35,102	\$1,057,346,526.26	
This savings should be offset by costs of housing 14,456 inmates who were removed from Shock. They stayed an average of 77.4 days in the program at \$68.20 per day instead of 77.4 days at \$62.79 per day. The \$5.41 per-day difference in costs for housing each Shock removal for 77.4 days was \$418.73. Multiplied by 14,456 removals, there is an offset to the savings model of			
			\$6,050,980.92
Similarly, 726 inmates completed Shock but were not released by the Board. These inmates stayed an average of 186.8 days, and reduce the savings by			
			\$733,686.89
Revised Operational Savings accounting for program removals and inmates held by the Board	35,102	\$1,050,561,858.46	
Capital Construction Savings			<b>\$126,023,801.00</b>
<b>TOTAL SAVINGS</b>			<b>\$1,176,585,659</b>

\* Available for certain non-violent offenders since October 1997, Merit Time Release may be granted at the discretion of the Board of Parole to inmates who meet stringent programming requirements and maintain a clean disciplinary record in DOCS. Inmates eligible for merit release may earn a one-sixth reduction of their minimum sentence.

So, for every 100 Shock releases, it is estimated that the Department saves **\$3.01 million**, which it otherwise would have had to expend for the care and custody of these inmates. Thus, for the 35,102 releases from Shock as of September 30, 2006, there was an estimated savings in program costs of \$1.06 billion. However, these savings must be offset by the cost of housing inmates who started Shock but did not complete the program.

According to Table 7, 14,456 inmates had been removed from Shock as of September 30, 2006, after spending an average of 77.4 days in the program. Instead of 77.4 days being spent at either a Medium or Minimum security facility, these inmates spent this time at Shock facilities. As a result the amount of the offset is approximately \$6.05 million.

Similarly, 726 inmates completed the Shock program but were not released early by the Board of Parole. These inmates stayed at Shock an average of 186.8 days at a higher per-diem cost, but without the benefit of fewer incarceration days. To account for this cost, the overall cost-savings is reduced by \$733,687. **Thus, the revised savings estimate for the care and custody of Shock inmates is \$1.05 billion.**

### **Capital Savings: Bed Savings And Associated Costs**

An additional set of savings, separate from the operating costs, are the bed savings, which are the capital construction costs avoided as a result of not having to house Shock graduates. Because construction of new facilities has ceased in New York State, the Department's Research Division has decided that beginning January 1, 2001, avoidance of capital expenditure should not be credited to programs until the Department either makes plans for new construction or renews the use of those double bunks that are not currently being utilized. As such, the avoidance of capital expenditure credited to Shock in this analysis is limited to cost avoidance accrued through September 30, 2000. No additional capital savings will be added to the fiscal analysis for Shock.

In calculating the cost avoidance for capital construction accrued through September 30, 2000, it should be noted that the method was amended from the original model used by the Department, based on concerns raised by the Office of the State Comptroller. The current model is a more conservative savings estimate based on a determination of the cost of construction amortized over a 30 year period. The cost of a medium security bed is amortized by dividing the cost of the facility (\$75,975,000) by the capacity of the facility fully double bunked (1,302), bonded for a 30 year life of a prison at 6.35 percent interest. This method results in a monthly cost for a bed of over \$363, or \$4,356 per year.

Since program inception Shock has saved 31,399 man-year beds, which when multiplied by \$4,356 results in a cost avoidance of \$136,809,180. This savings figure is reduced by \$10.8 million to account for empty beds in the program (see **Table 9**), so the total capital construction savings is \$126.0 million.

**Thus, the combined total cost avoidance value of the program is \$1.18 billion, which includes savings in the provision of care and custody and savings in the cost of capital construction.**

### **Other Costs and Benefits**

The cost avoidance figures presented are "front end" dollars that are accrued by the Department in providing the incarceration phase of the Shock program. The figures do not account for any additional costs that accumulate as a result of the actions or policies of other agencies. For example, additional expenditures that the Division of Parole incurs to provide intensive supervision and services to the graduates for their first six months in the community are not considered in our analysis. On the other hand, community-based cost benefits of Shock successes, such as the money that employed Shock graduates contribute as tax-paying citizens and reductions of future criminal justice costs, are also not included in the model.

The cost avoidance model summarized in Table 10 has been refined over the years to make it the most accurate estimate available. The recent introduction of adjustments to the model that consider the availability of Merit Time Release, which provides an additional opportunity for early release, reduces the cost savings attributable to Shock. Even with the reduction, our fiscal analysis of Shock clearly shows that the Shock Incarceration Program saves the New York money, independent of alternative early release mechanisms and despite the relatively expensive level of programming provided to Shock inmates.

### **COMMUNITY SERVICE PROJECTS**

Another substantial cost benefit to the taxpayers of New York from the Shock Incarceration program involves the community service work performed by inmates. Community service work has often been used as an effective penal sanction and an alternative to incarceration, and has a successful track record.

One of the Legislative mandates for the program was that it had to include an intensive regimen of physical labor. One of the most innovative ways to fulfill this mandate has been to involve inmates in performing restitution by helping with community service projects for the towns, villages, and state parks that neighbor the Shock facilities.

Each year, supervised crews of Shock inmates perform thousands of hours of community service as part of their daily routine. As a result, the Shock program is providing cash-strapped municipalities and not-for-profit community groups with the manual labor needed to complete a variety of projects that, otherwise, would not get done.

Based on information provided by the facilities, it is estimated that in calendar year 2006 inmates from Shock facilities continued to perform approximately **1.2 million hours** of community service (the equivalent of 1,000 inmates working 6 hours per day, 4 days per week for 50 weeks), which, based on the federal minimum wage, is valued at approximately **\$8.1 million**. In 2006 these services primarily included:

- **Environmental Conservation Projects**
- **Improving, maintaining and cleaning State Parks**
- **Constructing community playgrounds and recreational facilities**
- **Painting and renovating historical structures**
- **Clearing brush from abandoned cemetery sites**
- **Emergency response for major storm damage**
- **Clearing snow off structures to minimize winter storm damage**

Since the start of the Program, Shock inmates have also been working with staff from the Department of Environmental Conservation (DEC) on projects designed to clean and beautify State Parks, clear access roads, and improve timberland used in soil erosion abatement, and wildlife and fishery management. These too are conservation projects that the State of New York and DEC have no other resources to accomplish.

Besides the routine assistance that the inmates provide to rural communities, the staff and inmates from the Shock facilities have also been instrumental in cleanups after emergencies, such as floods, forest fires, ice storms and other emergency situations.

In addition, inmates at Lakeview participate in an extensive Trooper Toys for Tots program working out of Fredonia. Inmates in orientation platoons repair damaged donated toys, while outside crews assigned to the warehouse haul, sort, and prepare toy shipments which are sent all over the world, including orphanages in Russia. Since Lakeview has been supporting this program, more than \$5 million in toys have been made available to disadvantaged children and those in hospitals during the holiday season.

The opportunity for Shock inmates to perform these much needed community services helps the program to meet two of its objectives by (1) fulfilling the hard physical labor component of the program and (2) providing inmates with positive and altruistic community experiences. Additionally, the positive behavior exhibited by inmates providing these community services is supportive of one of the recovery goals taught to inmates, that is, to make direct amends for past destructive behavior wherever possible. The program's involvement in community affairs also helps build strong local support for Shock and its accomplishments.

## **EDUCATIONAL ACHIEVEMENT IN SHOCK INCARCERATION**

### **Overview of Educational Components**

The educational achievement of inmates during their imprisonment is one of the central concerns of the Shock Incarceration Program. At Shock facilities, education is mandatory for all inmates. Each week, they must spend at least 12 hours in academic classes and an additional 28 hours in treatment programs that are predominantly educational in focus. Shock programs are geared to enhance the verbal, math, reading, and writing skills of all inmates and to provide the opportunity of GED testing for those inmates who are prepared for this exam.

This educational emphasis for inmates is not a policy unique to Shock. The Department has an extensive educational program for inmates lacking their high school diplomas. Adult Basic Education (ABE) programs in Spanish and English for those who function below the fifth grade level, English as a Second Language (ESL) for inmates of limited English proficiency, and GED classes in Spanish and English for inmates functioning above the fifth grade level are all available.

Initial program placement is based on the results of standardized achievement tests administered upon intake as part of the reception/classification process. Achievement tests are subsequently administered to inmates participating in academic programs to measure progress and to determine eligibility for placement in more advanced level classes. DOCS uses the Test of Adult Basic Education (TABE) exam as the standardized testing instrument.

Even though attaining a GED while in Shock is a desirable goal, Shock inmates only have six months to do so and education is one of many required program components. Moreover, the low educational levels of many inmates upon reception makes the attainment of a GED within six months an unrealistic goal.

The significance of earning a GED cannot be overstated as a worthwhile personal accomplishment. Data from a variety of sources indicate that higher amounts of prior education or the completion of a GED while in prison is one factor related to lower recidivism rates. (See Nuttall, J., Hollmen, L., and Staley, E.M., "The Effects of Earning a GED on Recidivism Rates." Journal of Correctional Education (September 2003), pp. 90-94 and Follow-up Study of A Sample of Offenders Who Earned GEDs While Incarcerated in DOCS, prepared by Michele Staley, New York State DOCS, Division of Program Planning, Research and Evaluation, May 2001).

### **Jump Start**

In 1995, after discussions of ways to enhance the retention rate of inmates in the program and assist inmates with educational problems, staff at Monterey SICF developed a strategy to help incoming inmates who have low level reading scores or limited English language abilities. The goal of this initiative is to enable inmates with educational handicaps to have an opportunity to benefit from Shock. Soon after beginning Shock, inmates are placed in school all day for two weeks to provide them with a head start and to improve basic education skills.

Since much of Shock requires reading, writing, life skills, and thinking skills, the Jump Start program helps build the self-esteem of educationally disadvantaged inmates so they feel they can accomplish the Shock program.

### **Achievement Testing**

Testing for achievement levels is a valuable diagnostic tool used to match educational programs with skill levels. This testing is even more valuable when it is conducted longitudinally so changes in achievement levels can be assessed. As such, DOCS promotes the administration of two tests for each inmate completing Shock. The changes in these scores can then be considered as one measure of the effects of Shock on inmates in the program.

On the following page, Table 11 examines changes in the average Reading and Math TABE scores between reception and graduation for Shock graduates who took at least two TABE tests. The interval between testing ranged from six months (for those who were not tested when they arrived at a Shock facility and whose scores at reception were used) to four months (for those who were tested upon their arrival at a Shock facility). The information is presented annually since program inception. Fiscal Year 2005-06 outcomes are summarized below:

**Math Scores:** The average initial math scores for the 2005-06 Shock graduates was 6.7. Only 21 percent of the inmates had initial math scores of 9.0 or higher. After six months at Shock, the average final math score increased to 8.0 and 36 percent of the inmates scored 9.0 or higher. On average, Shock graduates increased their math scores by 1.3 grade levels. In six months or less, 80 percent of the Shock graduates had increased their math scores, including 37 percent who increased their math scores by two or more grades and ten percent who increased four or more grades.

