

All Implementation is Local: Initial Findings from the Process Evaluation of the Honest Opportunity Probation with Enforcement (HOPE) Demonstration Field Experiment

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IDENTIFYING EFFECTIVE and affordable options for successfully managing probation populations is critical to minimizing the impact of probation caseloads on public safety and costs. In 2011, the Bureau of Justice Assistance (BJA) and the National Institute of Justice (NIJ) funded the Honest Opportunity Probation with Enforcement (HOPE) Demonstration Field Experiment (DFE). The HOPE DFE is designed to test the effectiveness of programs replicating the Hawaii Opportunity Probation with Enforcement program that began in October 2004 on Oahu. The Hawaii HOPE program is based on regular random drug testing and “swift and certain” responses to positive drug tests or other violations of the terms of probation. A report by Hawken and Kleiman (2009) noted that “Probationers assigned to HOPE had large reductions in positive drug tests and missed appointments, and were significantly less likely to be arrested during followup at 3 months, 6 months, and 12 months” (p. 4). Given the promising initial results of the Hawaii experience, BJA and NIJ are collaborating to fund a multisite randomized control trial (RCT) of HOPE. Specifically, BJA funded four sites to implement HOPE programs, as well as providing funding to Hawken and colleagues at Pepperdine University to provide training and technical assistance to the DFE sites. NIJ selected the evaluation team of RTI International and Pennsylvania State University Justice Center for Research to conduct the RCT, which began in October 2011.

This article reports on the process evaluation of the HOPE Demonstration Field Experiment (DFE), conducted by the authors over the past three years. Findings on implementation to date are discussed following brief descriptions of HOPE and the DFE.

HOPE Model

The HOPE model—emphasizing close monitoring; frequent drug testing; and certain, swift, and consistent sanctioning—was developed in 2004 as the Hawaii Opportunity Probation with Enforcement (Hawaii HOPE) program. HOPE follows similar efforts tested elsewhere, including Project Sentry, which employed random drug testing of released jail inmates and imposed immediate sanctions for noncompliance (Buntin, 2009; Project Sentry, 2004). The initial examinations of the Hawaii HOPE program have garnered much attention nationally and suggested that HOPE is a promising, if not yet proven, program (Hawken & Kleiman, 2009).

The HOPE model contrasts with more traditional approaches to probation in which multiple violations of conditions and positive drug tests are tolerated. This tolerance may suggest to probationers that conditions are not important. Further, violations are often temporally disconnected from sanctions such that probationers may not link violations to the sanctions. Under either circumstance, probationers may perceive that violations have a low probability of sanction and, therefore, may be more likely to violate conditions.

MacKenzie, Browning, Skroban, and Smith (1999) reported that the intrusiveness of conditions, probation officers’ (PO) knowledge of misbehavior, and PO response to misbehavior do not affect criminal activity or violations of probation conditions in a traditional probation setting. Traditional probation, in which repeated violations are tolerated and sanctions appear to be arbitrary, random, and disconnected from violations, also is counter to what is known scientifically about shaping human behavior through consistent response (Andrews & Bonta, 2003; Harrell & Roman, 2001; Kennedy, 1997).

As an alternative to probation as usual (PAU), HOPE is rooted in deterrence theories suggesting that effective probation must create a context in which probationers perceive a high probability that violations will be followed by swift and certain punishment. HOPE participants are subject to frequent random drug tests. Treatment is included in the HOPE model, but is reserved for probationers who repeatedly fail the drug tests. Thus, another potential benefit of HOPE is that this program reserves treatment resources for individuals who are not able to stop using drugs on their own. HOPE also requires probationers to comply with all other supervision conditions, including appointments with probation officers, with any violations being met with a swift and certain response. Although sanctions are swift and certain, they are not draconian, with a typical sanction being a few days in jail. The underlying premise of HOPE

is that it provides a framework within which probationers develop an understanding of the relationship between their behavior and official responses, learning that violations will be met with sanctions, even if the severity of the sanctions is low. This sanctioning approach incorporates deterrence, as well as conditioning and learning theories, to teach probationers that violations have consequences and should result in changes in attitudes, perceptions of individual control over consequences, fairness, and legitimacy.

