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## Prison Plus: The Impact of Sentencing Offenders to Prison-and-Supervision, versus Prison Only, on Post-Prison Employment and Recidivism

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PRISON PLUS: THE IMPACT OF SENTENCING OFFENDERS TO  
PRISON-AND-SUPERVISION, VERSUS PRISON ONLY,  
ON POST-PRISON EMPLOYMENT AND RECIDIVISM

By

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This work is dedicated to my parents, Ed and Nancy Clark. Better late than never.

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## ABSTRACT

The shift from indeterminate to determinate sentencing policies over the past three decades and the ensuing decline in the use of parole for monitoring inmates' transition back into their communities has led to the development of alternate strategies of post-prison release supervision. The use of alternatives to parole varies considerably across the United States, with some states (e.g., Oregon) requiring that all inmates released from prison be subject to supervision after release from incarceration. In contrast others, such as Florida, mandate the post-release supervision of those offenders who meet a statutorily defined list of criteria, while still allowing for the post-incarceration supervision of offenders who may have been sentenced to an additional sanction of community supervision (i.e., split supervision) to immediately follow their prison sentence. To date, the empirical literature that has examined forms of post-prison release supervision have focused almost exclusively on the use of parole. There is extensive literature relating to various forms of community supervision among offenders diverted from imprisonment, however, there remains a lack of understanding regarding the various effects of split supervision on reentry and post-prison employment outcomes for released inmates.

This dissertation adds to the literature on post-prison release community supervision by examining the effect of one specific form of post-prison supervision on offender recidivism and employment outcomes: split supervision<sup>1</sup>. Using data from the Florida Department of Corrections (FDC), this paper examines the effects of split supervision in comparison to release

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<sup>1</sup> For the purposes of this paper, split supervision refers to a type of post-prison supervision in which, at the point of sentencing, a person is given a term of incarceration in a state prison with a period of community supervision to immediately follow their release. Except under specific circumstances (see Florida Statute 948.012 for more information), this decision is discretionary and made by the sentencing judge.

from prison with no form of supervision for a cohort of 187,739 inmates released from Florida prisons between January 2004 and December 2011. Given the lack of empirical research surrounding this topic, an extensive analysis of the two groups (those sentenced to a term of split supervision and those sentenced to a term of prison only) is conducted first in order to establish a basis for further analyses. Next, logistic regression and survival analysis methods are used to examine factors that predict who receives split supervision; to predict the likelihood of obtaining employment after release from prison, as well as multiple recidivism outcomes at one, two, and three years after release from incarceration.

# CHAPTER 1

## INTRODUCTION

Until the late 1980s and early 1990s, parole was the dominate form of post-prison community supervision used by corrections agencies in the United States. Generally ascribed to Alexander Maconochie and Sir Walter Crofton, parole was developed in the mid-1800s as a disavowal of the punitive nature of the penal system that characterized the era. In the U.S., Michigan penologist Zebulon Brockway is credited with implementing the first parole system, based on the system developed by Sir Crofton in Ireland (for a detailed review of the history of parole see Petersilia, 2000a; 2000b). Parole quickly gained popularity in the U.S. and by 1942 each state and the federal prison system had instituted a parole system (Clear & Cole, 1997). However, the use of parole as a prisoner release strategy peaked in the late 1970s when states began to question its usefulness. At its peak in 1977, 72% of inmates in the U.S. were released to parole (Bottomly, 1990), however by 1997 only 28% of inmates were being released to parole (Ditton & Wilson, 1999). This number has dropped even further in recent years, with only 20% of prisoners being released to parole in 2009 (Kuziemko, 2013). While researchers and statisticians have captured the nature of this shift – from supervising large portions of released inmates, to the reverse where large portions of inmates are released back into communities with no formal supervision or monitoring by correctional agencies – the question of what impact this important change has had on the reentry success of inmates has yet to be sufficiently addressed by criminologists.

The use of post-prison community supervision<sup>2</sup> varies between jurisdictions, with Florida releasing the highest proportion (64.3%) of inmates with no supervision following incarceration (Gelb, Dhungana, Adams, McCann, & Zafft, 2014). This variation among inmates released without supervision after incarceration is partially explained by the use of parole across jurisdictions. Beginning in the 1980s, many states began changing their sentencing practices from indeterminate systems in which parole was the dominant prison release mechanism with an emphasis on rehabilitation as a recidivism reduction strategy, to more determinate “get-tough” policies in which parole eligibility was eliminated or restricted to specific offenders (Tonry & Lynch, 1996; Petersilia, 1999). This policy change resulted in significant reductions in the number of ex-prisoners under any form of post-prison community supervision, which would provide both oversight and restrictions on their activities. States such as Oregon and California that reflect near complete supervision of prison releases also utilize parole as a post-prison supervision strategy, while the states with the lowest levels of post-prison supervision (Florida and Maine) have eliminated parole (Gelb, et al., 2014). Parole is still used in almost all states to varying degrees. In some states such as New Mexico, Idaho, and Louisiana, parole is the sole post-prison community supervision type while in other states such as Florida, Maryland, and Maine parole is used for a limited number of offenders who meet certain statutory guidelines<sup>3</sup>.

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<sup>2</sup> A report by the Pew Charitable Trusts on the increase in inmates released without supervision to follow incarceration does not distinguish between types of post-prison community supervision. The comparison made is between “max-outs” (defined as unconditional releases and including offenders who were released at the expiration of their sentence, had their sentence commuted, and other unconditional releases) and supervised releases (including offenders released to probation, supervised mandatory releases, discretionary parole releases, those released to split supervision, and other conditional releases) (see Gelb, et al., 2014: 14-15).

<sup>3</sup> While states such as Florida have eliminated the use of parole supervision, there are still inmates that are released each year to parole supervision. These inmates may have been sentenced prior to the elimination of parole, or they may have been sentenced in a state that uses

The prevalence of the use of split supervision for prison releases is less clear (Bureau of Justice Statistics (BJS), n.d.). Split supervision is generally defined as a type of post-prison supervision in which, at the point of sentencing, a person is given a term of incarceration in a state prison with a period of community supervision to immediately follow their release. Except under specific circumstances (see Florida Statute 948.012 for more information), this decision is discretionary and made by the sentencing judge, and is currently used in seven states: Alabama, Connecticut, Florida, Maine, Rhode Island, South Carolina, and Virginia (BJS, n.d.). The lack of empirical research on this alternative supervision strategy leaves much to be understood in terms of the ways in which correctional agencies can help inmates transition from incarceration back into communities.

In Florida a number of post-prison community supervision strategies exist, including split supervision (or split sentencing), conditional release supervision, conditional medical release supervision, addiction release supervision, and parole (among others). These alternate forms of post-prison community supervision are either determinate (i.e., required in accordance with Florida statute), or discretionary (i.e., imposed at the discretion of the sentencing judge). Split sentences of probation or community control are discretionary<sup>4</sup>, and fall under Florida Statute 948.012. The type (e.g., felony probation, drug offender probation, sex offender probation, or community control), length, and conditions of supervision are determined at the point of sentencing and made known to the offender prior to his/her admission to prison.

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parole but were transferred to a state that does not use parole for all or part of their incarceration period.

<sup>4</sup> As of October 1, 2014 split sentences of at least two years (or up to the maximum sentence) are mandatory for offenders convicted of certain offenses (murder, kidnapping, sexual battery, lewd or lascivious offenses committed on or in the presence of persons under 16, lewd or lascivious offenses committed on or in the presence of an elderly or disabled person, and computer pornography) if the imposed term is less than the maximum sentence.

This dissertation seeks to advance post-prison supervision research in several of ways. First, it contributes to the existing literature by empirically examining a post-prison community supervision strategy that is a distinct alternative to parole. To date, the literature on post-prison community supervision has focused almost exclusively on the use of parole, and there are few empirical evaluations of alternative community supervision sanctions. Due to Florida's diverse sentencing structure, this dissertation is able to evaluate not only whether an inmate was released to split supervision directly from prison, but also the specific type of split supervision they received (split probation, drug offender probation, sex offender probation, or community control). By considering the type of supervision that an inmate is required to serve after release from prison, it will be possible to assess whether there are differential effects of the form of supervision that is imposed after release from incarceration. Second, to date, there is only one study of split supervision, which used data from Oklahoma, while the studies that have examined the effects of parole release supervision have been primarily focused on prison populations in New Jersey and California. By using a population of inmates released from Florida's large state prison system, this dissertation will provide additional empirical evidence to add to the generalizability of research findings more broadly within the literature of post-prison community supervision. Third, by using multiple measures of recidivism (rearrest, reconviction, and reimprisonment) as well as measures of employment after release from prison<sup>5</sup>, this dissertation will advance the literature by providing a broader picture of the potential effects of post-prison community supervision on reoffending and reentry outcomes.

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<sup>5</sup> Employment after prison release is measured in two ways: as a dichotomous variable indicating whether the inmate was employed at any point during the first quarter (four months) after release from prison, or if they were employed at any point during the first five quarters (fifteen months) after release from prison.

This paper empirically addresses the questions of the characteristics of offenders who receive split supervision as well as different types of split supervision, whether split supervision effects recidivism and employment outcomes for inmates, and whether different types of split supervision have different effects on recidivism and employment outcomes. The results directly confront the policy debate over the role of community corrections as both a tool to ease the transition of inmates back into the community and as a means for deterring criminal behavior through monitoring and sanctions. No research has yet to examine the factors that predict placement on split supervision, the effects of split supervision on rearrest, reconviction, or post-prison employment outcomes, or the relative differences in outcomes among different types of split supervision. Due to the limited nature of research on split supervision as a specific form of post-prison community supervision, this paper will draw from literature on analogous forms of post-prison community supervision, including parole and shock probation. Results from studies examining the effectiveness of parole have been mixed, with some finding positive influences of parole (Gelb, et al., 2014; Ostermann, n.d.; Piehl & LoBuglio, 2005; The PEW Charitable Trusts, 2013) and others finding that parole increases the likelihood of reoffending (Jackson, 1983; Solomon, Kachnowski, & Bhati, 2005).

The objective of this dissertation is to contribute to scholarship aimed at understanding the effects of different types of punishment on prison reentry outcomes. In particular, it will (1) determine if individuals sentenced to prison-and-supervision (split supervision), as compared to individuals sentenced only to prison, differ in their social, demographic, and offending history profile; (2) determines whether being sentenced to prison-and-supervision (split supervision), as compared to being sentenced only to prison, effects post-prison employment and recidivism; and



(3) determines whether being sentenced to prison-and-supervision (split supervision) has a differential effect depending on the type of supervision to which an inmate is assigned.