**Reading Scores:** At reception, the average reading score for the Shock graduates was 7.6, and 37 percent scored 9.0 or higher. Average final reading scores increased one grade to 8.6, and the percentage reading at or above the ninth grade level increased to 48 percent. In six months or less, two-thirds of the Shock graduates increased their reading scores, including 34 percent who went up by two or more grades and eleven percent who increased their reading level by four or more grades.

Since the early program years, the proportion of inmates who achieved increases in reading and math scores has grown. Shock graduates show a consistent trend of positive educational achievement, highlighting the accomplishments of Shock inmates during their participation in the program.

**Table 11**  
**Summary Of Reported TABE Scores By Legislative Report Years**

	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007
<b>MATH TABE SCORES</b>	(N=891)	(N=1,851)	(N=1,698)	(N=2,080)	(N=1,202)	(N=1,232)	(N=1,334)	(N=1,231)	(N=884)*	(N=1,109)	(N=1,060)	(N=1,045)	(N=921)	(N=1,600)	(N=1,568)	(N=1,412)	(N=1,216)
AT RECEPTION	7.3	7.3	7.6	7.7	6.9	7.1	7.0	6.5	6.5	6.4	6.4	6.4	6.7	6.8	6.6	6.8	6.7
AT GRADUATION	8.5	8.3	8.5	8.8	8.8	8.9	8.8	8.0	8.2	8.2	8.2	8.3	8.6	8.2	7.8	8.2	8.0
CHANGE IN SCORES	1.2	1.0	0.9	1.1	1.9	1.8	1.8	1.5	1.7	1.8	1.8	1.9	1.9	1.4	1.2	1.4	1.3
RECEPTION OF 9TH GRADE PLUS	20.2%	22.1%	25.2%	24.1%	14.4%	15.1%	17.2%	14.8%	15.5%	15.2%	15.4%	16.2%	17.7%	20.9%	17.2%	20.5%	21.4%
GRADUATION OF 9TH GRADE PLUS	34.5%	33.2%	37.6%	37.5%	41.2%	41.2%	42.2%	35.2%	38.1%	37.0%	38.0%	38.9%	42.8%	38.4%	32.8%	39.0%	35.5%
CHANGE IN PERCENTAGE	14.3%	11.1%	12.4%	13.4%	26.8%	26.1%	25.0%	20.4%	22.6%	21.8%	22.6%	22.7%	25.1%	17.5%	15.6%	18.5%	14.1%
<b>READING TABE SCORES</b>																	
AT RECEPTION	8.0	8.1	8.4	8.6	8.1	8.2	8.1	7.1	7.5	7.1	7.3	7.2	7.6	7.7	7.4	7.7	7.6
AT GRADUATION	8.6	8.7	8.8	8.9	9.2	8.9	9.0	8.6	8.9	9.0	9.0	9.1	9.3	8.9	8.5	8.7	8.6
CHANGE IN SCORES	0.6	0.6	0.4	0.3	1.1	0.7	0.9	1.5	1.4	1.9	1.7	1.9	1.7	1.2	1.1	1.0	1.0
RECEPTION OF 9TH GRADE PLUS	41.5%	37.8%	42.4%	41.9%	43.5%	39.4%	39.6%	27.1%	34.5%	30.6%	29.8%	26.9%	32.2%	36.4%	31.7%	35.6%	37.1%
GRADUATION OF 9TH GRADE PLUS	43.7%	44.8%	47.8%	44.3%	54.2%	48.1%	51.0%	45.4%	50.5%	50.9%	50.2%	47.6%	54.2%	51.3%	46.0%	49.7%	48.4%
CHANGE IN PERCENTAGE	2.2%	7.0%	5.4%	2.4%	10.7%	8.7%	11.4%	18.3%	16.0%	20.3%	20.4%	20.7%	22.0%	14.9%	14.3%	14.1%	11.3%
<b>% WHO INCREASED IN MATH</b>	63.8%	56.3%	52.9%	61.5%	84.7%	81.7%	81.2%	81.1%	84.7%	86.4%	89.4%	89.4%	89.4%	72.8%	82.6%	81.2%	79.5%
BY 2 OR MORE GRADES	40.2%	33.3%	29.2%	38.6%	41.0%	36.9%	41.6%	35.3%	37.6%	37.2%	37.7%	38.6%	41.3%	33.4%	34.8%	38.5%	36.9%
BY 4 OR MORE GRADES	12.2%	9.0%	8.1%	14.1%	15.8%	14.9%	14.0%	10.7%	9.7%	9.3%	10.6%	9.8%	9.2%	7.3%	6.7%	12.4%	9.7%
<b>% WHO INCREASED IN READING</b>	49.3%	49.3%	43.2%	45.1%	62.8%	62.5%	65.6%	75.2%	62.2%	65.6%	79.2%	81.0%	80.0%	86.7%	72.1%	66.7%	67.1%
BY 2 OR MORE GRADES	30.2%	38.5%	22.1%	25.9%	27.0%	20.6%	25.0%	35.9%	34.0%	40.0%	39.7%	43.3%	38.7%	32.3%	35.0%	31.6%	33.9%
BY 4 OR MORE GRADES	4.0%	4.7%	4.0%	6.1%	5.8%	4.5%	5.2%	10.9%	11.5%	11.5%	9.9%	12.5%	11.8%	9.1%	10.5%	9.0%	10.8%

\*For 1999, education data was only available covering an eight- month period.

## GED Testing

Table 12 compares the GED testing conducted at the Shock facilities during 2005-06 to comparable Medium and Minimum security facilities, which were introduced in the fiscal analysis section of this report. It should be noted that the average inmate population figures for Lakeview used in Table 12 do not include inmates housed in Lakeview Reception or Annex dorms, because those inmates are not tested for the GED while at Lakeview.

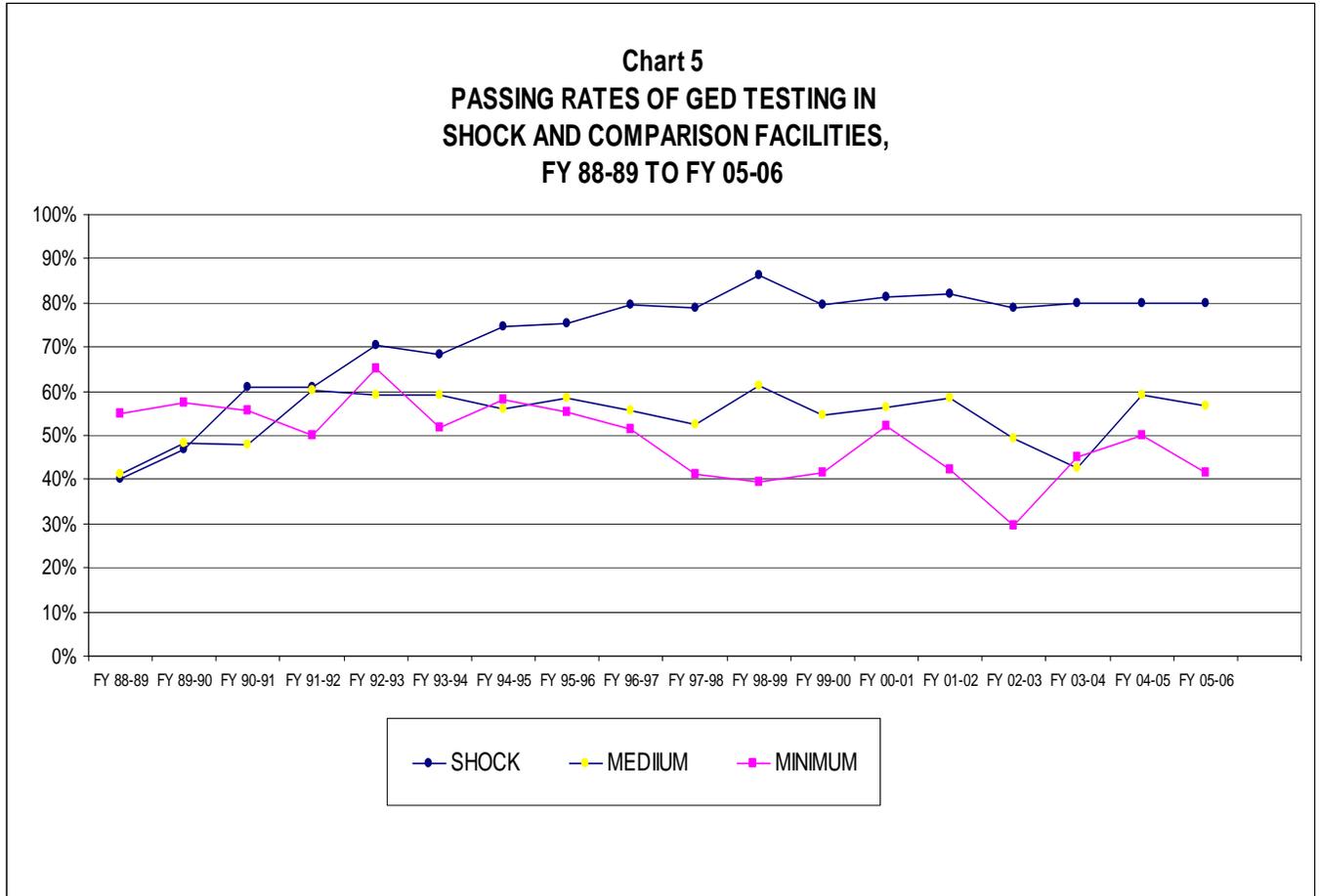
<b>TABLE 12</b>				
<b>RESULTS OF GED TESTING</b>				
<b>FY 2005-2006</b>				
<b>FACILITY</b>	<b>AVERAGE NUMBER OF INMATES</b>	<b>INMATES TESTED</b>	<b>INMATES PASSING</b>	<b>PERCENT OF INMATES PASSING THE GED TEST</b>
MONTEREY SICF	182	75	71	94.7%
SUMMIT SICF	131	54	39	72.2%
MORIAH SICF	194	81	55	67.9%
LAKEVIEW SICF *	532	136	112	82.4%
<b>SHOCK TOTAL</b>	<b>1,039</b>	<b>346</b>	<b>277</b>	<b>80.1%</b>
PHARSALIA	137	0	NA	NA
BEACON	226	21	10	47.6%
GABRIELS	174	4	4	100.0%
GEORGETOWN	147	10	3	30.0%
LYON MT	138	6	0	0.0%
<b>MINIMUM TOTAL</b>	<b>822</b>	<b>41</b>	<b>17</b>	<b>41.5%</b>
TACONIC	189	6	5	83.3%
WALLKILL	600	36	16	44.4%
ALTONA	479	45	20	44.4%
OGDENSBURG	597	55	43	78.2%
WATERTOWN	649	57	34	59.6%
MID-ORANGE	723	50	23	46.0%
<b>MEDIUM TOTAL</b>	<b>3,237</b>	<b>249</b>	<b>141</b>	<b>56.6%</b>

**\* Lakeview Population does not include Lakeview Reception or Annex**

Even though Shock inmates have a relatively short amount of time to spend on education (a maximum of six months), the proportion of Shock graduates passing the GED in FY 2005-2006 (80% of those who took the test) was notably higher than among inmates at the comparison Minimum (41%) or Medium (57%) security facilities. Overall, the GED passing rate for the Department in FY 2005-2006 was 68 percent, with 2,413 inmates passing among the 3,528 who were admitted to the

test. The Shock program accounted for 10 percent of the inmates taking and 11 percent of those passing GED's during fiscal year 2005-2006.