Figure 1 shows the HOPE program model. All HOPE probationers participate in a warning hearing conducted by a HOPE judge shortly after inclusion in the program. The purpose of the hearing is for the judge to outline expectations, including drug testing requirements, and consequences. Following the hearing, individuals call in daily to a drug testing hotline to determine whether they must report that day to provide a urine sample for drug testing. Initially, the number of tests each month is between four and six. Following multiple clean tests, the testing frequency is reduced on a schedule that is set by the program, but remains at least one per month. Positive drug tests are to be followed by immediate arrest, a violation hearing before the HOPE judge, and a short jail sentence. A warrant is issued in response to missed tests, although in some sites individuals who miss tests are given 24 hours to turn themselves in before a warrant is issued. The HOPE POs are also expected to monitor compliance with all other conditions of supervision (e.g., office visits, community service, payment of

restitution and fines) and to refer any violators for warning hearings. Sanctions are graduated—with each successive violation receiving a harsher sentence (e.g., 5 days rather than 3 days in jail). Individuals who repeatedly test positive are referred to treatment, either in the community or a residential placement.

To date, aside from a small quasi-experimental pilot evaluation of Hawaii HOPE, only one evaluation of the HOPE model has been completed. This evaluation, funded in part by NIJ, was a multijudge RCT comparing outcomes for Hawaii HOPE participants with a PAU control group (Hawken & Kleiman, 2009) and found, at 1-year follow-up, that HOPE reduced missed probation appointments by 14 percentage points, positive urine tests by 33 percentage points, new arrests by 26 percentage points, and probation revocations by 8 percentage points.

Although these promising findings have led to as many as 12 states launching HOPE-like programs (Petranik, 2011), the evidence base for HOPE is limited. Replication of the program and most critically the present controlled trial test of HOPE effectiveness are essential before practitioners can be confident that the HOPE model offers a cost-effective return on investment of scarce public resources.

Replicating the HOPE program requires sites to overcome a variety of implementation issues. Because HOPE relies on multiagency coordination and cooperation, buy-in is crucial to its success. This is especially true given that, at least initially, HOPE implementation results in increased workload for probation

agencies and courts. In addition, there are financial concerns with frequent random drug testing, immediate arrests and hearings, short-stay jail use, and drug treatment mandates and requests (Kiyabu et al., 2010). These concerns point to differential impacts of HOPE on local and state agencies and the potential for cost shifting that may impede implementation.