### **1.1 Research Questions**

The following six research questions will be used to address the questions of who receives split supervision, who receives certain types of split supervision, whether split supervision effects employment and recidivism outcomes for inmates, and whether different types of split supervision have different effects on recidivism and employment outcomes for inmates.

1. What are the differences between offenders receiving a split sentence and those sentenced to a term of prison only?
2. What are the differences between offenders receiving a specific type of split sentence (split probation, split drug offender probation, split sex offender probation, or split community control) compared to those sentenced to other forms of split supervision?
3. What is the effect of receiving a split sentence on the likelihood of post-prison employment, versus sentences of prison only?
4. What is the effect of receiving a specific type of split sentence (split probation, split drug offender probation, split sex offender probation, or split community control) on the likelihood of post-prison employment, across types of split sentences?
5. What is the effect of receiving a split sentence on the likelihood of post-prison recidivism (arrest, conviction, and return to prison), versus those sentenced to a term of prison only?
6. What is the effect of receiving a specific type of split sentence (split probation, split drug offender probation, split sex offender probation, or split community control) on the

likelihood of post-prison recidivism (arrest, conviction, return to prison, and return to prison for a technical violation of supervision), across types of split sentences?

These questions will be addressed using data from the Florida Department of Corrections, Florida Department of Law Enforcement, and Florida Department of Revenue. Further discussion of the data, methods, and measures that will be used in this paper are reviewed in Chapter 4.

If the state of empirical literature on the effects of split supervision can be described as limited (at best), then the state of theoretical research on the use of split supervision is even more sparse. While no research directly examines the theoretical foundations of the use and implications of split supervision, there is a much broader body of research that examines community supervision and post-prison community supervision as a whole (for examples, see Bonta, Rugge, Scott, Bourgon, & Yessine, 2008; Phelps, 2013; Solomon, Kachnowski, & Bhati, 2005; Travis & Stacey, 2010). This paper includes a discussion of the theoretical implications of the use of split supervision, as well as theoretical explanations for why the use of split supervision should have differential effects on recidivism and post-prison employment for those who receive it as a sanction compared to those who are sentenced to prison only.

The remaining chapters will begin by first discussing the use of split sentencing in Florida, as well as a discussion of the changes to Florida's sentencing structure since the 1980s which has resulted in the elimination of parole and the development of alternative post-prison supervision release strategies. Arguments will be made for why split sentencing is a distinct supervision strategy from more commonly studied post-prison community supervision types, such as parole or shock probation. The use of split sentencing in states other than Florida will be

discussed to establish that this is not a unique type of post-prison community supervision and that this research is relevant beyond Florida's offender population.

Next, the prior research on split sentencing and research on analogous post-prison supervision strategies will be reviewed. Due to the limited nature of prior research examining the effects of split supervision, findings, methodologies, and important correlates of analogous post-prison community supervision strategies (specifically parole and shock probation) will be reviewed in order to present a thorough framework of knowledge which may correspond with evaluations of split supervision. A theoretical framework for the research questions presented in this study will be drawn in order to formulate expectations for study outcomes. The methods, data, variables, and statistical techniques used to address the six research questions outlined above will be discussed. The six research questions will be answered in three chapters, one that addresses differences in those sentenced to split supervision and those sentenced to prison only, one that addresses differences in post-prison employment between split supervision and prison only sentences, and one that addresses differences in recidivism for the two groups. Finally, the conclusions, limitations, and implications of the paper will be discussed.

## **CHAPTER 2**

# **POST-PRISON SUPERVISION PRACTICES AND POLICIES IN FLORIDA AND THE UNITED STATES**

### **2.1 Introduction**

Florida is a prime example of a state which has transformed its system of punishment over the past three decades. Specifically, parole was eliminated in 1983 and in 1995 Florida enacted the requirement that all offenders sentenced to prison serve a minimum of 85% of the court-imposed sentence (Bales, Gaes, Blomberg, & Pate, 2010). As a result, two-thirds of all inmates released from prison in Florida are under no form of post-release supervision (Florida Department of Corrections (FDC), 2013). Of the one-third of released inmates who are supervised after release, approximately one-half are ordered by the court to serve a term of probation or community control (house arrest) upon release. The remaining one-half of inmates released with supervision were mandated by Florida law to serve a length of time under supervision equal to the amount of gain-time earned while incarcerated, i.e., the time they would have served in prison if no reduction of time served in prison had occurred. This chapter will outline the changes to Florida's sentencing structure over time that have resulted in a correctional system which releases more inmates with no post-prison community supervision than any other state in the United States (Gelb, et al., 2014).

### **2.2 The Prevalence of Post-Prison Supervision**

In the United States, the guiding philosophy of correctional systems has shifted several times from a focus on punishment to a system that emphasizes the importance of rehabilitation. Early prisons were deterministic; inmates would serve the full length of their prison sentence

imposed at the point of sentencing (Travis, 2005). The first shift in this model of punishment began in the early- to mid-1800s when states began to incorporate the policy of earned “good time,” allowing inmates the opportunity to reduce their time in prison by incentivizing good behavior. A further shift away from the determinate sentencing model and towards an indeterminate system of punishment was the adoption of Sir Walter Crofton’s “Irish System,” which involved both early release through good behavior and post-prison supervision. Under the “Irish System,” prisoners would be released to the supervision of “moral instructors” who were “upstanding citizens called...to oversee the prisoner’s conduct” (Travis, 2005: 10). If the conditions of release were not met by the inmate, they could be returned to the prison for a period of time up to the maximum period of their original sentence. Widespread adoption of indeterminate sentencing and early release (later called parole) came with the 1870 National Congress on Penitentiary and Reformatory Discipline, which was ratified by representatives from 24 states, Canada, and South America. By 1920 every state except three (Florida, Mississippi, and Virginia) had established a parole system.

In the 1970s criticisms of the indeterminate sentencing systems began to gather strength, and with that came criticisms of the use of parole. By the mid-1970s states began eliminating the use of parole, starting with Maine in 1976 and then California and Indiana in 1977 (Travis, 2005). With the decline of parole came the subsequent rise in the use of community supervision. From 1960 to 1990 the number of inmates released to community supervision grew from 56% of the overall released inmate population to 87% (Travis, 2005). As states moved away from parole and towards other forms of post-prison community supervision, the use of post-prison community supervision overall increased as more inmates were released to some form of community release supervision.

### 2.2.1 Changes in Florida's Sentencing Structure over Time

During the late 1970s and into the 1980s an increase in crime rates across the U.S. (Stemen, 2007) and the resulting media reaction to the perceived “crime wave” encouraged many in both the public and political spheres to conclude that significant changes in the criminal justice and correctional systems were needed in order to gain control over crime, which was seen as an increasingly significant social problem (Anderson, 1995). These trends were reflected in criminal justice policies at both the national and state levels, with policy makers emphasizing “tough on crime” and determinate sentencing policies. Notably, Florida shifted its sentencing policy from indeterminate to determinate starting in the 1980s as a means to reduce criminal offending. One consequence of this shift was a significant reduction in the number of offenders released from prison with supervision to follow their incarceration.

Florida's switch from indeterminate to determinate sentencing occurred largely over the course of a decade, with the changes occurring in three significant stages (see Bales, et. al., 2010 for a more in-depth review). The first major change in Florida's sentencing policy was the implementation of sentencing guidelines and the elimination of parole in 1983<sup>6</sup>. Beginning in 1983, offenders who had an offense date on or after October 1, 1983 were no longer eligible to receive parole release<sup>7</sup>. This marked a significant policy change, as in 1980 over 60% of inmates

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<sup>6</sup> An exception to the elimination of parole was for those convicted of first degree murder and sentenced to life with a 25 year mandatory sentence with parole eligibility after 25 years. This oversight was corrected by the legislature sometime around 2000.

<sup>7</sup> Several modifications to the sentencing guidelines occurred during the 1990s. Currently, only inmates who meet the following criteria are eligible for parole: 1) they were convicted of any felony prior to October 1, 1983, or they elected to be sentenced “outside the guidelines” for felonies committed prior to July 1, 1984; 2) they were convicted of a murder of a justice or judge prior to October 1, 1990; 3) they were convicted of a murder of a law enforcement officer (and other specified officers) prior to January 1, 1990; 4) they were convicted of engaging in a continuing criminal enterprise (violation of 893.20, F.S.) prior to June 17, 1993; 5) they were convicted of all other capital felonies prior to October 1, 1995; or 6) they were convicted of a

were paroled (Bales, et al., 2010). Within a decade the number of inmates released to parole supervision in Florida had been reduced to less than one percent (Bales, et al., 2010)<sup>8</sup>.

Additionally, at this time basic gain-time (a reduction in the amount of time served in prison on a sentence traditionally earned by complying with prison rules and completing work assignments) and house arrest were implemented.

The initial transition to a determinate sentencing structure was marred by complications with prison overcrowding. From February 1987 through June 1988 the Administrative Gaintime Law allowed the Florida Department of Corrections leeway in determining early release for inmates. This law was enacted in response to prison overcrowding issues, and was designed to allow the FDC the ability to control expanding prison populations by using early release (via gain-time) as a mechanism to reduce prison populations, and thus avoid overcrowding and federal intervention. Eligibility for an inmate to receive gain-time was determined based on their current offense and prior criminal history. Administrative gain-time was later reclassified as provisional credits (July 1988 – January 1991) and ultimately control release (January 1991 – December 1994) (Bureau of Research and Data Analysis (BRDA), n.d.). While the elimination of parole and implementation of sentencing guidelines in 1983 allowed for a more deterministic sentencing structure, the liberal use of early release credits and administrative gain-time laws complicated this transition to a truly determinate sentencing structure.

The second stage of Florida's move from indeterminate to determinate sentencing occurred in 1994 with an update to the sentencing guidelines that were enacted in 1983. The

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first degree murder, a felony murder, or the crime of making, possessing, throwing, projecting, placing, or discharging a destructive device (or the attempt of) prior to May 25, 1994. Of the inmate population in Florida, less than 6,000 individuals are eligible for parole (FDC, n.d.).