Chart 5 compares the annual passing rates for GED testing among Shock, Minimum and Maximum test sites since 1988-1989. Shock inmates have consistently surpassed the performance of other inmates. Despite the short period of incarceration for Shock inmates, the program's educational emphasis has produced excellent results.



## DISCIPLINARY PROCESS AT SHOCK INCARCERATION

### The Role of Discipline

The enabling Legislation for Shock Incarceration indicated that the program should stress "a highly structured and regimented routine, which will include extensive discipline, considerable physical work and exercise and intensive drug rehabilitation therapy."

As a result, DOCS created a program where the participating inmates are constantly being supervised, evaluated and pushed to make changes in both their behavior and attitude. This is not a new concept in corrections, yet it has been the most publicized aspect of the program. Strict and consistent discipline in Shock facilities is very important to the running of these programs. In writing about the discipline in Shock programs nationally, Dale Parent concluded:

*The programs we observed varied in the consistency with which rules were enforced. Where rules were less consistently enforced, it appeared inmates were more prone to test the limits of enforcement. Confrontations with staff seemed more numerous and overall tension levels seemed higher. Where rule enforcement was consistent, inmates seemed less prone to test their limits, confrontations were less evident, and tension levels seemed lower...In terms of molding offender behavior, consistency and accountability in expulsion practices are important factors. The offender learns that his or her actions have clear, well defined consequences: that appropriate self control will be rewarded and inappropriate behavior punished.* (Dale Parent, Shock Incarceration: An Overview of Existing Programs, National Institute of Justice Report, NCJRS 114902, 1989, pp. 25-26).

The strict discipline and high level of supervision provided at Shock are all part of the general treatment plan of the program. According to DiIulio, prisons that have "strong custodial regime can offer more and better programs, and these programs may in turn help to rehabilitate those inmates who participate in them on a regular basis." (John DiIulio, Governing Prisons: A Comparative Study of Correctional Management, The Free Press, New York, 1987, p. 257.)

At the same time, Shock's intensive, structured treatment programs and regimented schedule help create an environment that reduces disciplinary problems in the facility, despite higher levels of supervision and evaluation. A recent National Institute of Justice review of ten years of research on boot camps emphasized the importance of treatment programs in lowering violence, misconduct and prison management problems. (Dale Parent, Correctional Boot Camps: Lessons from a Decade of Research, National Institute of Justice Report, NCJRS 197018, 2003, p. 9.)

High levels of discipline and supervision also constitute part of the security of these facilities, the majority of which do not have perimeter security or secure areas of confinement for disruptive inmates. As a result, when problem inmates disrupt the security of the facility, they typically have been transferred out. (An exception is Lakeview which has 32 secure cells, a 200-bed Special Housing Unit, and a secure perimeter.)

Even though inmates volunteer for this program, once inmates arrive at a Shock facility, not all react positively to either the program goals or the means of achieving

these goals. When it is possible, the staff at Shock facilities work with inmates to get them to develop appropriate behaviors and attitudes. Not only does this help inmates get through the program, but it may also help them get through the rigors of life upon release. For many of the Shock participants, the program marks the first time in their lives that limits are being placed on their behavior. Many joined the Shock program initially because all they understood was that after six months, they would be back on the streets. However, the reality of the program is that in return for this early release, they are going to be pushed harder than they had ever been pushed before to make positive changes in their lives. Because of the program rigor, many do not finish the program.

Those inmates who believe that the program is too tough for them leave voluntarily. The earlier referenced Table 6 shows that of the 14,456 inmates who were removed from the program through September 30, 2006, 11 percent (N=1,640) left voluntarily. Table 6 indicates that, on average, these inmates decided to do so within 29 days of their arrival.

Table 6 also shows that a large proportion of program removals (43%) were due to disciplinary problems. On average, these inmates spent 55 days in the program before removal (see Table 6). This group consisted of: (a) inmates who were chronic problems who continually violated the rules of the program; (b) inmates who wanted to leave the program, but, not willing to admit defeat, decided to take some action and get themselves transferred out; and (c) inmates who may not have been in trouble previously, but who became involved in a particularly blatant display of disregard for staff, peers, or the rules of the program.

### **Overview Of The Disciplinary Process**

The disciplinary system at DOCS is built on a multi-tiered platform that has moved beyond the minimum requirements set by the Supreme Court in *Wolff v. McDonnell* 18 U.S. 539 (1974) and is designed to handle infractions of varying severity. A misbehavior report issued by an officer begins the disciplinary process.

Minor infractions (Tier 1 incidents) are typically handled by the employee with warnings or reprimands to the inmate. If the officer has reasonable grounds to believe that the inmate represents an immediate threat to the safety, security, and order of the facility or poses an immediate danger to persons or property, the inmate may be keep-locked in a cell for 72 hours. If an inmate infraction gets written up or if a keeplock becomes necessary, then it will typically be reviewed by a standing Adjustment Committee at each facility. At this Tier 2 level, the Adjustment Committee will conduct hearings to determine the circumstances surrounding the occurrence of the inmate infraction. This committee has the power to dismiss misbehavior reports or can provide additional restrictions upon inmates (such as a loss of privileges for up to thirty days or keeplock for up to 30 days).

Tier 3 level or Superintendent's proceedings are used when there is reasonable cause to believe that an inmate's behavior has constituted a danger to life, health, security or property, or that an inmate has deliberately failed or has refused to follow the guidance and counseling of the Adjustment Committee. At this level a more thorough investigative process occurs because the possible consequences

involve a relatively severe curtailment of inmate privileges. Possible penalties at this level include program changes, confinement in Special Housing, diet restrictions, and loss of good time, among others. (see Part 254 of Chapter V, Title 7 of NYCRR)

### **Disciplinary Activity - An Inter-Facility Comparison**

Discipline information is an important measure of inmate program adjustment, and can also reveal much about how well a prison is functioning, and the type of inmates and staff who are there. Table 13 presents facility disciplinary activity at the Shock facilities and at the comparison prisons introduced in the fiscal analysis section, including the number of Tier 1 reports and Tier 2 and 3 hearings that occurred at each facility during FY 2005-2006. In order to compare facilities with different numbers of inmates, rates of disciplinary incidents per 1,000 inmates were calculated using the facilities' average daily population.

Only 14 percent of the incidents at Shock facilities were Tier 1, compared to 48 percent of the incidents at Minimum prisons and 31 percent of those at Medium facilities. The data is consistent with our understanding of a regimented program like Shock -- inmates are more heavily supervised and, yet, there is little reliance on the Tier 1 process, as problems at this level are handled by staff either through informal counseling, Learning Experiences, or Superintendent's Committee Review.

Overall, the rate of total misbehavior reports issued at Shock facilities during FY 2005-2006 was lower than at the comparison Minimum and Medium prisons. All three Tier level reports were issued at much lower rates at the Shock facilities.

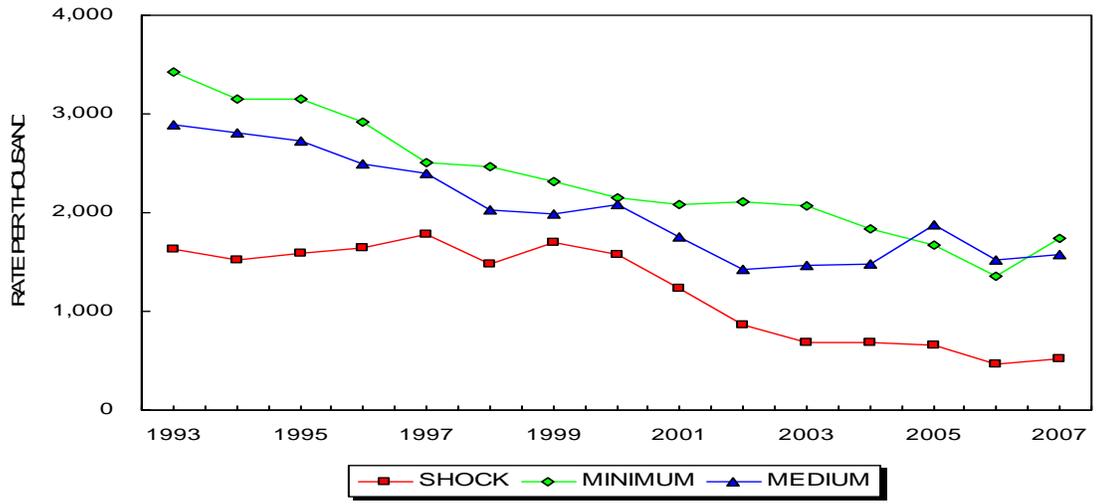
Trends in disciplinary rates since the 1993 Legislative Report are presented in Chart 6. Throughout the reporting period, Tier 1 hearings have been lower at Shock facilities than at the comparable Minimum and Medium prisons. In earlier years, Tier 2 and Tier 3 rates at Shock facilities differed substantially from the other facility types -- Tier 2 rates were lower at Shock, and Tier 3 rates were higher. Following a few years in which the Tier 2 and Tier 3 rates at Shock were more similar to the other facilities, the Tier 2 and Tier 3 hearing rates in recent years have remained lower than at the Minimum and Medium prisons.