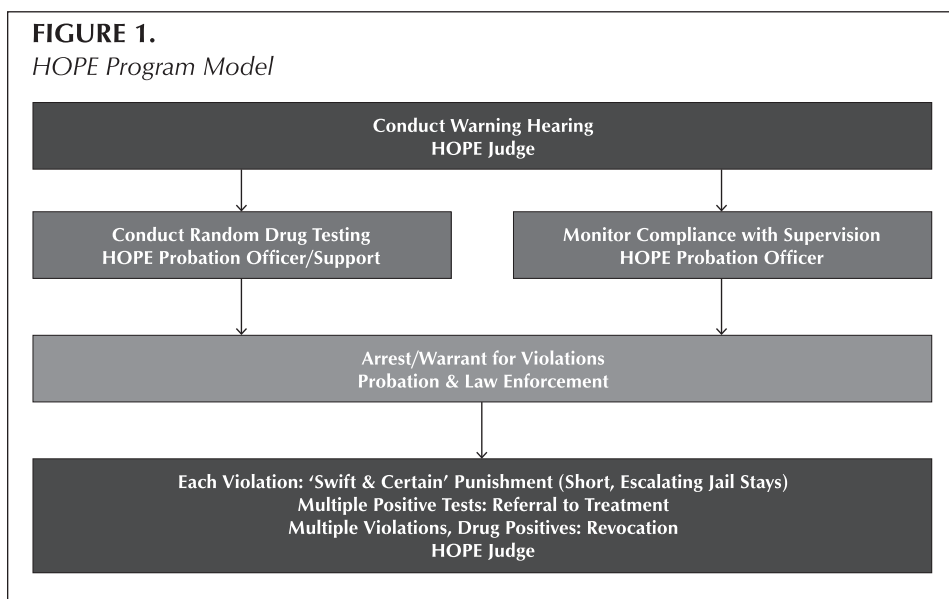
The HOPE Demonstration Field Experiment

The multisite HOPE Demonstration Field Experiment (DFE) is designed to assess whether a program founded in Hawaii can be generalized to the contiguous United States. Differences between the legal and community context and the probation population in Hawaii may account for some of the rather remarkable findings from the Hawaii HOPE evaluation. Recent efforts to implement a deterrence-based program to manage high-risk, substance-using probationers in Delaware found that “judicial practices, client eligibility, logistics, and cooperation with secure facilities all posed noteworthy issues for program implementation” (O’Connell, Visher, Martin, Parker, & Brent, 2011, p. 261). In addition, districts may not have laws that authorize judges to modify rather than revoke probation (Kiyabu, Steinberg, & Yoshida, 2010); absconding may be a larger concern in jurisdictions with less restrictive border crossings than the island of Hawaii (Buntin, 2009); and all Hawaiian POs are Master’s-level social workers with knowledge of cognitive-behavioral principles and methods, advantages many probation agencies will not enjoy (Hawken & Kleiman, 2009). A final consideration is whether effects persist after probationers are no longer under HOPE supervision.

The four sites included in the DFE were selected by BJA, with grant funding beginning in October 2011 and continuing through September 2015. The study sites are in Saline County, Arkansas; Essex County, Massachusetts; Clackamas County, Oregon; and Tarrant County, Texas. The sites vary considerably in size and organizational relationships among the key stakeholders for HOPE, providing an excellent “learning laboratory” for investigating the implementation and effectiveness of HOPE.

Although each site has hired a HOPE Program Coordinator (PC) and has one or more HOPE judges, there is variation among the sites in terms of who is responsible for various aspects of HOPE. The responsibilities of the HOPE PC vary across the sites, but

FIGURE 1.
HOPE Program Model



primary responsibilities include coordinating fidelity data collection, monitoring HOPE implementation, and coordinating the local HOPE stakeholders. The HOPE judge conducts the warning and violation hearings and imposes sanctions. Assessments and eligibility determinations are done either by an assessment unit or by the HOPE POs. Drug testing is done either by HOPE POs, drug testing technicians hired by probation, or a drug testing lab hired by probation. Warrants are served either by HOPE POs, if they have law enforcement authority, or by cooperating local law enforcement agencies. As can be seen from this short list of key duties, the burden of managing a HOPE probation caseload can vary substantially depending upon the availability of infrastructure and support.

The HOPE DFE began in October 2011 and incorporates a rigorous randomized control trial (RCT) outcome study, a process evaluation, and a cost-effectiveness evaluation. The RCT (identification number NCT01670708 with ClinicalTrials.gov) involves random assignment of up to 400 HOPE-eligible probationers to either HOPE or PAU in each of the four sites. HOPE program startup, eligibility determination, and intake into the evaluation began in August 2012 in three of the four sites and in October 2012 in the fourth site. Although the expectation had been that study enrollment would be accomplished in nine months, case flow into the study has been slow. Enrollment at all sites was closed as of December 2014.

HOPE Process Evaluation

The process evaluation we have undertaken has three primary components: (1) assessment of program implementation fidelity; (2) benchmarking treatment interventions delivered against the principles of effective offender intervention; and (3) qualitative interviews with key stakeholders. This article focuses on initial findings from the third component. Process evaluation is an essential element of a comprehensive program evaluation strategy, which also includes outcomes and cost evaluation (Rossi, Lipsey, & Freeman 2004). Effective programs employ specific activities and interventions known to produce desired outcomes (intervention effectiveness), and implement those interventions with high fidelity to design (implementation fidelity) (Fixsen, Naoom, Blasé, Friedman, & Wallace, 2005). A growing body of literature indicates that social programs that maintain a high degree of fidelity between program design/

theory (interventions) and program practice (implementation) show better outcomes than those that do not, with treatment effects up to three times as large for high-fidelity programs (Andrews & Dowden, 2005; Durlak & DuPre, 2008; Fixsen et al., 2005; Gendreau, Goggin, & Smith, 1999; MacKenzie, 2006). The findings reported here reveal critical insight into the mechanics of HOPE implementation at the four sites, and what lessons may be transferred to other sites that may seek to implement the HOPE model in the future.