<sup>8</sup> In fiscal year 2014-2015, only 25 inmates were released from Florida prisons through parole.

basic gain-time provision included in the 1983 sentencing guidelines effectively “resulted in inmates serving a minimum of only 40% of their court-imposed sentence in prison” (Bales, et al., 2010: 44). In 1994 Florida lawmakers revised the sentencing guidelines structure by eliminating the basic gain time provision, prioritizing prison bed space, and moving the administration of the guidelines from the Supreme Court of Florida to the FDC (BRDA, n.d.). By December of 1994 early release credits<sup>9</sup> were discontinued entirely, due in part to the reduction in prison admissions and Florida’s massive prison building efforts (BRDA, n.d.). In 1995 the final move towards determinate sentencing was made when Florida lawmakers passed a provision (known as the “85% law”) that mandates all individuals with offenses committed on or after October 1, 1995 who have been sentenced to prison serve a minimum of 85% of their sentence. This law remains in effect in Florida today.

While the implications of determinate sentencing and the policies enacted that move a government from indeterminate to determinate sentencing strategies merit much interest and debate (Stemen & Rengifo, 2012; Stemen, Rengifo, & Wilson, 2005) an important aspect of this discussion is how the changes in these policies have impacted supervised populations, particularly in Florida. As previously mentioned, under the indeterminate sentencing policies of the early 1980s Florida supervised the majority of prison releases with parole supervision (Bales, et al., 2010). However, even a decade later as the first stage of determinate sentencing policies came into effect, there was a significant change in the post-prison supervision population with less than one percent (0.7%) of inmates being released to parole supervision (Bales, et al., 2010). Parole releases have dropped even more dramatically in recent years: from July 2013 through

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<sup>9</sup> Up to this point early release credits were being issued to offenders under the Control Release program. Eligible offenders were released from prison to Control Release supervision based on early release credits.



June 2014 there were a total of 27 inmates released to parole supervision or 0.08% of the released population (Florida Department of Corrections (FDC), 2014). While parole is no longer used as a post-prison release supervision strategy for new offenders<sup>10</sup>, alternate means of supervising inmates in the community, such as split sentencing, have been institutionalized as mechanisms for supervising released inmates.

### **2.2.2 Parole versus. Conditional Release and Split Supervision**

One of the central arguments of this paper is that split supervision is a distinct form of post-prison community supervision, and as such should be studied independently from other forms such as parole and conditional release supervision<sup>11</sup>. It is thus important to establish the various ways in which these forms of post-prison community supervision are unique. Research typically lumps any form of post-prison community supervision together as a singular release type, regardless of whether these types of supervision result from discretionary or statutorily mandated sentencing decisions, or if the state or executive branches of government are responsible for setting terms and conditions of supervision and making revocation decisions (see Travis, 2005).

The form of post-release supervision used in Florida that is most comparable to parole is conditional release. In order to be considered for conditional release supervision an inmate must

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<sup>10</sup> The remaining parole releases in Florida consist of those offenders who were sentenced prior to October 1, 1983 and are still eligible to be released on parole, and offenders who were sentenced in a state other than Florida that are eligible for parole, but were incarcerated in a Florida prison.

<sup>11</sup> Conditional release supervision is often used as a “catch-all” term for any form of post-prison community supervision (see Travis, 2005). In the context of this dissertation, conditional release supervision (or conditional release) refers to a statutorily defined form of post-prison supervision in which eligible inmates (see F.S. 947.1405 for full requirements) are released from prison after serving 85% of their prison sentencing, in accordance with the 1995 determinate sentencing law (or 85% law).

have been convicted of at least one of a list of statutorily defined offenses (such as murder, manslaughter, sex offenses, robbery, or violent personal crimes) and have served at least one prior felony commitment in a state or federal prison; or have been determined to be a habitual offender, violent habitual offender, violent career criminal, or sexual predator by the court (see Florida Statute 947.1405 for full requirements)<sup>12</sup>. If determined to be eligible for conditional release, the Florida Commission on Offender Review (FCOR; formerly the Florida Parole Commission) sets the length and conditions of supervision to which the inmate must comply.

Conditional release supervision differs from parole in two significant ways. First, as a result of the “85% law,” inmates who are eligible to receive conditional release must serve at least 85% of their sentence before being eligible to serve any portion of the remaining 15% in the community on supervision. This is in contrast to parole supervision (as it is typically implemented in states other than Florida), where inmates are eligible to serve much lengthier portions of their sentence in the community once deemed eligible for release. In 2012, state prisoners served a median length of 28 months for a violent offense, 12 months for a property offense, and 13 months for a drug offense (Carson & Golinelli, 2013). A 2011 study by the National Conference of State Legislatures determined that 44 states used some form of sentence credit law (good-time or earned-time) which allow inmates to reduce the amount of time spent incarcerated on their prison term (The National Conference of State Legislatures, 2011).

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<sup>12</sup> A secondary form of conditional release, known as conditional medical release, allows for the release of permanently incapacitated or terminally ill inmates who have not been sentenced to a capital offense. In this instance, if the Florida Commission on Offender Review (FCOR) determines that an inmate is eligible for conditional medical release, the term of supervision will be for the remainder of the sentence for which the inmate is currently incarcerated. Supervision must include periodic medical evaluations at intervals determined by the FCOR, and if an inmate’s condition is determined to have improved, he/she can be revoked from conditional medical release and returned to prison (see Florida Statute 947.149 for further details).

Additionally, in 2009 the median sentence length for all offenses in the United States was 36 months, while the median time served in prison was 16 months and the median time served on parole was 18 months (Bureau of Justice Statistics (BJS), 2011).

A second way in which conditional release is different from traditional parole is that only certain inmates are eligible to receive conditional release, and once determined to be eligible they must be released to community supervision; in other words, unlike the majority of parole releases, there is no discretion in the release decision. According to the 2014 Bureau of Justice Statistics report “Probation and Parole in the United States, 2013” approximately 43% of all parole admissions in 2013 were discretionary, while only 25% of admissions were due to mandatory release<sup>13</sup>, where the release decision was not the result of a parole board decision (Herbermann & Bonczar, 2014: 19). In Florida, in contrast to the predominant national parole release policy, the conditional release decision is not discretionary and is instead subject to a specific set of guidelines determined by statute.

The second form of post-prison release supervision used in Florida is split supervision. Split supervision differs from parole primarily in that it is an additional sanction to the initial term of incarceration. An offender who is sentenced to incarceration for either a misdemeanor or felony offense<sup>14</sup> can be placed on a term of split supervision at the time of sentencing (see Florida Statute 948.012 for full details). Generally the imposition of a split sentence is at the discretion of the sentencing judge, however in certain instances a split sentence may be

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<sup>13</sup> The remaining 32% of parole admissions are due to reinstatement, an inmate being released to a term of supervised release (where an inmate has been sentenced to a fixed term of incarceration to be followed by a term of community supervision), other causes, or the release decision being unknown or not reported.

<sup>14</sup> Capital offenses are not eligible for split supervision.

statutorily required<sup>15</sup>. Offenders may be sentenced to a term of probation (including felony probation, sex offender probation, and drug offender probation) or community control (i.e., “house arrest”) after release from prison.

### **2.2.3 Revocation Authority**

Another important difference between split supervision and other types of post-prison community supervision deals with which branch of government is responsible for setting the length and conditions of supervision, as well as making determinations regarding the revocation of supervision. In Florida, the two most prominent forms of post-prison community supervision (split supervision and conditional release supervision) are under the jurisdiction of two different branches of government. Offenders sentenced to a term of split supervision fall under the judicial branch of government; for these offenders whether they receive a term of post-prison community supervision, and the type, conditions, and length of supervision are all determined at the point of sentencing by a circuit court judge. Consequently, when an offender on split supervision violates their term of supervision (whether for a technical reason or for committing a new crime) their violation is addressed by the original sentencing judge (or the judge currently assigned to the case in the original sentencing court) and any resulting sanctions are determined by said judge. Offenders released to conditional release supervision, however, are under the jurisdiction of the executive branch of government. Offenders are only released to conditional release supervision

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<sup>15</sup> For offenders sentenced after September 01, 2005 the court must impose a split sentence for any person convicted of a life felony for lewd and lascivious molestation if the court imposes a term of years rather than a life sentence. In this instance probation or community control (house arrest) must extend for the duration of the offender’s natural life and must also include a condition requiring electronic monitoring [see F.S. 948.012(4)]. For offenders sentenced after October 01, 2014 and convicted of certain sexual offenses, if the court imposes a term of years less than the maximum sentence for the offense then the court must impose a split sentence for a minimum of two years or the remainder of the maximum sentence [see F.S. 948.012(5)].

when they meet specific statutory guidelines, and the length of supervision is a calculation based on how much time of their original prison sentence is left after having served a minimum of 85% of their time behind bars. The Florida Commission on Offender Review, which is a part of the executive branch of government, determines conditions of supervision and is responsible for making decisions regarding violations of conditional release supervision and meting out any resulting sanctions.

#### **2.2.4 The Use of Post-Prison Supervision across the United States**

The manner in which states use post-prison supervision varies greatly. Some states, such as Utah only use parole supervision, while others (such as Connecticut) may use a combination of many forms of post-prison supervision (BJS, n.d.). Overall, the predominate form of post-prison supervision used by states is parole supervision. As previously discussed, parole was the first form of post-prison supervision adopted in the U.S., becoming universally adopted at both the state and federal level by 1942 (Travis, 2005; Petersilia, 2003). The use of parole as a post-prison community supervision tool was widespread not just in terms of its universal adoption in the U.S., but also in terms of how commonly it was given to released inmates. For instance, during the 1960s and 1970s more than 70% of inmates were released to parole supervision, and in some states this number was as high as 95% of the released inmate population (Petersilia, 2003).

Criticisms of indeterminate sentencing and parole in the 1970s led to a shift towards “get tough” sentencing policies from the late 1970s through the 1990s. These policy shifts included diminished use of indeterminate sentencing and discretionary pre-release programs, such as discretionary parole. By the end of 2000, 16 states had ended the use of discretionary prison

release and introduced mandatory post-prison release supervision<sup>16</sup> (Hughes, Wilson, & Beck, 2001 in Piehl & LoBuglio, 2005). In 1999 the number of inmates being released to mandatory parole<sup>17</sup> had increased to 41% of the total released population, up from only 19% in 1980, while discretionary parole releases<sup>18</sup> dropped from 55% in 1980 to 24% of the total released population in 1999 (Hughes, Wilson, & Beck, 2001 in Piehl & LoBuglio, 2005).