**TABLE 13  
DISCIPLINARY DATA FOR SHOCK AND COMPARISON FACILITIES FY 2005 - 2006**

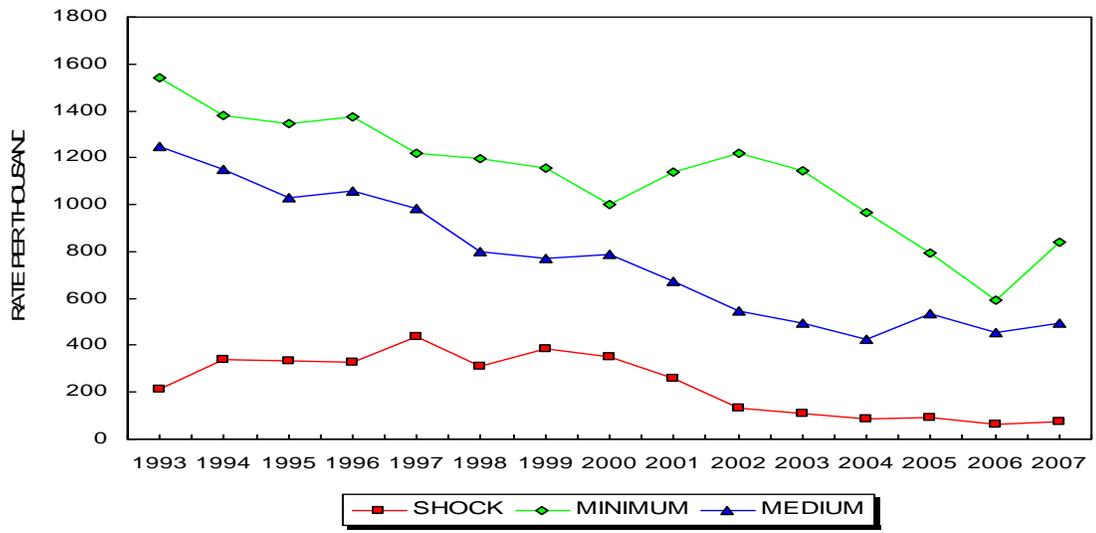
FACILITY	AVG POP	DISCIPLINARY TIER LEVELS								RATES PER 1,000 INMATES			
		TIER 1		TIER 2		TIER 3		TOTAL		TIER 1	TIER 2	TIER 3	TOTAL
		#	%	#	%	#	%	#	%	RATE	RATE	RATE	RATE
MONTEREY SICF	182	36	24.0%	107	71.3%	7	4.7%	150	100.0%	198	588	38	824
SUMMIT SICF	131	16	11.0%	78	53.8%	51	35.2%	145	100.0%	122	595	389	1,107
MORIAH SICF	194	9	9.9%	74	81.3%	8	8.8%	91	100.0%	46	381	41	469
LAKEVIEW MALE**	440	12	11.2%	90	84.1%	5	4.7%	107	100.0%	27	205	11	243
LAKEVIEW FEMALE	92	2	4.2%	40	83.3%	6	12.5%	48	100.0%	22	435	65	522
<b>SHOCK TOTAL</b>	<b>1,039</b>	<b>75</b>	<b>13.9%</b>	<b>389</b>	<b>71.9%</b>	<b>77</b>	<b>14.2%</b>	<b>541</b>	<b>100.0%</b>	<b>72</b>	<b>374</b>	<b>74</b>	<b>521</b>
PHARSALIA	137	136	46.6%	125	42.8%	31	10.6%	292	100.0%	993	912	226	2,131
BEACON	226	299	61.9%	180	37.3%	4	0.8%	483	100.0%	1,323	796	18	2,137
GABRIELS	174	104	42.4%	80	32.7%	61	24.9%	245	100.0%	598	460	351	1,408
GEORGETOWN	147	106	39.1%	137	50.6%	28	10.3%	271	100.0%	721	932	190	1,844
LYON MT	138	45	32.1%	74	52.9%	21	15.0%	140	100.0%	326	536	152	1,014
<b>MINIMUM TOTAL</b>	<b>822</b>	<b>690</b>	<b>48.2%</b>	<b>596</b>	<b>41.6%</b>	<b>145</b>	<b>10.1%</b>	<b>1,431</b>	<b>100.0%</b>	<b>839</b>	<b>725</b>	<b>176</b>	<b>1,741</b>
TACONIC	189	518	52.7%	418	42.6%	46	4.7%	982	100.0%	2,741	2,212	243	5,196
WALLKILL	600	241	35.7%	354	52.4%	80	11.9%	675	100.0%	402	590	133	1,125
ALTONA	479	121	16.1%	550	73.1%	81	10.8%	752	100.0%	253	1,148	169	1,570
OGDENSBURG	597	264	30.0%	527	59.8%	90	10.2%	881	100.0%	442	883	151	1,476
WATERTOWN	649	214	20.7%	663	64.2%	155	15.0%	1,032	100.0%	330	1,022	239	1,590
MID-ORANGE	723	156	32.2%	217	44.7%	112	23.1%	485	100.0%	216	300	155	671
<b>MEDIUM TOTAL</b>	<b>3,048</b>	<b>1,514</b>	<b>31.5%</b>	<b>2,729</b>	<b>56.8%</b>	<b>564</b>	<b>11.7%</b>	<b>4,807</b>	<b>100.0%</b>	<b>497</b>	<b>895</b>	<b>185</b>	<b>1,577</b>

\*\* LAKEVIEW POPULATION DOES NOT INCLUDE RECEPTION OR ANNEX DORMS

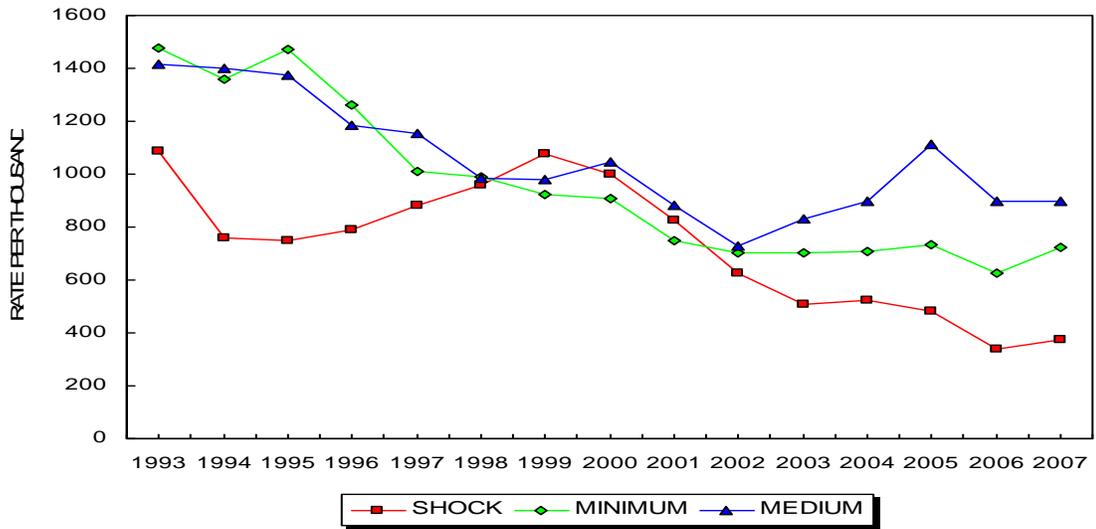
**Chart 6. DISCIPLINARY REPORTS BY FACILITY TYPE  
ANNUAL RATE PER 1,000 INMATES: ALL TIERS**



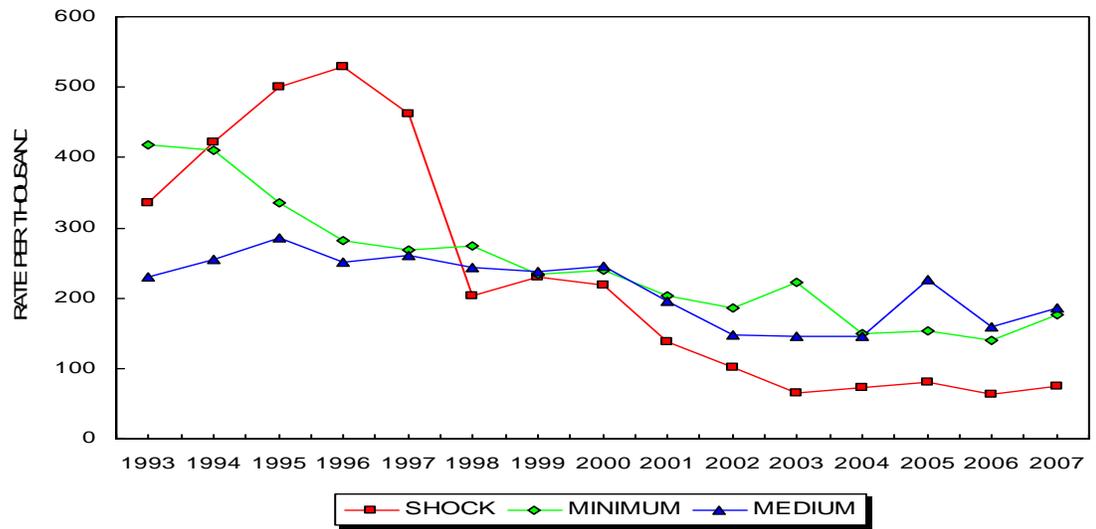
**TIER 1 HEARINGS**



**Chart 6 (con't). TIER 2 HEARINGS**



**TIER 3 HEARINGS**



## ***SHOCK PAROLE SUPERVISION THE PAROLE PROGRAM***

Few jurisdictions have made a commitment equal to that of New York State in providing a comprehensive and coordinated aftercare component for inmates graduating from Department of Correctional Services' (DOCS) Shock Incarceration facilities. This commitment is reflected in the fact that the New York State Division of Parole's (DOP) Shock Supervision program is one of the largest in the nation, and one of only a few programs to employ intensive post-release supervision in the community.

The DOP's community supervision plan has been tailored to meet the needs of Shock graduates. As a group, Shock parolees are predominantly male (93%) and approximately twenty-five years of age when released from prison. Nearly half (44%), of the population is Black, 36% Hispanic, and 19% White. Approximately 28% have only a ninth-grade education, while 87% have had a substance abuse problem and 65% have abused alcohol. Approximately three-fourths (72%) of the Shock parolees were convicted of a drug crime as the instant offense and, according to data provided by DOCS, 39% have a prior felony conviction. Although these characteristics have remained relatively constant during the past decade, there has been an increasing number of Shock releases to the upstate areas of New York State in recent years. Of all those released to Parole Shock supervision, 56% have been released to New York City and 44% to the upstate areas and Long Island.