Methods

Data for the current study were derived from a series of in-depth, semi-structured qualitative interviews conducted with the members of the HOPE team at each of the four HOPE DFE sites. While the members of the HOPE team varied somewhat across the four sites, generally these members included the HOPE judge(s), HOPE PC, probation managers and officers (POs), district attorney, public defender/defense counsel, sheriff and/or other law enforcement charged with warrant service, and jail administrators. Interviews with the HOPE team members were conducted during three successive rounds of site visits, occurring during the summer/fall of 2012, 2013, and 2014. The purpose of these visits was to document the experiences of these sites with the initial start-up and the ongoing implementation and operation of the HOPE program, to assess implementation fidelity at each site, to help the researchers interpret the findings of the outcome evaluation and to identify lessons learned that can inform any future dissemination of the HOPE model to other sites. Topics covered during the interviews included identification of the components of the HOPE and Probation as Usual (PAU—control group) conditions as implemented at each site, barriers and facilitators to the implementation of HOPE, perceived strengths and weaknesses of the HOPE model as implemented, patterns of communication among HOPE team members, and implementation roles played by each team member, as well as discussion of the organizational dynamics at each site. Each interview typically lasted one to two hours. Given that this research is ongoing and confidentiality is of concern, the results presented below do not identify specific findings with specific sites.

Results

Our process evaluation to date has identified factors that serve to facilitate the

implementation of HOPE, challenges and barriers to implementation, and organizational/ administrative structural features that are important to understanding the broader context of HOPE implementation across sites.

Implementation Facilitators

The factor that emerges most clearly as a facilitator of HOPE implementation is strong teamwork, collegiality, and communication within the HOPE team. Recall that HOPE is a multi-agency effort, requiring the cooperation of the courts, probation, law enforcement, corrections, prosecutors and other stakeholders. Where these stakeholders are able to work together effectively, and especially where they have a *history* of such collaboration, HOPE implementation rolled out more smoothly. On a related point, several of the sites also had prior positive collaborative experiences running programs similar to HOPE, and were able to draw heavily upon that experience in implementing HOPE.

Across the sites, the most central players on the HOPE teams were the PC, HOPE judge(s), HOPE POs, and probation management. Other stakeholders, such as the district attorney and public defender, typically played less of a role. But interesting differences were found. In one site, the DA and public defender played little or no role in the implementation and operation of HOPE. In another site, the defender played a moderate role, but the DA little or none. In the other two sites, both of these stakeholders were more actively involved, and indeed, in one of those sites, the DA initiated the HOPE program and was the official recipient of the HOPE grant. Differences in the roles played by the DA and defender became evident during observations of HOPE probation violation hearings held before the HOPE judge. In one site, the judge managed the process completely; neither the DA nor the defender was even present. In the other three sites, the violation hearing unfolded to varying degrees more like a traditional adversarial court process, with the DA advocating for the state, the defender for the probationer, and the judge arriving at a final decision about a sanction. Thus, while good working relationships within the HOPE team do stand out as being a key facilitator, it is also evident that HOPE implementation is tolerant of local variation in the architecture of the HOPE team itself.

Next, where the HOPE team members expressed “buy in” to the deterrence-based theory of HOPE, implementation was easier.

Indeed, team members generally expressed positive attitudes towards HOPE, sounding themes such as “HOPE is the way probation should be,” or “HOPE is what the layperson thinks probation actually is in practice.” Several sites had been actively planning to experiment with something like HOPE even before the BJA program solicitation was announced, so in a sense the pump was already primed there.

Another strong facilitator that emerged from our interviews with the HOPE teams centered on the role played by the HOPE PC. The BJA grants that fund the HOPE program sites provide for the hiring of a PC to serve as the day-to-day manager of HOPE. The PC functions as a key member of the HOPE team, and has emerged as a leadership figure for the program at each site. One finding that stands out from our interviews is the importance of the perceived credibility of the PC to other members of the HOPE team. In particular, across the sites, prior experience by the PC with courts and corrections in that locality was strongly indicated as being very important to the smooth implementation of HOPE.