In addition to the use of parole, several states also use alternative forms of post-prison probation supervision, such as split supervision. A 2002 study found that of the roughly 3.9 million individuals on probation supervision in 2001, approximately 9% were sentenced to split supervision (Glaze, 2002). Split supervision is used in seven states (Alabama, Connecticut, Florida, Maine, Rhode Island, South Carolina, and Virginia) to varying degrees. For instance, both Maine and Florida have eliminated the use of parole supervision and instead use split supervision as an alternative form of post-prison community supervision<sup>19</sup>. However, in Florida only approximately 15% of inmates are released to split supervision (FDC, 2013a) while in Maine approximately 65% of probation offenders have a split sentence (Rocque & Rubin, 2009).

### **2.3 Alternatives to Split Sentencing**

Split sentencing is generally used as a tool in discretionary sentencing structures. Except under specific circumstances<sup>20</sup>, judges are typically free to sentence an offender to a term of split supervision if that person is otherwise eligible to receive a term of incarceration. For example, if

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<sup>16</sup> Except Maine and Virginia.

<sup>17</sup> Mandatory parole is defined as a release determined by statute (Hughes, Wilson, & Beck, 2001).

<sup>18</sup> Discretionary parole release is defined as release by a parole board (Hughes, Wilson, & Beck, 2001).

<sup>19</sup> Maine eliminated parole in 1976 (BJS, n.d.), while Florida eliminated parole in 1983 (Bales et al., 2010).

<sup>20</sup> See F.S. 948.012.

a person were eligible to receive a sentence of a maximum of five years incarceration in prison, it is possible that the sentencing judge could give them a term of incarceration of up to five years; a term of community supervision of up to five years; or a split sentence of some period of incarceration followed by some period of community supervision, the total of which equals up to the maximum sentence allowable (in this example, five years). Currently, there is no empirical or theoretical research to directly explain what guides these sentencing decisions or whether they are effective prison reentry strategies. One of the aims of this paper is to begin to address these questions by examining differences in the characteristics of those who are sentenced to a term of split supervision and those who are sentenced to a term of prison only. By establishing the ways in which these groups differ, insight into how judges determine who will receive supervision to follow incarceration will start to become clearer.

## CHAPTER 3

### PRIOR LITERATURE AND THEORETICAL FRAMEWORK

#### 3.1 Research on Split Supervision

In recent years, corrections agencies have shown a renewed interest in post-release supervision strategies in the community (Cheliotis, 2009). Surprisingly, the empirical research testing various prison release policies is almost non-existent. Most of the research pertaining to post-release supervision is either descriptive (Arkowitz, Shale, & Carabello, 2008), or theoretical (Steiner, 2004). The empirical literature on post-release supervision has generally focused on one specific area, such as parole or electronic monitoring (for examples see Bales, et al., 2010; Ostermann, n.d.; Solomon, Kachnowski, & Bhati, 2005; SPEC Associates, 2002). Research examining the effectiveness of various post-release supervision strategies on recidivism and post-prison employment are limited.

While research has sought to understand the nature of supervised release for offenders on parole, there has been only one study to date that has examined the effects of imposing a secondary or “split” supervision sentence to follow a term of incarceration. The research on the effects of post-release supervision has almost exclusively examined offenders released on parole, resulting in minimal understanding of the nature of post-prison release to more traditional forms of community supervision, such as probation and community control.

In an examination of the predictors of recidivism among released inmates, Spivak and Damphousse (2006) conduct the only empirical analysis, to date, of split supervision. The researchers attempted to predict offenders’ post-prison release recidivism (measured as a return to prison during the follow-up period after release from incarceration) among a cohort of 46,172 inmates released from the Oklahoma Department of Corrections between January 1, 1985 and



December 31, 1999. Of the 60,536<sup>21</sup> releases, 26.8% (16,230) were released to split probation, 17.5% (10,617) were released to parole, and 55.7% (33,689) were released with no supervision to follow their term of incarceration. The overall recidivism rate for all released inmates was 48.1% (29,144 returns to prison), not controlling for any covariates. The variables for release type (dichotomous measures of release to parole versus release with no supervision to follow and release to split probation versus release with no supervision to follow) were included in three of the five models that predict the hazard of recidivism (using Cox proportional hazard regression models).

The researchers found that across models of both release to parole and release to split probation there is an increased likelihood of recidivism, and that release to split probation was a stronger predictor of recidivism than parole. For example, when controlling for offense type, prior history, release type, and custody level at release, inmates who were released to parole had a 7.1% increased hazard of recidivism (compared to those who were released with no supervision to follow), while those who were released to split probation sentences had an 11.5% increased hazard of recidivism<sup>22</sup>. When adding additional controls for prior incarcerations, whether the inmate was sentenced to life, sentence length, time served, the proportion of time served, and education level, the hazard of recidivism for parolees increased to 11.8% while the hazard of recidivism for those released to split probation was 19.8% higher than among those with no supervision to follow. Finally, the full model (which included all of the previous covariates plus additional controls for demographic characteristics) showed that the hazard of

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<sup>21</sup> There are more releases than individual inmates because some inmates were released, recidivated back to prison, served a new term of incarceration, and were released a second time during the observation period (see pg. 64 for a description of the sample and data). In this study the authors count each individual release as a separate case.

<sup>22</sup> All effects were statistically significant at the  $p < 0.001$  level.

recidivism for inmates released to parole was 9.7% greater while the hazard of recidivism for inmates released to split probation was 16.6% greater than among inmates with no supervision to follow prison release. While this study was not a direct test of the effects of split probation and conditional release, it does provide insight into the likely (negative) effects of these forms of post-prison release supervision on the recidivism outcomes of offenders. Meaning that it appears that inmates released with post-release supervision, and especially those with split supervision, have a greater likelihood of returning to prison compared with inmates who are released with no supervision to follow their incarceration.

A second study that is relevant to understanding the nature of split probation supervision was conducted by Talarico and Myers (1987), and discusses the importance of split supervision from aspects other than recidivism. In this paper the researchers consider two empirical assumptions: that the use of split sentencing has increased over time, and that judges emphasize the importance of the total term (total length of prison incarceration plus supervision length) as a more consequential factor than the severity of the sentence (the term of imprisonment) when determining how to sentence offenders.

The researchers hypothesized that judges use split supervision sanctions as a way of responding to problems with overcrowding in the prison system and as a response to public outcries for more punitive sanctioning of offenders. Using data collected from site visits to eleven circuit courts in Georgia, the researchers found that there was support for the hypotheses that use of split sentencing had increased over time (from 1976 through May of 1985) and that, “split sentences in Georgia are likely to be longer for violent or more serious offenders, as well as for offenders who are white, unemployed, or from rural backgrounds” (Talarico & Myers, 1987: 626). Finally, the researchers determined that the severity of the split sentence (as

measured by the ratio of incarceration length to supervision length) is greater for more serious offenders and for those who have longer split sentences, prior records, and who are white or are younger (Talarico & Myers, 1987).

This paper will address a neglected area of research by examining the factors that predict receiving a term of split supervision, and whether having an additional term of split supervision (felony probation, drug offender probation, sex offender probation, or community control) influences recidivism and employment outcomes for released inmates. Additionally, multiple methodologies will be used (survival analysis and logistic regression) to determine whether and to what extent evaluation outcome studies of correctional practices and policies are influenced by the type of research design and statistical methods used.

### **3.2 Analogous Research**

Because there is virtually no research that empirically examines the use of split sentencing, brief reviews of the literature on analogous research topics will be addressed in order to suggest predictions for the possible effects of split sentencing, as well as to provide guidance on important factors (variables) that have been used in the analysis of related post-prison supervision strategies. While sometimes conflated, it should be noted that split supervision differs from the concept of alternative or intermediate sanctioning. Specifically, split sentences reflect an additional sanction of community supervision (often probation or house arrest) to be served consecutive to a period of incarceration in prison. Alternative sanctions, on the other hand, may include “intensive probation, substantial fines, community service orders, residential controls, treatment orders, - [and] tend at present to draw more from those who otherwise would be placed on unenforced probationary supervision or on suspended sentence” (Morris & Tonry,

1990: 4). Split supervision is substantively different - and should be evaluated separately - from parole and “shock probation.”

### **3.2.1 Parole**

Research examining the effectiveness of parole supervision among released inmates has typically found mixed results. For example, a recent study by The PEW Institute found that post-release supervision (those released to parole supervision as compared to those who “maxed out” or served their full sentence in prison) was effective at reducing the likelihood of rearrest, particularly for serious, violent, and high risk offenders (Gelb, et al., 2014). These findings were particularly salient within the first months of release. The authors found that the initial period after post-prison release is when former inmates are at the greatest risk for reoffending; however, supervision (in this case parole), was found to be an effective tool for mitigating this risk (Gelb, et al., 2014). Other recent evaluations of parole have focused on the neighborhood context of parolees’ reentry into communities, such as the repercussions of concentrations of parolees in areas with high poverty levels (Grattet, Petersilia, & Lin, 2008; Hipp, Petersilia, & Turner, 2010; Hipp & Yates, 2009; Lin, Grattet, & Petersilia, 2010). A report by the National Research Council on parole and desistance from crime (2008) called for more research into the nature of parole supervision. The report concluded that there are simply no clear answers as to the relationship between parole and desistance from crime, in part, because of the largely poor methodological quality of prior studies.

Split probation supervision is substantively different from parole in one key way: the sentencing authority for released prisoners remains with the sentencing judge. In places such as Florida that no longer use parole as a prison release strategy (except in limited cases, as previously discussed), judges who view inmates as being unlikely to successfully transition back

into the community may be more likely to impose split sentences as a means to ensure formal control over the inmate after release. Therefore split sentences may, in theory, act as an indicator of more serious offenders or those individuals with a higher likelihood of reoffending. Similarly, split sentencing may act as an indicator of a judge's punitiveness; variations across court circuits may reflect responses to the perceived public demand of sanctioning of criminals. For parolees, the revocation authority remains with the department of corrections (typically a parole board) from which the inmate was released.

### **3.2.2 Shock Probation**

While split supervision has been sometimes considered the same as “shock probation”, it is a separate subject worthy of independent study. “Shock probation” is typically a short period of incarceration (less than three months) followed by a term of probation (Talarico & Myers, 1987). Split probation, however, is generally the addition of a probation term to a period of incarceration of at least one year. To date the research on post-prison release supervision has typically conflated split supervision, parole, and shock probation as relatively indistinguishable forms of supervision. It is the argument of this paper that they are, in fact, independent and representative of distinct sentencing policies and include substantively different categories of offenders with important variations in how successful these policies will be at reducing recidivism.