**Table 14  
Demographic And Legal Comparisons Between  
Shock Graduates and the Comparison Groups  
Releases Between March 1988 and March 2005**

<b>CHARACTERISTICS</b>	<b>Shock Graduates N=32,492</b>	<b>Eligible But Not Sent N=43,191</b>	<b>Removal Releases N=13,306</b>
<b>PERCENTAGES</b>			
21 Years or Older At Reception	64.7%	71.5%*	60.1%*
21 Years or Older At Release	69.7%	81.9%*	72.7%*
Females	7.2%	12.6%*	11.4%*
Time to PE 13 mo. Plus	69.0%	57.8%*	56.1%*
A-II Felony	6.7%	2.9%*	1.2%*
Drug Offenders	71.9%	55.9%*	64.1%*
2ND Felony Offenders	38.6%	43.6%*	41.1%*
White Inmates	18.7%	16.9%*	15.4%*
Black Inmates	44.1%	48.1%*	49.5%*
Hispanic Inmates	35.9%	33.6%*	34.1%
N.Y. City Commitments	55.5%	65.0%*	64.0%*
Education Thru 9th Grade	27.9%	29.2%	33.3%*
Education 12th Grade Plus	28.1%	30.9%*	24.8%*
<b>AVERAGES</b>			
Aggregate Minimum Sentence	23.0 mo	21.2 mo	20.4 mo*
Aggregate Maximum Sentence	71.0 mo	56.5 mo*	52.7 mo*
Prior Felony Arrests	1.6	2.0*	2.0*
Prior Felony Convictions	0.57	0.69*	0.65*
Age at Reception	24.8 yrs	25.9 yrs*	24.4 yrs
Age at Release	25.4 yrs	27.6 yrs*	26.0 yrs*
Time to PE At Reception	19.3 mo	16.8 mo*	16.8 mo
Educational Level At Reception	10.4 gr	10.3 gr	10.1 gr
Jail Time At Reception	113 days	134 days*	110 days
Time In DOCS Custody (w/o Jailtime)	7.4 mo	18.2 mo*	17.9 mo*

\* Indicates A Significant Difference Between Shock Graduates And Other Inmates On This Characteristic at .001 Level.

Pre-release planning begins early; parole officers work closely with inmates, inmates' families and community service agencies to develop residence and employment programs prior to release and to ensure a smooth transition from the facility to the community. The Shock supervision program is a statewide effort. The Division has, however, concentrated many of its resources for this initiative in New York City where 56% of Shock releases have returned. The development of unique program elements in this urban area has enabled the Division to deliver specialized services to Shock graduates in a focused manner.

Specialized employment and vocational services have been established through a contract with the Center for Employment Opportunities (CEO). This organization is made up of the Neighborhood Work Project (NWP) and the Vocational Development Program (VDP). Relapse prevention services are provided through a contract with the Alcoholism Council of New York.

### **Community Supervision Plan**

The Division's community supervision plan for Shock graduates was established over ten years ago to optimize the level of contact between the officer, the client, and the client's family. A specialized unit within the Division's New York City Manhattan I bureau was created. By July 1989, increases in the number of graduates from Shock Incarceration facilities led to the creation of an exclusive Shock supervision bureau, Manhattan V, which assumed the supervision responsibility for all Shock graduates returning to New York City. In early 1998, the Brooklyn VIII bureau was established to supervise Shock parolees residing in Queens, Brooklyn, and Staten Island. Shock parolees residing in Manhattan and the Bronx continued to be supervised within Manhattan V. In March 2003, Brooklyn VIII merged with Manhattan V where once again all shock parolees in New York City are supervised.

New York City and upstate Shock requirements include home visits, employment verifications, program verifications, curfew checks and frequent random urinalysis testing. In addition, New York City Shock parolees are assisted in obtaining employment or an academic or vocational program within two weeks of release, and must attend mandatory relapse prevention counseling. Shock parolees statewide are supervised at a budgeted ratio of one parole officer for every 25 parolees for their first six months on Parole.

### **Parole Officer Contacts with Shock Parolees**

Contacts with Shock parolees provide parole officers with the opportunity to monitor and improve graduates' chances of successfully reentering the community despite their shortened periods of incarceration.

Home visits are an integral component of parole supervision. Visiting parolees at home affords officers the opportunity to talk with parolees in a natural and comfortable setting. Once in the home, parole officers can assess living arrangements of parolees that may hinder or promote reintegration. Likewise, conducting home visits when parolees are not at home allows the parole officer to discuss the parolees' adjustment with family members who may be more candid in the parolees' absence.

Employment and program verifications are supervision tools used to assess the parolees' efforts in seeking and maintaining jobs, and participating in programs designed to promote reintegration.

Random urinalysis testing is performed on all Shock parolees. The purpose is to ensure effective parole supervision through therapeutic intervention or delinquency action where appropriate. Urinalysis testing works in conjunction with relapse prevention to help parolees abstain from drug use while learning the skills to remain free from substance abuse. Between April 1 and September 30, 2006, statewide test results indicate that 92 percent of urine tests submitted showed no drug usage. This is consistent with the high rates reported each year since the Shock supervision program began.

Curfew checks reinforce successful community-living habits among parolees, such as being home at night and away from negative influences on the street. In the New York City Shock supervision bureau, parole officers conduct two curfew checks per month for Shock parolees. In addition, the Division's ability to monitor curfews is enhanced by the use of technology such as electronic monitoring.

Shock parole officers often begin their field day in the early morning hours. This provides them an opportunity to contact each Shock graduate on their caseload before the graduate leaves for work. The remainder of the day could include conducting employment verifications, or conducting a community preparation investigation of a soon-to-be-released parolee's residence.

In addition to early-morning rounds, Shock parole officers also attend relapse-prevention services provided to Shock graduates at the Alcoholism Council of New York and the Center for Employment Opportunities program for employment training. Attending these meetings allows them to monitor parolee attendance and to reinforce the Division's commitment to supervising their successful reintegration.

### **Employment Services**

Shock graduates returning to New York City are given an orientation by parole staff about what is expected of them in the community. This orientation is conducted immediately after Shock parolees report to their parole officers. Within the same day, they are referred to CEO employment services. In upstate areas, parole officers refer parolees to services within the community on an as-needed basis.

### **Neighborhood Work Project**

The Neighborhood Work Project operates in New York City and serves unemployed, newly released Shock parolees. The program provides immediate, temporary, transitional employment for up to 85 days. NWP projects generally involve light building, demolition, maintenance, cleaning groups, groundskeeping, and painting. NWP offers the Shock population immediate earnings, as well as an opportunity to build self-respect and self-discipline. Shock graduates are scheduled to a work crew a minimum of three days a week and are paid daily. One day per week they are involved in securing permanent, full-time employment with assistance from VDP job developers.

NWP currently provides an average of 35-40 work crews daily in and around the five boroughs. Work crews average five to nine people depending on the site location. Sites include CUNY, local colleges, court facilities, the Department of Transportation, the Office of Historic Preservation, the NYC Department of Citywide Administrative Services, and New York City Housing Authority referrals

During FY 2005-06, a total of 469 Shock graduates worked at least one day on an NWP work crew.

### **Vocational Development Program**

The VDP staff provide a full spectrum of services that support the reentry of Shock graduates into the workforce as well as other supportive services needed to transition back into the community. VDP offers job placement, employment counseling and vocational assessment services. These services are augmented by vocational training that assists parolees who lack the skills to be immediately placed in private-sector employment.

At VDP, Shock graduates learn skills that will help them to secure jobs that last longer than the transitional employment provided by NWP. Initially they attend an orientation class where each individual learns about the program. The second step is a four-day Life Skills class that addresses topics such as resume writing, searching for and keeping a job, and how to act during a job interview. The final step is an Intake class where each Shock graduate is officially enrolled and assigned a personal job coach who works with each parolee to help secure a permanent job. VDP has also hired successful Shock graduates as Life Skills Educators to work with incoming platoons.

Staff at VDP work closely with Parole staff to help ensure a smooth transition for Shock releases from the institution into the labor force. In FY 2005-06, 643 Shock graduates were referred to Life Skills and attended VDP orientation. Of these, 467 Shock graduates were enrolled in VDP's Life Skills and 232 were placed in jobs.

VDP's staff provides more than just jobs for Shock graduates. The Fatherhood Program assists Shock releases with reuniting with their children and provides classes on how to be a responsible parent. This component also provides Shock releasees assistance with contacting the Family Court in order to facilitate the settlement of child support payments that may be in arrears. For Shock Releasees between the ages of 18 - 23, a Young Adult Program is offered. The focus of this program component is on issues related to adolescence. VDP staff conduct group sessions that focus on family, education, employment and the need for vocational training.

Shock releasees who obtain employment are eligible to participate in the Rapid Rewards Program. This is an incentive program for Shock releasees who maintain periods of continuous employment. The rewards depend upon the length of continuous employment obtained and consist of Metrocards and grocery store vouchers. This incentive program is viewed as a key to retention in employment.

## **The Alcoholism Council of New York**

Parolees are referred to the Alcoholism Council of New York within 24 hours of reporting to their parole officer. For the first six months after release, the Council provides relapse-prevention aftercare services for all New York City Shock graduates. The focus of the program is to help parolees maintain the principles of sobriety they learned in Shock facilities.

The Alcoholism Council of New York recognizes the stress created as inmates transition from the intensive programming of an institutional setting into the community, and teaches self-management and decision-making skills. Weekly group meetings serve as a forum for individuals to discuss the factors in their lives that may lead to relapse, common problems they are experiencing, and solutions they have found helpful in readjusting to life in the community. The platoon structure is retained in the formation of these groups to take full advantage of the group dynamics and support established during incarceration. Individual counselors serve as group leaders who identify those who may be at greater risk of relapse either because of prior abuse, the presence of family members who currently abuse drugs or alcohol, or other factors. Staff of the Council are in close communication with parole officers to coordinate and support each other's efforts.

The Council identifies some participants as appropriate to participate in periodic individual counseling. For others, the extent of program participation is reduced either as a result of their successes in the community or because they have no history of alcohol or substance abuse. The Council requires total abstinence of all participants. If a person arrives for a group meeting intoxicated or under the influence of drugs, he or she is not allowed to participate in that session and an individual meeting is scheduled to respond to the relapse.

During FY 2005-06, services were provided to an average of 260 parolees each month, including 574 newly released graduates. Council staff also conducted 980 group meetings and 3,877 individual counseling sessions.

From April through September 2006, the Alcoholism Council provided relapse-prevention services to an average of 196 graduates each month, including those newly released each month and those previously under supervision. These services consisted of 502 group and 1,434 individual sessions.

## **Parole Board Activity**

In April of 1992, the Legislature amended Section 259-i of the Executive Law by removing the requirement that Shock Incarceration inmates make a personal appearance before the Board of Parole. Furthermore, the Senate and Assembly amended Section 865 of the Correction Law by removing language that required older Shock inmates to complete one year of incarceration before release. These changes reflected the Legislature's confidence in the Shock Incarceration/Shock Parole Supervision Program and reaffirmed their confidence in the discretionary release authority of the Board of Parole.

Parole Board release considerations for Shock Incarceration inmates are completed

according to procedures set forth in the rules and regulations of the Board. A review of each case is made by the Board prior to an inmate's completion of the Shock program. Inmates are granted release contingent upon their successful completion of the institutional component of Shock. If inmates are subsequently removed from the program before graduation, the Board's release decisions are voided. Inmates who do not complete the program are not eligible for release consideration until they complete their minimum sentences. The ultimate release decision remains with the Board of Parole.