Finally, regular HOPE team meetings, typically coordinated by the PC, were also reported to facilitate implementation. These meetings are important venues for discussing implementation problems and devising solutions to those problems, but also for allowing the various team members to have an opportunity to contribute to the management of HOPE and thus feel a sense of shared ownership of the program.

Implementation Challenges and Barriers

Other factors emerged as common challenges or barriers to the implementation of HOPE. Most notably, what we loosely term “bureaucratic inertia” seemed to be a problem at some level at all sites. For example, in spite of the existence of BJA grant money to fund the programs, several sites experienced difficulties with securing local or state administrative authorization to hire additional probation officers or to fill other positions to fully staff the program. One site had been under an extended statewide hiring freeze even before HOPE was implemented, which stymied efforts to bring new officers into the program. More generally, HOPE represents a departure from usual probation practice, and HOPE was perceived by some in probation as an unproven innovation that held the potential to disrupt established management practices, thus leading to some resistance to change.

Another barrier that was widely noted across the sites was the DFE itself. In other words, the requirements of the evaluation, such as record keeping, data collection, and the constraints on probationer enrollment in HOPE imposed by the study randomization protocol, were commonly cited as being a burden to the implementation and operation of HOPE. Indeed, the inability to freely choose which probationers could be admitted to HOPE was seen as a particularly important limitation by many HOPE team members, who often felt that deserving candidates were being left out of HOPE due to the requirements of randomization. By definition, of course, all study participants (HOPE and PAU control group probationers) had to be eligible for HOPE enrollment, so an RCT such as this will necessarily exclude some clients who could otherwise have participated in the intervention. Moreover, it should be noted that these four programs were funded by BJA for the express purpose of supporting the DFE, and presumably would not have received such funding outside of the DFE.

The fit of HOPE with the larger existing organizational culture of the probation department also emerged as an implementation issue. Our results so far indicate that this cultural fit is better in some sites than others. For example, HOPE may be seen to be at odds with a more human services-oriented approach to probation that emphasizes the targeting of criminogenic risk and needs factors through, for example, cognitive-behavioral treatment interventions (Andrews & Bonta, 2003; MacKenzie & Zajac, 2013). Under these circumstances, HOPE may be seen as a superfluous or ineffectual add-on to the existing culture, or even as deleterious to it.

As might be expected in almost any agency setting, turnover of key team members also posed a challenge. For example, the PCs in two of the sites were replaced within the first year or so of program start-up. Turnover of HOPE POs was also an issue, with one site turning over both of the HOPE POs simultaneously. Turnover can have negative implications for the continuity of program delivery and HOPE team group dynamics, but can also infuse new ideas and energy into program implementation. These HOPE teams were ultimately able to integrate the replacements into the program with relatively minimal disruption to implementation.

Another interesting challenge was reported by the defense counsel who participated in the HOPE teams. They indicated feeling some

degree of tension in their roles, with the expectation that they support the program at times conflicting with their professional duty to represent the best interests of their clients. The challenge for these defenders then was to determine whether HOPE was the best option for a given client.

Finally, challenges to the implementation of HOPE were not confined to the agency setting. As offenders within the DFE communities came to learn what HOPE entailed (e.g., very frequent drug testing, sanctioning that *would* actually occur in response to violations) some of them came to resist HOPE, anticipating that it would be too demanding compared to probation as usual. Word began to spread among offenders (especially in the jails) that one should avoid assignment to HOPE if possible, for example by claiming residency outside the county, which at some sites removed them from consideration for HOPE. This avoidance strategy by the offenders had some impact on program enrollment goals, although the HOPE teams were able to devise solutions, such as broadening the geographic scope of eligibility for HOPE or confirming residency beyond the word of the probationer.