## **3.3 A Conceptual Framework for Theorizing, Evaluating, and Guiding This Research**

### **3.3.1 Arguments for Split Sentencing Increasing Recidivism**

While no research exists that links any specific theoretical perspective to increases in recidivism for offenders on split supervision, or even post-prison supervision more generally, I

make the argument that the larger work on labeling theory can be used to understand why split supervision may result in increased recidivism.

**3.3.1.1 Labeling.** The labeling perspective posits that experience with the correctional system produces extrinsic and intrinsic changes within an offender (Lemert, 1951; Chiricos, Barrick, & Bales, 2007). These changes, via the label of “felon,” “probationer,” or “ex-con,” can lead to an increased likelihood of failure and recidivism, as well as having negative effects on the psychological construction of self and the ability of individuals to access certain rights and services in the community. The traditional labeling perspective states that an individual may adopt a criminal self-concept from experiences with the criminal justice system, and that this label (both official and self-adopted) can change someone from being primarily non-deviant to deviant (Lemert, 1951). The process functions in such a way that the criminal justice system highlights the “immoral” aspects of the offender’s character and outsiders view the individual as deviant and “other,” which leads the individual to further internalize their negative/deviant self-concept and thus engage in deviant behaviors (Lemert, 1951).

Individuals sentenced to a split supervision term are subjected to an additional label, beyond that of “ex-con” or “felon.” Through the duration of supervision they are reminded that they are a criminal, to be watched and monitored. Additionally, probation supervision requires activities that can be considered stigmatizing, such as undergoing monitored urinalyses, reporting to their probation officer, and being subjected to random home checks and searches. Further, many activities and facets of an offender’s life would subject them to identify as a probationer, such as when they apply for employment or housing. The more that an individual identifies with the label of probationer, the more they may be likely to internalize a deviant self-concept and thus be more inclined towards deviant and criminal behaviors. A study by Chiricos,

Barrick, and Bales (2007) found that the “felony” label was related to an increased likelihood of reconviction within two years for offenders who were adjudicated guilty and then placed on felony probation.

### **3.3.2 Arguments for Split Sentencing Decreasing Recidivism**

While there is no theoretical work that directly argues for or against a link between split sentencing and recidivism, conclusions can be drawn using arguments based around the larger community supervision model. When describing the various theories available to criminologists, Sutherland (1960) referenced theories of law-making, law-breaking, and the reactions to law-breaking. Of these, societal response theorists examine the purpose, method, and style of criminal justice responses to crime. One of the primary justifications for responses to crime is the reduction of harm, or the prevention of future criminal behaviors. Three key ways in which justice systems react to law-breaking are through 1) deterrence, 2) incapacitation, and 3) rehabilitation (Clear & O'Leary, 1983). Using these three theories of criminal offending, I will make the case for why the use of split supervision should decrease the likelihood of recidivism for those individuals who receive a split sentence compared to those who receive a sentence of prison only.

**3.3.2.1 Deterrence.** Deterrence justifications for criminal justice interventions reason that the threat of punishment is significant enough to eliminate (or deter) criminal offending (Maxwell & Gray, 2000). Classical theorists argue that individuals are rational beings who have a desire to avoid harm and weigh the risks and rewards of behavior. When a law-breaker is caught and punished, the experience is thought to be so undesirable as to imprint on the individual and cause them to avoid repeating their behavior so as to avoid future punishment. In

order for this system of deterrence to properly function, punishments must be perceived by offenders as swift, certain, and severe (Beccaria, 1983 [1775]; Maxwell & Gray, 2000). In the case of split supervision, individuals would be deterred from committing new crimes during the course of their supervision because the threat of certain and severe punishment through violations of their supervision.

Because community supervision requires reporting to law enforcement (i.e., the probation officer) and increased surveillance (via officer contacts at an individual's home, employment, and other locations within the community, as well as regular monitoring of local jail records for checks on criminal offending), the likelihood or certainty of detection of undesirable or criminal behavior would be perceived as increased and thus presumably decrease the likelihood of that behavior occurring (Pogarsky, 2007). The certainty of punishment for criminal behaviors is increased with split supervision because of the additional monitoring that comes with being on supervision. Those with no supervision (i.e., those sentenced to prison only) would have more opportunity to commit crimes undetected. Tests of deterrence theory and probation have shown that offenders' self-perception of the certainty and severity of punishments for probation violations are associated with successful completion of probation (Pogarsky, 2007).

**3.3.2.2 Incapacitation.** Incapacitation as a theory of criminal offending dictates that, "an offender cannot commit crimes in the general community while he or she is incarcerated" (Zimring & Hawkins, 1995, p. 44). While this appears best suited to a discussion of incarceration, it can be argued that community supervision assumes a level of control over offenders in the community much as prisons and jails institute control over offenders in their custody. MacKenzie (2006) describes the process by which supervision attempts to control offenders as "community restraint." These control mechanisms include intensive supervision,



drug testing, and the use of technology such as electronic monitoring to surveil and restrict movement in the community. The process by which supervision is able to incapacitate/control offenders in the community may have a complicated relationship with recidivism. As MacKenzie (2006) notes, technical violations of supervision may act as part of the incapacitation/control process that identifies chronic offenders and removes them from the community. Thus, more serious offending (i.e., being arrested for a new crime) is reduced by identifying more minor forms of offending or deviant behaviors in the form of technical violations, and thus removing that offender from the community by revoking their supervision.

**3.3.2.3 Rehabilitation.** Rehabilitation assumes that individual differences in offenders can be identified and targeted with criminal justice interventions designed to create a positive change in that individual, and thereby reduce the likelihood of reoffending. Crucial to this argument is the belief that correctional personnel (in this case probation officers) are able to accurately identify the causes or factors related to criminal offending, can apply the appropriate treatment, and thus “fix” the offender (MacKenzie, 2006). Despite a call by Martinson (1974) that “nothing works,” research over the last two decades has found support that rehabilitation efforts can produce significant reductions in recidivism (Andrews & Bonta, 2010; Andrews & Dowden, 2005; Gendreau, Cullen, & Bonta, 1994; Lipsey, 1995; Losel, 1995). Research on the effects of Intensive Supervision Probation (ISP) has found that probation supervision which includes rehabilitative programming is more effective than standard ISP at reducing recidivism (Byrne & Kelly, 1989; Pappozzi & Gendreau, 2005; Petersilia & Turner, 1989). Rehabilitation can occur either through the administration of programming and treatment services, or through the direct interactions of the probationer and the probation officer. In either case, probation has the potential to operate as a means to reduce recidivism by providing opportunities for

interactions and services that would not otherwise be available to a person who did not have supervision to follow their incarceration.

### **3.3.3 Arguments for Split Sentencing Increasing Employment**

Employment has long been considered a key factor associated with reduced recidivism (Andrews & Bonta, 1998; Gendreau, Goggin, & Gray, 2000; Uggen, 2000). Because of the importance of obtaining employment (and more specifically, quality employment), it is important to consider the possible effect that split supervision may have on whether an offender is able to obtain post-prison employment.

In Florida, the conditions of supervision require that offenders “work faithfully at suitable employment insofar as may be possible” [Florida Statute 948.03(c)]. By including the requirement of employment as a condition of supervision, the Florida Department of Corrections sets the stage for an argument that those offenders with split supervision would be more likely to be employed after incarceration than those who are released with no supervision. The failure to “work faithfully” would result in a technical violation of supervision, and may result in sanctions including incarceration in jail or prison. This may essentially function as a deterrent from unemployment – an individual on probation could be assured of detection by their probation officer of their violation (i.e., being unemployed) and subsequent punishment for failure to comply with the conditions of supervision. Conversely, an individual who did not have supervision to follow may not be as inclined or motivated to obtain employment after release, or to find it as quickly, as someone who has a probation officer monitoring whether or not they do so.

### **3.3.4 Arguments for Split Sentencing Decreasing Employment**

While the conditions of supervision may require a probationer to obtain employment “insofar as may be possible” [F.S. 948.03(c)], there are reasons to believe that split supervision may decrease the likelihood of an individual obtaining employment after incarceration. Similar to the argument made above for the increased likelihood of recidivism, split supervision may act as a deterrent to employment via a labeling effect. An individual who is placed on split supervision and attempts to gain lawful employment would have to continually acknowledge their status as both a convicted felon and current probationer. The labeling effect may function in two ways: first, in that employers may be less inclined to hire someone who is currently serving a term of felony supervision, and second, in that individuals who internalize this negative self-concept from being labeled a probation offender may be less motivated to obtain any or quality employment. The additional term of supervision to follow incarceration may serve as a hindrance for offenders attempting to gain employment, compared to their counterparts who were released from prison with no supervision.

## CHAPTER 4

### METHODS

This chapter discusses the data, variables, and research methods used to answer the six research questions. The data section describes the administrative data used to construct the study's cohort. The variable section describes the conceptualization and operational definitions of the independent, dependent, and control variables used to examine differences in inmates released with and without split supervision, as well as prior literature that justifies their importance. The statistical techniques section describes the statistical modeling methods used to address the previously outlined research questions.

#### 4.1 Data

The initial dataset used in this study tracks a cohort of inmates released from Florida prisons from 2004 through 2011 (N = 250,803). There were 25,571 cases in this dataset that were eliminated because they were either: 1) sentenced to prison in a state other than Florida, or 2) released to a state other than Florida or to another country. These cases were eliminated because both the primary independent variable of interest (split supervision) and recidivism measures (rearrest, reconviction, and reimprisonment) rely exclusively on Florida data. In addition, 2,151 cases were eliminated from the dataset due to the fact that, while having been sentenced to a prison term by a Florida court, they never actually entered a Florida prison<sup>23</sup>. Finally, 446 cases were eliminated due to missingness on the primary independent variable of interest (split

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<sup>23</sup> While it is unclear as to the specific reasons why these instances occur in the dataset, a logical reason is that offenders sentenced to prison are able to receive credit for the time they served while in local jail pretrial – these cases likely represent individuals who served enough time in jail pretrial to satisfy the entirety of their prison sentence and thus did not spend any actual time in prison.

supervision). After these steps, a cohort of 222,635 inmates remained in the dataset. Of these, 35,477 were released, reimprisoned, and released again during the cohort period. These repeat offenders may exert a greater influence on the results compared to those offenders who are only in the cohort one time. In order to address this issue, a dataset was created in which each individual is present only once in the dataset rather than multiple times. The process of including one record per individual involved: 1) keeping all offenders who were released only once, and 2) keeping only one randomly selected release record for all other individuals who had two or more releases. The resulting dataset includes a final cohort of 187,739 released inmates.