In recent years, the Board's strong support of the institutional component and confidence in the comprehensive aftercare program has resulted in an average release rate for Shock Incarceration cases of 96 percent. (Release figures for April - September 2006 and each of the last seven fiscal years are included in Table 15).

From April 1, 2006 through September 30, 2006 the Parole Board conducted a total of 499 initial release considerations of Shock Incarceration inmates and granted release to 468 resulting in a release rate of 94 percent. The Board denied release to 31 individuals. During this period, the Parole Board also set conditions of release for 305 Shock participants who had received determinate sentences.

**TABLE 15**

**SUMMARY OF TOTAL PAROLE BOARD RELEASE CONSIDERATIONS  
OF SHOCK INCARCERATION CANDIDATES**

TIME PERIOD	GRANTED RELEASE		POSTPONED		DENIED RELEASE		TOTAL RELEASE CONSIDERATIONS	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
FY 2006-07 (April-September 2006)	468	93.8%	0	0.0%	31	6.2%	499	100.0%
FY 2005-06	1,557	95.9%	1	0.1%	66	4.1%	1,624	100.0%
FY 2004-05	1,917	96.5%	3	0.2%	67	3.4%	1,987	100.0%
FY 2003-04	1,995	96.5%	1	0.0%	72	3.5%	2,068	100.0%
FY 2002-03	1,903	96.3%	0	0.0%	74	3.7%	1,977	100.0%
FY 2001-02	1,861	95.3%	0	0.0%	91	4.7%	1,952	100.0%
FY 2000-01	2,010	95.4%	0	0.0%	97	4.6%	2,107	100.0%
FY 1999-00	1,959	96.5%	2	0.1%	70	3.4%	2,031	100.0%
TOTALS	13,670	96.0%	7	0.0%	568	4.0%	14,245	100.0%

**Community Success**

Evaluation efforts to date have indicated that the Shock Incarceration Program has had a substantial impact on the Department of Correctional Service's ability to conserve bed space. Evidence also suggests that the intensive Shock Parole Supervision Program has impacted the community success rate of Shock Incarceration graduates. Since the first releases to parole supervision in March 1988, the benefits of the Shock program remain consistent. Significant monetary savings can be achieved with no compromise to community protection when

selected state inmates successfully complete the institutional phase of Shock and participate in Parole's Aftershock supervision program. A series of reports presented by the Department of Correctional Services and the Division of Parole since January 1989 have consistently indicated that Shock parolees perform as well as, and in some instances surpass, the institutional and community performances of non-Shock parolees.

This is the nineteenth joint report prepared by DOCS and DOP, and once again it includes a follow-up study of the post-release success of Shock graduates. Various measures of community success are presented. Factors relating to positive adjustment are discussed including employment, program enrollment and Aftershock supervision. Community outcome measures include return rates and an examination of time to delinquent behavior for those who were returned to prison during the three-year follow-up.

### **The Study Groups**

The follow-up study tracks a group of Shock graduates and two comparison groups, all released from DOCS to parole supervision since March 1988. The Shock group consists of individuals who participated in and completed the six-month Shock Incarceration Program and were released to parole supervision by the Board of Parole. The Eligible But Not Sent group consists of parolees whose legal and demographic characteristics match the eligibility criteria established for program participation. However, either they were committed to the Department's custody prior to the implementation of Shock, were not legally eligible for program participation at the time they were received by DOCS, or were screened for Shock participation but did not enter the program. The Removal group consists of parolees who at one point during their incarceration had participated in the Shock program, but were removed before graduation and returned to a general confinement facility before release on parole. The follow-up study findings presented compare outcomes for all members of the Shock (N=32,492), Eligible But Not Sent (N=43,191), and Removal (N=13,306) comparison groups released to parole supervision from March 1988 through March 2005.

### **Characteristics**

Although the goal in selecting the comparison groups was to limit the differences between the groups, some variation was expected. For example, the Eligible But Not Sent and Removal groups' time to parole eligibility were lower than that of the Shock group. Both of the non-Shock groups had significantly shorter minimum and maximum sentences and higher rates of New York City commitments. Shock graduates were also more likely to have been sentenced for drug crimes or convicted of an A-2 felony.

Because Shock offers an offender the opportunity for early release, it is logical to conclude that offenders with a longer time to parole eligibility would be more inclined to volunteer for Shock and complete the program. In addition, the treatment focus of Shock, which involves extensive substance-abuse treatment and rehabilitation, targets drug offenders who more frequently receive longer sentences

than other non-violent offenders. Therefore, a greater representation of drug offenders among the Shock graduates was also expected.

Despite the aforementioned differences between the Shock, Eligible But Not Sent, and Removal cohorts, the three represent the best study groups available. The legal and demographic variables that were used to compare the groups are presented in Table 14. The threshold of significance applied was .001, meaning that there is less than a 0.1% probability that any differences discovered could have occurred by chance.

### **Employment and Program Success**

Within the first six months of supervision, Shock graduates were more likely to be employed and enrolled in a community program designed to assist them in their reintegration efforts. In March 2006, the employment rate for Shock graduates able to work, (43%) was higher than that of both the Eligible But Not Sent and Removal groups (25% and 24% respectively). Overall, the Shock graduates were more likely to be enrolled in a program than either the Eligible But Not Sent group or the Removal group. All of the results for the employment comparisons were found to be statistically significant at the .001 confidence level.

Greater levels of employment and program participation among the Shock population can be attributed in part to the dedicated services provided to Shock graduates within the first six months of release on parole. Any increases can also be attributed to the greater level of motivation and spirit exhibited by the newly released Shock offenders who may be more inclined than the non-Shock offenders to follow up on employment and program referrals made by their parole officers soon after release. The resulting impact is that employment and program participation continues to contribute to the probability that the Shock graduates will make a successful transition to community living and that they will become more productive citizens after release.

### **Supervision Outcome and Follow-Up Method**

Community outcome is measured in this report as it has been in previous Shock Legislative reports. Shock and comparison group parolees released to parole supervision between March 1988 and March 2005 are followed for equivalent periods of time. Those offenders for whom at least one year has elapsed since their release are eligible for the follow-up study. Return rate information is compiled through March 2005 and presented in Table 16 at 12, 24, and 36-month intervals. DOCS has historically prepared return rates for those physically returned to DOCS regardless of whether those returned were under parole supervision at the time of reincarceration. The Division has agreed to use this methodology for computing return rates for the purposes of this report in order to be consistent with other DOCS studies. Discharge rates from parole supervision are also examined because they have an impact on the parolees' availability to be returned.

### **One-Year-Out Study**

The one-year-out study examines the status of all Shock and comparison group offenders released between March 1988 and March 2005. Findings indicate that 92% of Shock graduates remained in the community compared to 84% of the Eligible But Not Sent, and 81% of the Removal groups. These results were found to be statistically significant at the .001 confidence level.

The statistically significant finding for all Shock graduates held true whether one examined returns to prison for a violation of the conditions of release or returns for new felony convictions. The greater level of success for the Shock graduates can be credited to the enhanced level of supervision and targeted services that are accorded to this group.

A comparison of the one-year-out findings for the Shock graduates released prior to April 2003 and those released afterward shows a decrease in rule returns, while rule returns for the two comparison groups increased slightly. The drop in the proportion of Shock graduates returned for rule violations was initially observed beginning with the graduates released between April 1996 and March 1997. Many Shock graduates who violate their conditions of release are now ordered to participate in the Willard Drug Treatment Campus (WDTC) as an alternative to reincarceration. Modeled after the Shock Incarceration Program, the Willard DTC is an intensive 90-day residential drug and alcohol treatment program that is operated by DOCS and staffed by both DOCS and DOP. Willard is also licensed by the Office of Alcoholism and Substance Abuse Services (OASAS). Shock parolees referred to Willard have a high program completion rate. The availability of Willard as an alternative to prison for drug-related violations has led to a decrease in rule returns to DOCS.

### **Two-Year-Out Study**

The two-year-out study examines the status of offenders released between March 1988 and March 2003. A total of 78% of the Shock graduates remained in the community compared to 68% of the Eligible But Not Sent, and 61% of the Removal comparison group parolees.

In addition, the proportion of individuals who had been returned to the Department's custody as a result of a conviction for a new crime was lowest among the Shock group. Only 10% of all Shock releases had been returned for new crimes compared to 12% of the Eligible But Not Sent and 14% of the Removal offenders.

The effectiveness of Shock supervision is again demonstrated by these findings, which are statistically significant for both return types among all groups.

**TABLE 16  
RETURN RATES FOR SHOCK GRADUATES AND COMPARISON GROUPS**

	MARCH 1988 - MARCH 2003			APRIL 2002 - MARCH 2004			APRIL 2004 - MARCH 2005			TOTALS		
<b>12 MONTHS</b>	SHOCK GRADS	ELIGIBLE BUT NOT SENT	REMOVAL	SHOCK GRADS	ELIGIBLE BUT NOT SENT	REMOVAL	SHOCK GRADS	ELIGIBLE BUT NOT SENT	REMOVAL	SHOCK GRADS	ELIGIBLE BUT NOT SENT	REMOVAL
Number of Cases	28,555	38,885	12,112	1,998	2,272	646	1,939	2,034	548	32,492	43,191	13,306
All Returns % of Cases	2,239 7.8%	6,111 15.7%	2,291 18.9%	107 5.4%	371 16.3%	128 19.8%	125 6.4%	274 13.5%	100 18.2%	2,471 7.6%	6,756 15.6%	2,519 18.9%
New Crimes % of Cases	1,100 3.9%	1,900 4.9%	759 6.3%	54 2.7%	56 2.5%	18 2.8%	68 3.5%	35 1.7%	12 2.2%	1,222 3.8%	1,991 4.6%	789 5.9%
Rule Violators % of Cases	1,139 4.0%	4,211 10.8%	1,532 12.6%	53 2.7%	315 13.9%	110 17.0%	57 2.9%	239 11.8%	88 16.1%	1,249 3.8%	4,765 11.0%	1,730 13.0%
<b>24 MONTHS</b>	SHOCK GRADS	ELIGIBLE BUT NOT SENT	REMOVAL	SHOCK GRADS	ELIGIBLE BUT NOT SENT	REMOVAL	SHOCK GRADS	ELIGIBLE BUT NOT SENT	REMOVAL	SHOCK GRADS	ELIGIBLE BUT NOT SENT	REMOVAL
Number of Cases	28,555	38,885	12,112	1,998	2,272	646				30,553	41,157	12,758
All Returns % of Cases	6,206 21.7%	12,560 32.3%	4,705 38.8%	300 15.0%	684 30.1%	250 38.7%	A total of 24 months has not yet elapsed for this group since their release from prison as of March 31, 2005.			6,506 21.3%	13,244 32.2%	4,955 38.8%
New Crimes % of Cases	2,943 10.3%	4,579 11.8%	1,688 13.9%	153 7.7%	145 6.4%	52 8.0%				3,096 10.1%	4,724 11.5%	1,740 13.6%
Rule Violators % of Cases	3,263 11.4%	7,981 20.5%	3,017 24.9%	147 7.4%	539 23.7%	198 30.7%				3,410 11.2%	8,520 20.7%	3,215 25.2%
<b>36 MONTHS</b>	SHOCK GRADS	ELIGIBLE BUT NOT SENT	REMOVAL	SHOCK GRADS	ELIGIBLE BUT NOT SENT	REMOVAL	SHOCK GRADS	ELIGIBLE BUT NOT SENT	REMOVAL	SHOCK GRADS	ELIGIBLE BUT NOT SENT	REMOVAL
Number of Cases	28,555	38,885	12,112							28,555	38,885	12,112
All Returns % of Cases	8,796 30.8%	15,405 39.6%	5,747 47.4%	A total of 36 months has not yet elapsed for this group since their release from prison as of March 31, 2004.			A total of 36 months has not yet elapsed for this group since their release from prison as of March 31, 2005.			8,796 30.8%	15,405 39.6%	5,747 47.4%
New Crimes % of Cases	4,242 14.9%	6,334 16.3%	2,282 18.8%							4,242 14.9%	6,334 16.3%	2,282 18.8%
Rule Violators % of Cases	4,554 15.9%	9,071 23.3%	3,465 28.6%							4,554 15.9%	9,071 23.3%	3,465 28.6%