Administrative Structure

Apart from implementation facilitators and challenges that seemed to be common to the DFE sites, the unique administrative and organizational structures of these sites also emerged as important to understanding the implementation of HOPE. Our process evaluation thus far has discerned three key administrative dimensions that have shaped the implementation of HOPE, and which also presumably will have some bearing downstream on outcomes. The first administrative dimension concerns how probation is organized—in other words, who controls probation/community corrections. In one of the sites, probation is an independent executive agency administered at the state level, albeit with considerable control over HOPE probation operations and HOPE POs delegated to the HOPE judge. In a second site, probation operates at the county level with the probation director appointed by the county judges (including the HOPE judge). In a third site, probation is subsumed under a larger state court administrative office and thus is directly part of the judiciary (much as in Hawaii HOPE). At the fourth site, probation is administered through the county sheriff’s department, with no formal linkage to the HOPE judge. This organizational dimension has bearing on how the probation office is

affiliated with other key HOPE stakeholders—in particular, whether there is a formal administrative linkage between probation and the court or whether the implementation and operation of the HOPE program must rely on informal relationships between these key stakeholders. Other jurisdictions considering adopting HOPE should consider the strength and formality of these arrangements as they devise their implementation strategy.

The second dimension concerns the degree of control that the judge can exercise over the HOPE probation officers. Recall that HOPE is by design a judge-driven model, so the ability of the judge to direct the work of the HOPE POs should in principle be an important implementation variable. In three of the sites, the judge seems to be able to exercise a relatively high degree of direction over the work of the HOPE POs with respect to tasks such as how swiftly violations are responded to, strict compliance with drug testing regimens, keeping probationers apprised of the requirements of HOPE, and other HOPE-related supervision practices. In the fourth site, the judge seems to exercise relatively less direct control over the HOPE POs. Thus, the issue here is the judge's ability to promote the integrity of the HOPE model. This was clearly a concern for the implementation of our evaluation (e.g., treatment group versus control group conditions), but it is also critical to the management of the program itself, particularly as regards the ability of the judge to ensure that all violations are brought immediately to the attention of the court (i.e., swiftness and certainty of sanctioning).

The third and final dimension centers on the question of who initiated the HOPE program within each DFE site. In three of the sites, the HOPE DFE grant was submitted and is managed by the probation department or its parent organization, either alone or in partnership with the state court administrative office. In the fourth site, the HOPE DFE grant was initiated outside of probation entirely. Given the finding noted above about agency buy-in being a key facilitator of HOPE implementation, and the reality that the probation department carries the primary burden for day-to-day HOPE program operations, we anticipate that HOPE implementation fidelity will be strongly influenced by the role played by the probation department in the decision to participate in the HOPE DFE.

While we do not yet have complete findings about program implementation fidelity at the four HOPE DFE sites, our process evaluation to date suggests that the ease of HOPE

implementation is associated with three key administrative conditions—(1) probation is organizationally linked to the court at the state or county levels, and/or has sufficient latitude to choose to collaborate with the court on innovations like HOPE; (2) the HOPE judge can closely direct the management of HOPE through the HOPE POs; and (3) probation was centrally involved in the decision to participate in the HOPE DFE.

Discussion

Former Speaker of the U.S. House of Representatives Tip O'Neill noted that "All politics is local." The research reported here would lend support for a similar axiom that "All implementation is local." While there are common implementation themes across sites, the administrative, political, and jurisdictional landscape within each site also emerges as an important and interesting feature of the HOPE implementation narrative. This is to say that local context matters greatly. This reflects directly on the unique governance environment within which HOPE is operating at each site. The history of relations between the agencies and personalities involved in implementing HOPE also emerges as important.

As noted earlier, the findings from the outcome evaluation portion of this DFE are not yet available. We can draw no conclusions at this point about program impacts at these four sites. Although there is a limited base of evidence for the nascent HOPE model to date, jurisdictions seeking to experiment with HOPE may draw guidance about implementation from the process evaluation results presented in this article. HOPE can be implemented in a variety of local settings, but does also seem to be sensitive to a set of administrative conditions focused on probation organization and judicial oversight. The facilitators and barriers noted above also serve as waypoints and caveats for future HOPE adopters. The full importance of these implementation conditions to conclusions about the prospects of HOPE as an "evidence-based practice" will come into clearer focus as outcomes are identified later in the DFE.

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