The data used in this study was made possible by a National Institute of Justice (NIJ) Researcher-Practitioner Partnership Grant between the Florida State University (FSU) and Florida Department of Corrections (FDC) (Bales, Scaggs, Clark, Ensley, & Coltharp, 2014). The goals of the partnership were to assess the effects of prison-based substance abuse treatment, post-prison supervision, and work release programs on post-prison employment and multiple measures of recidivism. The multiyear collaboration between FSU and FDC resulted in the creation of an expansive dataset that was created from multiple data sources. First, corrections (administrative) data originated from the FDC's Bureau of Research and Data Analysis (BRDA). Second, pre- and post-prison arrest data were incorporated from the Florida Department of Law Enforcement (FDLE). Third, pre- and post-prison employment data was obtained from the Florida Department of Revenue (FDR).

#### **4.1.1 Corrections Data**

The first source of data that was used for this project is corrections data from the BRDA, which originated from the FDC's Offender-Based Information System (OBIS). The OBIS database, established in 1979, contains detailed data on all offenders who were in Florida's

correctional system in 1979, and all subsequent offenders sentenced to state prison or community supervision (probation or community control). OBIS contains the sentencing information recorded on the Sentence and Judgment Form completed by the court when an offender is convicted, comprehensive data relating to the demographic characteristics of offenders, specific data on all inmate movements within and in-and-out of prison, and related to community supervision movements and outcomes (absconding, technical violations, new offenses, and revocations), and initial and all subsequent custody classification decisions. Additionally, all entries, exits, and outcomes associated with prison-based programs are recorded in OBIS along with details relating to disciplinary infractions, visits by family or friends, and information related to custody classification. To facilitate the tracking of individual offenders over time, the FDC utilizes a unique offender identifying number (DORNUM) that remains constant throughout the system and over the course of each individual offender's criminal career in the state of Florida. There is also data relating to additional unique personal identification numbers such as the number assigned to arrestees by the FDLE when they are booked into a local jail, social security number, and FBI number<sup>24</sup>.

In 1996, the BRDA built a data warehouse of research files that are extracted from OBIS and contains detailed information relating to prison and supervision admissions, releases, and status populations. This data repository now comprises over 200 research files that contain event-based files such as prison movements, sentence structure, supervision gains and losses, disciplinary infractions, and prison and supervision program information, among others. Additionally, composite files that contain numerous variables on specific types of offenders

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<sup>24</sup> The FBI number is a unique number assigned to an individual in the FBI's Integrated Automated Fingerprint Identification System (IAFIS), which is a nationwide database of fingerprint and criminal history records of individuals who have been arrested.

based on their contact with the FDC, such as active prison or supervision populations and admissions and releases from prison or supervision, are contained in the BRDA data warehouse and updated routinely. These files can be linked using the offender identification number and are routinely used by the FDC and external researchers to build cohorts of offenders released from prison and community supervision. A cohort of offenders released from Florida prisons between January 1, 2004 and December 31, 2011 was created by the BRDA for the NIJ Researcher-Practitioner Partnership grant between FSU and FDC in 2012, and provided to researchers at FSU. A subset of the full data file that was created for the NIJ grant is used for this study (see section 4.1 Data for more information).

#### **4.1.2 Pre- and Post-Prison Arrest Data**

The FDLE created the Computerized Criminal History (CCH) data system several decades ago. This data system contains detailed information on all arrests in Florida in which the suspect was fingerprinted at a local jail facility. The Florida Statistical Analysis Center (FSAC) at the FDLE maintains a data warehouse of all of the CCH data (Burton, et al., 2004). The BRDA and FSAC have shared data for several years, and in doing so have developed an accurate method of ensuring that the resulting matching of arrest and corrections data is based on the same individuals who are in their respective databases.

The accuracy of the matching process is facilitated by the fact that the two data systems are populated with the unique individual identifiers used by each agency to track multiple entries into the state correctional system, including both prisons or community corrections offices, and arrests at the local level. For the creation of the data set that was used in the analyses included in this study, the BRDA provided the FSAC with all of the relevant individual identifying variables, such as last name, first name, gender, race, FDLE number, FDC number, FBI number, date of

birth, and Social Security number for each record in their 2004 to 2011 inmate recidivism file. The FSAC then matched the data to their CCH repository and provided the resulting dataset to the FDC. The resulting data set was encrypted and stripped of identifying information, such as offender names and Social Security numbers, and provided to researchers at FSU.

Guidance on the development of measures of post-prison recidivism comes from a series of multi-state recidivism reports generated by the U.S. Department of Justice, Bureau of Justice Statistics (e.g., Durose, Cooper & Snyder, 2014) which include arrest, conviction and return to prison as recidivism outcomes. Using these recidivism reports, a measure of arrest for any new crime (felony or misdemeanor, but excluding technical violations of supervision and traffic violations) was created.

#### **4.1.3 Employment**

The source of pre- and post-prison release employment data is the Florida Department of Revenue (FDR). This agency collects state of Florida employment data which contains each year and quarter in which individuals are employed, wages earned, and public assistance status. The individual identifier contained in the FDR data warehouse is the social security number, which is also contained in the FDC's OBIS and FDLE's CCH. Using this identifier, inmates in the 2004 to 2011 cohort were able to be matched to the FDR data. From this final dataset, including data from FDC and FDLE, measures of pre-incarceration employment (whether an individual was employed during the three months prior to their admission to prison) and post-prison release employment (whether an individual was employed within the first three months immediately after release from prison, or whether the individual was employed at any time during the first five quarters after release from prison) were created.



## 4.2 Variables

### 4.2.1 Independent Variables

The first two research questions to be answered ask what factors account for whether an individual receives a sentence of split supervision, a specific type of split supervision, or a sentence of prison only. To this end a host of variables are included that are both related to the outcome variables and, importantly, known at the point of sentencing. This distinction, that variables be known at the point of sentencing, is important because split supervision in Florida is a discretionary judicial decision. Judges weigh factors available to them at the time of sentencing and set terms of supervision including the type, length, and conditions. Variables included in the analyses are demographic characteristics of offenders (gender, race, ethnicity, age at the time of offense for which they were sentenced to prison); personal history characteristics such as whether an offender has any number of children, if they were employed prior to prison admission, if they had served in any branch of the military, and if they had a highly visible tattoo<sup>25</sup>; whether they were a suspected or confirmed gang member; the most serious offense for their current term of incarceration; county of sentencing; and prior criminal history (total number of prior arrests, number of months served in jail pretrial, if they had one or more supervision admissions prior to prison admission, the total number of prior convictions, and the number of prior prison commitments). These variables are considered independent variables (as opposed to control variables) in analyses of the first two research questions as there is no primary independent variables of interest used to ascertain what predicts whether a person receives a term of any type of split supervision, and the specific type of split supervision to which they might be

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<sup>25</sup> A highly visible tattoo is defined as one or more tattoos on the following locations: face, neck, head, arms, and/or hands.

sentenced. Instead, these variables are used in order to conduct exploratory research into what factors may be of significance to the question of predicting split supervision, and are then used as control variables to answer the remaining research questions, as they are applicable to the question being answered.

In order to address the remaining questions, a measure of any split supervision is used to account for the effect of inmates who are released from incarceration under a number of supervision strategies (including split felony probation, split drug offender probation, split sex offender probation, and split community control) compared to those who are released from prison with no supervision. This dichotomous measure of any split supervision allows for the analysis of whether split supervision after release from prison in any form has significant effects on post-prison employment and recidivism for released inmates. Additionally, measures examining within-group variation for individuals sentenced to specific types of split supervision are created. These variables are dichotomous measures of whether an individual was sentenced to a specific type of split supervision (e.g., split felony probation) compared with all other types of split supervision (e.g., split drug offender probation, split sex offender probation, and split community control). This is done in order to determine whether the specific type of split supervision an individual is sentenced to has a significant effect on post-prison employment and recidivism among released inmates who are sentenced to a term of split supervision.

It should be noted that, for this study, the counterfactual to receiving a sentence of split supervision would be a sentence of prison only, a sentence to community supervision only (with no time spent in prison), or an alternate sanction such as fines and/or community service that does not involve monitoring by the Department of Corrections. For those persons sentenced to specific types of split supervision, the counterfactual includes the previously listed alternative

sanctions, as well as the possibility of being sentenced to an alternate form of split supervision (e.g., someone sentenced to a term of felony probation split supervision may alternately have been sentenced to drug offender probation split supervision, sex offender probation split supervision, or community control split supervision). The analyses conducted in this study examine the “treatment” effect of being placed on any type of split supervision compared to the counterfactual – or likely alternate outcome in the event that the treatment did not exist – as well as the effect of being placed on a specific type of split supervision, compared to the counterfactual.

#### **4.2.2 Dependent Variables**

The first research question is answered through an examination of the effects of numerous factors on inmates who are released from incarceration to any form of split supervision (split felony probation, split drug offender probation, split sex offender probation, and split community control). The outcome measure used is a dummy variable of any split supervision where 1 indicates that an individual received a split sentence of any type and 0 indicates that an individual received a sentence of prison only.

The second research question examines the effects of numerous factors on inmates who are released from incarceration to certain types of split supervision. In this instance, multiple dummy outcome measures are used. For each type of split supervision, 1 indicates that an individual received that type of split sentence (e.g., split felony probation) and 0 indicates that an individual received all other forms of split supervision (e.g., split drug offender probation, split sex offender probation, and split community control; offenders who were not sentenced to any form of split supervision are considered missing).

Two post-prison employment measures were derived from the FDR employment data. The first measure used is a dummy variable (1=yes, 0=no), capturing whether an individual was employed in the immediate quarter (three months) following release from incarceration. The second measure used is a dummy variable (1=yes, 0=no), capturing whether an individual was employed at any point during the first five quarters (fifteen months) following release from incarceration.