Examination of the two-year-out findings for the April 2003-March 2004 releases also reveals a substantial decrease in rule returns for the Shock graduates, which is accompanied by an increase in the Eligible But Not Sent and Removal groups compared to the pre-April 2003 releases. A decrease in the proportion of offenders returned for new crimes was also seen among all three of the groups. As previously noted, the decline in rule returns is primarily due to the availability of Willard for Shock graduates who relapse and are violated.

### **Three-Year-Out Study**

A similar pattern is evident when individuals are followed for three years. The three-year-out study examines the status of every offender released between March 1988 and March 2003. The success rate for the Shock offenders, for whom 36 months had elapsed since release was 69%, compared to 60% for the Eligible But Not Sent offenders, and 53% for the Removal group. At 36 months, statistically significant differences were found to exist between the Shock graduates and both the comparison groups for both return types.

### **Discharges**

An examination of discharges further reinforces the effectiveness of the program. As a result of their earlier release from prison, Shock parolees are under supervision longer than those in the comparison groups. Comparison group parolees were statistically significantly more likely to be discharged during follow-up periods beyond 12 months. As a result, Shock offenders had a greater possibility of being returned to prison as rule violators than those in the comparison groups.

The data reflect a different result. Despite the fact that a greater proportion of Shock graduates remained under parole supervision during these time periods, the overall Shock success rate was always higher than those of the comparison groups within the longer follow-up periods. More importantly, the proportion of offenders returned with new felony convictions was almost always lowest among the Shock group. This suggests that parole officers are intervening to address community adjustment problems and to avert new criminal activity. The differences in removal rates between the Shock and non-Shock parolees featured in the 12, 24 and 36-month follow-up study are presented in Table 17.

**TABLE 17**  
**REMOVAL RATES OF SHOCK AND COMPARISON GROUP PAROLEES**  
**FOR FISCAL YEAR 1988-89 THROUGH FISCAL YEAR 2002-03**

TIME SINCE RELEASE	NUMBER ACTIVE AT START	RETURNED TO CUSTODY		DISCHARGED WITHIN PERIOD		AT RISK AT END OF PERIOD	
		NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>SHOCK</b>							
0 - 12 MONTHS	28,555	2,239	8%	98	0%	26,218	92%
12+ - 24 MONTHS	26,218	3,967	14%	875	3%	21,376	75%
24+ - 36 MONTHS	21,376	2,590	9%	5,283	19%	13,503	47%
<b>TOTAL FOR 36 MONTHS</b>	<b>28,555</b>	<b>8,796</b>	<b>31%</b>	<b>6,256</b>	<b>22%</b>	<b>13,503</b>	<b>47%</b>
<b>ELIGIBLE BUT NOT SENT</b>							
0 - 12 MONTHS	38,885	6,111	16%	852	2%	31,922	82%
12+ - 24 MONTHS	31,922	6,449	17%	7,594	20%	17,879	46%
24+ - 36 MONTHS	17,879	2,845	7%	5,805	15%	9,229	24%
<b>TOTAL FOR 36 MONTHS</b>	<b>38,885</b>	<b>15,405</b>	<b>40%</b>	<b>14,251</b>	<b>37%</b>	<b>9,229</b>	<b>24%</b>
<b>REMOVALS</b>							
0 - 12 MONTHS	12,112	2,291	19%	215	2%	9,606	79%
12+ - 24 MONTHS	9,606	2,414	20%	2,056	17%	5,136	42%
24+ - 36 MONTHS	5,136	1,042	9%	1,574	13%	2,520	21%
<b>TOTAL FOR 36 MONTHS</b>	<b>12,112</b>	<b>5,747</b>	<b>47%</b>	<b>3,845</b>	<b>32%</b>	<b>2,520</b>	<b>21%</b>

### Clean Street Time

Return rates of Shock and non-Shock parolees are important indicators by which the program can be evaluated. Community safety is also enhanced by how long parolees who are eventually returned to prison can remain safely in the community prior to their delinquency – clean street time. Clean street time is the time between a parolee's release date and the date on which the parolee begins to show signs of having problems adjusting to the community (delinquency date).

Clean street time was examined for each of the offenders physically returned within the 36-month follow-up period. Parole rule violators and those returned with new felony convictions within each group were examined separately to determine whether there were any observable differences (see Table 18).

Based on percentages, there do not appear to be any major differences in clean street time, within each group, between rule violators and those returned with new felony convictions. However, there do appear to be differences between the groups regarding when parolees experience problems adjusting to the community. The Shock parolees were the least likely of any of the groups to experience problems within the first six months and the most likely to experience problems after the twelfth month. The early success can be attributed to the enhanced supervision and services provided to these parolees. The higher proportion of later difficulties can be explained, in part, by the lengthier supervision periods associated with this group.

**TABLE 18**  
**TIME FROM RELEASE TO DELINQUENCY FOR SHOCK AND**  
**COMPARISON GROUP PAROLEES RETURNED TO DOCS**  
**FISCAL YEAR 1988-89 THROUGH FISCAL YEAR 2002-03**

GROUP	PERCENT 0 TO 6 MONTHS	PERCENT 6+ TO 12 MONTHS	PERCENT 12+ TO 24 MONTHS	PERCENT 24+ TO 36 MONTHS	TOTALS
<b>SHOCK</b>					
RULE VIOLATORS	50%	23%	23%	4%	100%
NEW CRIMES	46%	26%	24%	4%	100%
<b>TOTAL</b>	<b>48%</b>	<b>25%</b>	<b>23%</b>	<b>4%</b>	<b>100%</b>
<b>ELIGIBLE BUT NOT SENT</b>					
RULE VIOLATORS	54%	26%	18%	2%	100%
NEW CRIMES	52%	28%	18%	2%	100%
<b>TOTAL</b>	<b>53%</b>	<b>27%</b>	<b>18%</b>	<b>2%</b>	<b>100%</b>
<b>REMOVALS</b>					
RULE VIOLATORS	55%	25%	18%	2%	100%
NEW CRIMES	54%	28%	16%	2%	100%
<b>REMOVALS TOTAL</b>	<b>56%</b>	<b>25%</b>	<b>17%</b>	<b>2%</b>	<b>100%</b>

### **Controlling for Demographic Differences**

Shock graduates differed from the comparison group offenders on a number of demographic variables (see Table 14). The figures in Tables 19, 20, and 21 reflect the success rates of the Shock and comparison group parolees controlling for differences in age-at-release, gender and crime type - specifically drug crimes and non-drug crimes.

The likelihood of returning to prison was analyzed using Survival Analysis. This analytical technique was used to determine the community success rates of the groups while controlling for the demographic differences noted. Survival time models analyze the length of time until an event occurs (e.g., community outcome), rather than whether or not an event took place. Survival analysis also considers the fact that the actual number of offenders who remain in the community with the possibility of returning to prison changes over time.

### **Age At Release**

Table 19 summarizes return data using age-at-release as a control variable. Over all time periods and age groups, Shock graduates attained higher success rates than the comparison groups. With each step up in age group, the success rate gradually increased. This finding is consistent with other criminal justice literature that suggests younger offenders generally present a higher risk of failure than older offenders.

However, the data further indicate that Shock Incarceration and Shock Parole Supervision is the most effective relative to the comparison groups. For each age group, Shock graduates consistently attained statistically significant higher success rates than comparison group offenders at 12, 24 and 36 months.

**TABLE 19  
SHOCK AND COMPARISON GROUP SUCCESS RATES  
CONTROLLING FOR AGE AT RELEASE**

	1 YEAR OUT		2 YEARS OUT		3 YEARS OUT	
	NUMBER	PERCENT	NUMBER	PERCENT	NUMBER	PERCENT
<b>AGES 16 - 20</b>						
SHOCK	7,120	89%	6,742	69%	6,394	58%
ELIGIBLE BUT NOT SENT	5,268	77%	5,057	54%	4,809	45%
REMOVALS	2,596	73%	2,507	47%	2,399	39%
<b>AGES 21 - 25</b>						
SHOCK	12,483	92%	11,771	78%	11,023	69%
ELIGIBLE BUT NOT SENT	13,603	83%	12,959	65%	12,265	56%
REMOVALS	4,782	80%	4,594	59%	4,342	49%
<b>AGES 26 - 30</b>						
SHOCK	7,677	94%	7,239	83%	6,785	74%
ELIGIBLE BUT NOT SENT	12,710	86%	12,274	71%	11,811	64%
REMOVALS	3,326	84%	3,220	66%	3,108	57%
<b>AGES 31 - 39</b>						
SHOCK	5,212	95%	4,801	86%	4,353	79%
ELIGIBLE BUT NOT SENT	11,610	87%	10,867	74%	10,000	68%
REMOVALS	2,602	87%	2,437	74%	2,263	66%

**Gender**

The comparison groups were more likely than the Shock group to include women (see Table 14). This raises the question, do female offenders perform better or worse than male offenders and do female Shock offenders perform better than female comparison group offenders over time intervals of 12 months or more?

An examination of supervision outcome controlling for gender indicates that female offenders consistently outperformed male offenders at every interval examined. However, this finding is not totally related to gender because the women also tended to be older than the men upon release from prison. Sixty-four percent of the female offenders were over the age of 25 at the time of release, compared to only 38% of the male offenders. Like previous years, the female offender group also contained a significantly smaller proportion of 16-20 year-old offenders (8%) than the male offender group (23%). In this case, gender and age seem to be working in combination to lower the risk of failure for females. Also, at every time interval examined, Shock females performed better than comparison group females.

**TABLE 20  
SHOCK AND COMPARISON GROUP SUCCESS RATES  
CONTROLLING FOR GENDER**

<b>GENDER COMPARISONS</b>												
<b>GROUP</b>	<b>1 YEAR OUT</b>				<b>2 YEARS OUT</b>				<b>3 YEARS OUT</b>			
	<b>FEMALE</b>		<b>MALE</b>		<b>FEMALE</b>		<b>MALE</b>		<b>FEMALE</b>		<b>MALE</b>	
	<b>NUMBER</b>	<b>PERCENT</b>	<b>NUMBER</b>	<b>PERCENT</b>	<b>NUMBER</b>	<b>PERCENT</b>	<b>NUMBER</b>	<b>PERCENT</b>	<b>NUMBER</b>	<b>PERCENT</b>	<b>NUMBER</b>	<b>PERCENT</b>
SHOCK	2,324	95%	30,168	92%	2,204	87%	28,349	78%	2,066	81%	26,489	68%
ELIGIBLE BUT NOT SENT	5,445	90%	37,746	84%	5,216	77%	35,941	66%	4,980	70%	33,905	59%
REMOVALS	1,523	88%	11,783	80%	1,462	73%	11,296	60%	1,395	66%	10,717	51%

**Differences In Crime Type**

The Shock group contains significantly more drug offenders than the two comparison groups; therefore, it is important to analyze the outcome data controlling for differences in crime type. The figures in Table 21 provide success rates for the Shock graduates and comparison group offenders making a distinction between those originally sentenced for drug crimes and those originally sentenced for non-drug crimes.

Offenders from all of the comparison groups sentenced for drug crimes were more successful than those sentenced for non-drug crimes after 12, 24 and 36 months. The Shock success rate for drug offenders was better than either the Eligible But Not Sent or Removal groups. Furthermore, the differences in the rates between the Shock and the other comparison groups for these offenders were statistically significant at the .001 confidence level.

For non-drug offenders, the Shock graduates were more successful than the comparison groups at 12, 24 and 36 months. All observed differences between the success rates for the Shock and comparison groups were also statistically significant.

**TABLE 21  
SHOCK AND COMPARISON GROUP SUCCESS RATES  
CONTROLLING FOR CRIME TYPE**

<b>CRIME TYPE COMPARISONS</b>												
<b>GROUP</b>	<b>1 YEAR OUT</b>				<b>2 YEARS OUT</b>				<b>3 YEARS OUT</b>			
	<b>DRUG</b>		<b>NON-DRUG</b>		<b>DRUG</b>		<b>NON-DRUG</b>		<b>DRUG</b>		<b>NON-DRUG</b>	
	<b>NUMBER</b>	<b>PERCENT</b>	<b>NUMBER</b>	<b>PERCENT</b>	<b>NUMBER</b>	<b>PERCENT</b>	<b>NUMBER</b>	<b>PERCENT</b>	<b>NUMBER</b>	<b>PERCENT</b>	<b>NUMBER</b>	<b>PERCENT</b>
SHOCK	22,994	94%	9,498	89%	21,722	82%	8,831	70%	20,331	73%	8,224	60%
ELIGIBLE BUT NOT SENT	23,106	87%	20,085	81%	22,325	71%	18,832	64%	21,422	63%	17,463	57%
REMOVALS	8,277	84%	5,029	76%	7,974	65%	4,784	55%	7,615	56%	4,497	47%

## **Shock Success**

An analysis of the community success rates of Shock parolees indicates that they are consistently more likely to be successful than the comparison group parolees after the completion of 12, 24, or 36 months of supervision despite having spent considerably less time in state prison consistent with earlier evaluations. The analysis concludes that the Shock Incarceration and Shock Parole Supervision Program are most effective for offenders committed for drug offenses and highly effective across age groups. These statistically significant findings reflect the continued effectiveness of this comprehensive program.

## **BIBLIOGRAPHY**

- Aziz, David, Paul Korotkin and Donald Macdonald. (1991). Shock Incarceration Program Follow-Up Study, May 1991, Albany, N.Y.: Unpublished report by the Division of Program Planning, Research and Evaluation.
- Aziz, David, Paul Korotkin. (1996). "Can Boot Camps Save Dollars as Well as Souls?", Juvenile and Adult Boot Camps American Correctional Association.
- Aziz, David, Cheryl L. Clark. (1996). "Shock Incarceration In New York", Juvenile and Adult Boot Camps American Correctional Association.
- Beck, Allen J. and Bernard Shipley. (1989). Recidivism of Prisoners Released in 1983, U.S. Department of Justice, Bureau of Justice Statistics, March 1989.
- Clark, Cheryl L. (1991) Shock Incarceration Procedural Manual, Unpublished document by the New York State Department of Correctional Services.
- Clark, Cheryl L., David W. Aziz, Doris L. MacKenzie (1994) Shock Incarceration In New York : Focus on Treatment, Washington D.C., National Institute of Justice, Program Focus.
- Clark, Cheryl L. and David W. Aziz, (1996) "Shock Incarceration In New York State: Philosophy Results and Limitations," in an edited collection by Doris L. MacKenzie, Correctional Boot Camps: A Tough Intermediate Sanction.
- Clark, Cheryl and Leslie Kellam. "These Boots Are Made For Women. Corrections Today 63, no 1 (2001): 50-54.
- Cronin Roberta, C., (1994) Boot Camps For Adult and Juvenile Offenders: Overview and Update, National Institute of Justice Research Report, Washington D.C., October 1994.
- Dilulio, John J., (1987) Governing Prisons: A Comparative Study of Correctional Management, The Free Press, New York, 1987.
- Gendreau, Paul and Robert Ross. (1979). "Effective Correctional Treatment: Bibliotherapy for Cynics", Crime and Delinquency, October 1979.
- Hirschi, Travis. (1969). Causes of Delinquency, Berkeley and Los Angeles, University of California Press.
- MacKenzie, D.L., Gould, L.A., Riechers, L.M., & Shaw, J.W. (1988). Shock Incarceration: Rehabilitation or Retribution? Paper presented at the meeting of the Academy of Criminal Justice Sciences.
- MacKenzie, D.L. (1988). Evaluating Shock Incarceration in Louisiana: A Review of the First Year, unpublished report by the Louisiana Department of Corrections.
- MacKenzie, D.L. (1989). The Parole Performance of Offenders Released From Shock Incarceration (Boot Camp Prisons): A Survival Time Analysis. Paper presented at the American Probation and Parole Association 14th Annual Training Institute, Milwaukee, Wisconsin.
- MacKenzie, D.L., Gould, L.A., Riechers, L.M., & Shaw, J.W. (1989). "Shock Incarceration: Rehabilitation or Retribution?" Journal of Offender Counseling, Services & Rehabilitation, 14(2), 25-40.
- MacKenzie, D.L., & Shaw, J.W. (1990). "Inmate Adjustment and Change During Shock Incarceration: The Impact of Correctional Boot Camp Programs." Justice Quarterly, 7(1), 125-150.
- MacKenzie, D.L. (1990) "Boot Camps: Components, Evaluations, and Empirical Issues," Federal Probation, September 1990.
- MacKenzie, D.L. (1990) "Boot Camp Programs Grow in Number and Scope", NIJ Reports, November/December pp. 6-8.
- MacKenzie, D.L. and Dale Parent. (1991). "Shock Incarceration and Prison Crowding In Louisiana", Journal of Criminal Justice, Vol. 19, pp. 225-237.

- MacKenzie, D.L. and Claire C. Souryal. (1991). "Boot Camp Survey: Rehabilitation, Recidivism Reduction Outrank Punishment as Main Goals," Corrections Today, October 1991, pp. 90-96.
- MacKenzie, D.L. and Claire C. Souryal. (1994). Multisite Evaluation of Shock Incarceration. A Final Summary Report Presented to the National Institute of Justice, Washington, D.C., U.S. Department of Justice, November 1994.
- Morash, M., & Rucker, L. (1990). "A Critical Look At the Idea of Boot Camp As a Correctional Reform." Crime and Delinquency, 36(2), 204-222.
- New York State Department of Correctional Services. (1987). Follow-up Study of a Sample of Participants in the Network Program, Albany, N.Y.: Unpublished report by the Division of Program Planning, Research and Evaluation.
- New York State Department of Correctional Services and New York State Division of Parole. (2006). The Eighteenth Annual Report to the Legislature: Shock Incarceration in New York State, Albany, N.Y.: Unpublished report by the Division of Program Planning, Research and Evaluation and the Office of Policy Analysis and Information.
- New York State Division of Parole. (1988). Preliminary Supervision Assessment of the First Six Shock Incarceration Platoons. Unpublished report, Shock Incarceration Legislative Report.
- New York State Department of Correctional Services and New York State Division of Parole. (1989) Preliminary Report to the Legislature: Shock Incarceration in New York State, Albany, New York: Unpublished Report by the Division of Program Planning, Research and Evaluation and the Office of Policy Analysis and Information.
- New York State Division of Parole (1989a). Shock Incarceration – One Year Out. Unpublished report of the New York State Division of Parole's Office of Policy Analysis and Information, August 1989.
- New York State Division of Parole. (1989b). Qualitative and Descriptive Analysis of Shock Supervision Program. Unpublished report.
- Nuttall, J., Hollmen, L., and Staley, E.M., "The Effects of Earning a GED on Recidivism Rates." Journal of Correctional Education, (Volume 54 Issue 3, September 2003), pp. 90-94.
- Osler, Mark. (1991) "Shock Incarceration: Hard Realities and Real Possibilities", Federal Probation, March 1991, pp. 34- 42.
- Parent, D.G. (2003). Correctional Boot Camps: Lessons from a Decade of Research. Washington, DC: NIJ Issues and Practices Report, National Institute of Justice, NCJRS 197018.
- Parent, D.G. (1988). Shock Incarceration Programs. Address to the American Correctional Association Winter Conference, Phoenix, AZ.
- Parent, D.G. (1989). Shock incarceration: An Overview of Existing Programs. Washington, DC: NIJ Issues and Practices Report, National Institute of Justice, NCJRS 114902.
- Parole Digest (1991) Shock Incarceration National Study, Unpublished report of the New York State Division of Parole's Office of Policy Analysis and Information, May 1991.
- Sechrest, D.K. (1989). Prison "Boot Camps" Do Not Measure Up. Federal Probation, p. 53.
- United States General Accounting Office, Report to the Subcommittee on Intellectual Property and Judicial Administration, Committee on the Judiciary, House of Representatives. Prison Boot Camps: Short Term Prison Costs Reduced, but Long Term Impact Uncertain, April 1993.