The recidivism measure related to arrest events was derived from the FDLE arrest data. These data include the date of each arrest event and the type of charge(s). These data were used to determine whether an individual was arrested for any crime (felony or misdemeanor, excluding technical violations of supervision and traffic violations) after release from incarceration (1=yes, 0=no). For logistic regression analyses, dichotomous measures of arrest for any crime are used to capture whether an individual was arrested during specific intervals of time (i.e., one, two, and three years after release from incarceration) in order to determine the effect of split supervision on recidivism over time. In addition, two measures are included as outcome variables in order to model research questions five and six using Cox proportional hazard regression (survival analysis). The two additional measures include the “censored” and “duration” variables. The censored variable is a dichotomous measure where 1 indicates that an individual was censored in the data (i.e., they were arrested prior to the end date of available data) and 0 indicates that the person reached the end date of available data without being arrested (i.e., they were uncensored). The duration variable indicates the length of time (in months) from the date of release from prison to either the date of the first arrest event or the last follow-up date, whichever occurs first.

The recidivism measure capturing a conviction for a felony crime (1=yes, 0=no) was obtained from the FDC's "component" dataset which contains detailed data on every felony conviction in Florida which results in a sentence to state prison or some form of community supervision (sentences to jail or alternate sanctions such as fines would not be captured). For logistic regression analyses, dichotomous measures of felony conviction are used to capture whether an individual was convicted for a new felony offense during specific intervals of time (one, two, and three years after release from incarceration), in order to determine the effect of split supervision on recidivism over time. In addition, two measures are included as outcome variables in order to model research questions five and six using Cox proportional hazard regression (survival analysis). The two additional measures include the "censored" and "duration" variables. The censored variable is a dichotomous measure where 1 indicates that an individual was censored in the data (i.e., they were convicted prior to the end date of available data) and 0 indicates that the person reached the end date of available data without being convicted (i.e., they were uncensored). The duration variable indicates the length of time (in months) from the date of release from prison to either the date of the first felony conviction event or the last follow-up date, whichever occurs first.

Two recidivism measures indicating a return to Florida's prison system were obtained from the FDC's "prison movement" dataset which contains a record for every movement resulting in an entry into or an exit from a Florida prison. These records contain the movement date and the reason for the movement, such as whether it was for a new sentence or a technical violation of supervision. The first measure is of return to prison for any reason (1=yes, 0=no), which includes both violations of supervision and admission based on a new offense. For logistic regression analyses, dichotomous measures of return to prison are used to capture whether an

individual returned to prison for any reason during specific intervals of time (one, two, and three years after release from incarceration), in order to determine the effect of split supervision on recidivism over time. In addition, two measures are included as outcome variables in order to model research questions five and six using Cox proportional hazard regression (survival analysis). The two additional measures include the “censored” and “duration” variables. The censored variable is a dichotomous measure where 1 indicates that an individual was censored in the data (they returned to prison for any reason prior to the end date of available data) and 0 indicates that the person reached the end date of available data without returning to prison (i.e., they were uncensored). The duration variable indicates the length of time (in months) from the date of release from prison to either the date of the first return to prison event or the last follow-up date, whichever occurs first.

The second measure is used to address research question six. This measure is of return to prison for a technical violation of supervision (1=yes, 0=no). Comparisons between persons sentenced to a term of split supervision and those sentenced to a term of prison only would yield unstable results using return to prison for a technical violation of supervision as an outcome measure, as, by definition, only a person supervised by the FDC<sup>26</sup> can return to prison for technically violating their supervision. Analyses show that virtually no individuals in the release cohort were sentenced to a term of prison only returned to prison for a technical violation of

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<sup>26</sup> Cases that are supervised in the community by the Florida Department of Corrections which originated in other states would not return to a FDC prison upon violation of supervision. These cases must have their violation returned to the sentencing state to be reviewed and adjudicated. In the event that an out-of-state case is sentenced to prison for a technical violation of supervision, that person would be extradited back to their state of sentencing in order to serve their sentence.

supervision<sup>27</sup>. The measure of return to prison for a technical violation of supervision is used only for between-group comparisons of persons sentenced to a term of split supervision. For logistic regression analyses, dichotomous measures of return to prison for a technical violation of supervision are used to capture whether an individual returned to prison because of a technical violation of supervision during specific intervals of time (one, two, and three years after release from incarceration), in order to determine the effect of types of split supervision on recidivism over time. In addition, two measures are included as outcome variables in order to model research question six using Cox proportional hazard regression (survival analysis). The two additional measures include the “censored” and “duration” variables. The censored variable is a dichotomous measure where 1 indicates that an individual was censored in the data (they returned to prison because of a technical violation of supervision prior to the end date of available data) and 0 indicates that the person reached the end date of available data without returning to prison for a technical violation (i.e., they were uncensored). The duration variable indicates the length of time (in months) from the date of release from prison to either the date of the first return to prison for a technical violation of supervision event or the last follow-up date, whichever occurs first.

### **4.2.3 Control Variables**

There are numerous factors that have been shown to be empirically linked to differences in the likelihood that released prisoners will recidivate. This paper includes controls for the demographic characteristics of gender, race and ethnicity, and age, which have consistently been

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<sup>27</sup> It is possible that some individuals may be released from prison with no supervision to follow, then be sentenced to a term of community supervision on a new offense then violated that case and was returned to prison. However, the cohort used for this study examines only those who were sentenced to split supervision at the time of release.

shown to be strong predictors of recidivism (Bales & Mears, 2008; Beck & Shipley, 1987; Langan & Levin, 2002). These include sex (male=1, female=0), three dichotomous variables capturing race and ethnicity of white (1=white/non-Hispanic, 0=non-white), black (1=black/non-Hispanic, 0=white or Hispanic), Hispanic (1=Hispanic, 0=black/non-Hispanic or white/non-Hispanic), and two measures of age: age at the time of offense and age at release from prison as a continuous variable in years. Education level is measured through the results of the Test of Adult Basic Education (TABE). Inmates may take this test, which determines the equivalent grade level the inmate has achieved based on their reading, writing, and math proficiencies at that time, multiple times during their incarceration. For the purposes of this paper, the score from the TABE exam which was administered most recently prior to the inmates' release date was used.

Whether inmates have substance abuse dependency problems is determined through the Drug Simple Screening Instrument (DSSI) and is operationalized as having a physical or psychological dependency (=1) or not (=0). There have been several studies which have examined the link between mental illness and recidivism and have found mixed results (Baillargeon, Binswanger, Williams, & Murray, 2009; Bonta, Law, & Hanson, 1998; Grann & Fazel, 2008). The variable psychiatric diagnosis at prison release (1=yes, 0=no) is based on if the inmate's latest mental health evaluation resulted in a psychiatric diagnosis which required some type of medication. If the inmate was assessed by the FDC to be a suspected or confirmed gang member (1=yes, 0=no) was an important control variable based on findings from prior research that has found a positive influence of this affiliation with recidivism (Huebner, Varano, & Bynum, 2007; Dooley, Seals, & Skarbek, 2014). Whether the inmate was employed during the first full quarter prior to their admission to prison (1=yes, 0=no) is included as a control variable



along with a dichotomous measure of whether an inmate has highly visible tattoos (1=yes, 0=no) (Bales, Blomberg, & Waters, 2013).

The most serious type of crime which resulted in offenders being imprisoned and their prior criminal record has been associated with reentry outcomes (Bales & Mears, 2008; Langan, Schmitt, & Durose, 2003; Putnins, 2005). Therefore, the most serious crime (primary offense) which resulted in a felony conviction and sentence to prison is measured through dummy variables (1=yes, 0=no) based on nine different crime types of: murder/manslaughter, sex offenses, robbery, other violent offenses, burglary, property, drugs, weapons, and other miscellaneous offenses. While a host of prior criminal record measures were available to use in the models, due to multicollinearity problems when including all of them in the analysis, only four measures that had the greatest influence on recidivism and were not collinear were selected. These include the total number of prior arrests, total number of prior felony convictions, the number of prior Florida prison admissions, and whether an individual had been sentenced to a prior term of supervision (1=yes, 0=no).

The effect of the length of stay in prison on recidivism explored in prior studies have found mixed results (Beck & Shipley, 1987; Langan, Schmitt & Durose, 2003), positive effects (Visher, Lattimore, & Linster, 1991), and negative relationships (Bales & Mears, 2008; Beck & Shipley, 1987). Therefore, time served in prison in months is included in the analysis. An inmate's custody level is determined by their criminal history and their behavior in prison, and is a known predictor of recidivism risk (Bureau of Research and Data Analysis, 2013). Custody level at release was measured through dummy variables for inmates released with a community or minimum custody level (1=yes, 0=released at medium or close custody level), medium custody level (1=yes, 0=released at community, minimum, or close custody level), or close

(representing the most severe restrictions on movement and privileges) custody level (1=yes, 0=released at community, minimum, or medium custody level). For analyses, the community/minimum custody level is used as the reference category. Institutional adjustment as indicated by violations of institutional rules and resulting infractions has been found to influence post-prison offending behavior (Chen & Shapiro, 2007; Kohl, Hoover, McDonald, & Solomon, 2008; Mears & Bales, 2008). The measure of institutional adjustment used here is the total number of infractions per month served in prison (Bales & Mears, 2008). Provided that research has demonstrated that inmates who are visited in prison and those who are visited more often have significantly lower recidivism rates (Bales & Mears, 2008) a measure of the number of visits inmates received per month served is also included.

Dummy variables reflecting the county in which inmates were sentenced are included to account for sentencing disparities. Research has found that variation exists across judges in terms of sentencing offenders, even when strict sentencing guidelines have been enacted (Heaney, 1991; Kramer & Ulmer, 1996; Stolzenberg & D'Alessio, 1994). The lowest level of sentencing data available in the FDC data is the county from which an individual was sentenced. These county-level dummy variables are included as proxy measures for variations in individual-level sentencing discrepancies that may exist across judges in Florida. Preliminary analyses of the data found that there is significant differences across counties in the percentage of cases sentenced to split supervision, and between the types of split supervision that are available. In the interest of parsimony<sup>28</sup>, the counties that have statistically significantly different means for each of the independent variables (any split supervision and each type of split supervision) have been collapsed into a single variable where 1 indicates an offender was sentenced in a county where

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<sup>28</sup> Florida has a total of 67 counties.

there are significant differences and 0 indicates an offender was sentenced in a county where there are no significant differences in terms of the mean number of offenders sentenced to any split supervision compared to prison or between types of split supervision.

Researchers have noted the importance of conditions of supervision to the success or failure of individuals who are supervised (Bonta, et al., 2008; Cohen, Cook, & Lowenkamp, 2016; Kubrin & Stewart, 2006). As such, a measure of the total number of conditions of supervision that were imposed by the sentencing judge is included in the analyses when examining the differences between types of split supervision.

Finally, for two reasons, dummy variables reflecting the year inmates were released from prison during the cohort period of 2004 to 2011 are included. First, this eight-year span of all prison releases provides a unique opportunity to control for changes in policies and practices related to prisoner reentry that are not directly measurable. Second, the “Great Recession” in the U.S. began in December 2007 and ended in June 2009 (U.S. Bureau of the Census, 2012). The Recession occurred in the middle of the cohort period (2004 to 2011) and the dire economic conditions and in particular high unemployment rates, especially among minorities and young males, may have some influence on post-prison employment and recidivism.

### **4.3 Statistical Techniques**

There are several statistical techniques used to analyze the data and address the six research questions. To describe the release cohort, frequencies, means, and mean differences tests (t-tests) are used to describe the differences between those offenders released with split supervision and those released with no supervision to follow incarceration, and between those released to each of the unique types of split supervision compared with all other types of split supervision. Because this is a relatively unexplored area of research, it is important to first assess

whether there are significant differences between these groups that may justify further analysis. Once this has been established, logistic regression is used to assess the differences in the likelihood of being placed on split supervision. Finally, a combination of logistic regression and survival analysis (Cox proportional hazard regression) is used to assess differences in the likelihood between those sentenced to split supervision and those sentenced to prison only in obtaining post-prison employment and recidivism outcomes.

#### **4.3.1 Logistic Regression**

In order to address the six research questions, logistic regression models are used. Logistic regression modeling is an appropriate multivariate modeling technique when the outcome variable is dichotomous, such as whether recidivism occurred (1=yes; 0=no) (see, Allison, 1999). A similar statistical technique that can be applied is linear regression. However, logistic regression and linear regression differ in several key ways.

First, linear regression operates on the assumption that the outcome is continuous and has normally distributed errors. For the analyses conducted in this paper, the outcome measures are dichotomous, where 1 indicates a presence of the event (i.e., recidivism) and 0 indicates the absence of the event (i.e., reached the last follow-up date without recidivating). When an outcome is binary (dichotomous), the assumption of normality is violated and thus the calculation of standard errors and confidence intervals will be invalid. In other words, a model with a continuous outcome will be best fit to a linear (or straight) relationship between the dependent and independent variables. However, logistic regression does not require the assumption that the error term is normally distributed, and thus the best-fit model is an s-shape. Additionally, linear regression is best used to establish the relationship between a dependent and independent variable where an infinite number of outcomes is possible. Logistic regression is

best used to ascertain the probability of an event occurring (e.g., how likely is it that an individual will recidivate). For these reasons, logistic regression is one of the statistical analytic methods used to address the six research questions.

#### **4.3.2 Survival Analysis (Cox Proportional Hazards Regression)**

Cox proportional hazards regression models, i.e., “survival analysis” is used to examine the effect of the relationship between independent variables, such as any split supervision compared to those inmates released with no supervision to follow incarceration, and an outcome measure, such as recidivism, that measures the probability of the outcome and the timing to the outcome. A Cox proportional hazards regression model is a specific type of survival analysis that will be used in the current study. In criminology, this approach has been commonly used to predict the occurrence and timing to recidivism (Benda, 2005; Benda, Harm, & Toombs, 2005; DeJong, 1997; Hanson & Morton-Bourgon, 2005; Hepburn & Albonetti, 1994; Smith & Akers, 1993).

Survival analysis involves the assessment of event history data that contain information on events which occur over a continuum of time (see, Allison, 1995). It examines if the event (e.g., recidivism) occurs or does not occur (i.e., whether the event is “censored”), as well as the timing to when the event occurs or else the end of the follow-up period (i.e., the “duration”). This analytic technique is a longitudinal regression approach where multiple independent variables are used to predict the occurrence and timing to a discrete event. One advantage of survival analysis is that even if an event does not occur, the survival time of all cases is considered in the analyses. This technique produces a survival function, which represents the probability of surviving beyond time  $t$ . A second advantage of survival analysis is that it allows researchers to determine if the timing to an event is significantly different for two groups given

an intervention. For the purposes of this research, the intervention is whether an individual receives a term of split supervision and the type of split supervision. Survival analysis allows for the examination of whether the intervention significantly delays the length of time to when an individual recidivates.

#### **4.4 Missing Data and Diagnostic Checks**

Missing data can be a common problem in administrative data due to data entry error and participant non-response. In the present study, five control variables (education level, substance abuse dependency score, age at first conviction, custody level at release, whether an individual had any children) contained missing values, all of which did not amount to more than 12% of the overall sample size. Nonetheless, there are some solutions for handling missing data, including list wise deletion and imputation models. List wise deletion occurs when a case with missing information for any of the indicators is automatically excluded from the analyses. Multiple imputation is a form of simulation modeling that creates several synthetic datasets based on the present data in the original dataset. The information from these simulated datasets is then used to fill in the missing values in the original dataset.

In the present study, several ancillary models are used to assess the possibility that missingness affects the results when using list wise deletion versus multiple imputation. One approach is to conduct analyses on imputed and non-imputed data to determine if the coefficients are significantly or substantively different. These diagnostic checks include full models based on several outcomes (e.g., arrest, conviction, and imprisonment). The second approach is to conduct a comparative analysis using reduced models where a select group of independent variables are excluded. The conclusion of these supplemental analyses is that the coefficients in imputed and

non-imputed models do not substantively differ from each other. As a result, list wise deletion is used in the current study to address the missing data.

## **CHAPTER 5**

### **RESULTS OF DIFFERENCES IN THOSE SENTENCED TO SPLIT SUPERVISION VERSUS PRISON ONLY**

The results in this chapter are presented in two sections labeled 5.1 and 5.2. In the first section, descriptive statistics are used to assess differences in factors that may explain why some individuals are sentenced to a term of prison only, while others are sentenced to a term of split supervision (prison with a period of community supervision to immediately begin upon release from incarceration). Due to the lack of empirical evidence around the use of split supervision as a sanction, extensive discussion of the differences between the two groups will be provided. Additionally, descriptive statistics will be used to assess differences in factors that may explain why some individuals are sentenced to specific types of split supervision, as compared to alternative types of split supervision. The results in section 5.2 will discuss the logistic regression model findings for research questions 1 and 2. Section 5.3 will summarize the results of sections 5.1 and 5.2.

#### **5.1 Descriptive Results**

Due to limited empirical research on the differences between offenders sentenced to terms of split supervision versus those who are not, it is important to first establish whether there are, in fact, differences between individuals sentenced to split supervision compared to those sentenced to prison only, as well as differences between the types of split supervision that a person could be sentenced to. To establish these differences, mean differences tests are conducted. Table 1 displays the results of several t-tests among individuals sentenced to any type of split supervision (n=61,709) and those who received a sentence of prison only (n=126,030). While there are many statistically significant differences in the means of the two groups, there



are fewer substantive differences. On average, the typical offender sentenced to split supervision is slightly more likely to be male (89.4% vs. 86.6%,  $p<0.001$ ), white (46.5% vs. 42.8%,  $p<0.001$ ), Hispanic (8.6% vs. 7.6%,  $p<0.001$ ), older (31.899 vs. 31.661,  $p<0.001$ ) at the time of offense, and to be a gang member (5.8% vs. 4.7%,  $p<0.001$ ) compared to the average offender sentenced to prison only. Those who receive a sentence of split supervision are also slightly less likely to be black (44.9% vs. 49.6%,  $p<0.001$ ), have been employed prior to admission to prison (23.1% vs. 30.4%,  $p<0.001$ ), and are less likely to have highly visible tattoos (47.8% vs. 54.3%,  $p<0.001$ ). The primary offense for which a person was admitted to prison varies in terms of whether an individual is more or less likely to receive a sentence of split supervision or a sentence of prison only. Offenders whose most serious offense is murder/manslaughter (3.6% vs. 1.3%,  $p<0.001$ ), sex offenses (8.4% vs. 2.3%,  $p<0.001$ ), robbery offenses (11.0% vs. 4.9%,  $p<0.001$ ), other violent offenses (17.8% vs. 11.6%,  $p<0.001$ ), and burglary offenses (15.9% vs. 13.2%,  $p<0.001$ ) are more likely to be sentenced to a term of split supervision than a term of prison only. Property offenders, drug offenders, weapons offenders, and other offenders are more likely to receive a sentence to prison only than a sentence to split supervision.

Prior criminal history also appears to play a role in whether a person is sentenced to split supervision or to prison only. Those with sentences of split supervision typically have less serious criminal histories. Offenders on split supervision have, on average, fewer prior arrests (21.957 vs. 23.809,  $p<0.001$ ), fewer prior convictions (4.088 vs. 4.280,  $p<0.001$ ), and are less likely to have any prior terms of community supervision (73.0% vs. 85.5%,  $p<0.001$ ) than offenders who receive a sentence of prison only. However, those receiving a sentence to split supervision are more likely to have had one or more commitments to prison in Florida than those who received a sentence of prison only (48.8% vs. 47.7%,  $p<0.01$ ).

Table 1. Descriptive Statistics for Persons Sentenced to Any Term of Split Supervision versus Persons Sentenced to Prison Only

	Any Split Supervision (n=61,709)	Prison Only (n=126,030)	Mean Difference
Male	0.894	0.866	-0.029***
Black	0.449	0.496	0.047***
White	0.465	0.428	-0.037***
Hispanic	0.086	0.076	-0.010***
Age at Offense	31.899	31.661	-0.238***
Pre-Prison Employment	0.231	0.304	0.073***
Highly Visible Tattoos	0.478	0.543	0.065***
Gang Member	0.058	0.047	-0.011***
<i>Primary Offense</i>			
Murder/Manslaughter	0.036	0.013	-0.023***
Sex	0.084	0.023	-0.062***
Robbery	0.110	0.049	-0.061***
Other Violent	0.178	0.116	-0.062***
Burglary	0.159	0.132	-0.027***
Property	0.117	0.164	0.047***
Drug	0.199	0.355	0.157***
Weapons	0.024	0.040	0.016***
Other	0.093	0.107	0.014***
Number of Prior Arrests	21.957	23.809	1.853***
Number of Prior Convictions	4.088	4.280	0.192***
Number of Prior Prison Commitments	0.488	0.477	-0.011**
Any Prior Term of Supervision	0.730	0.855	0.125***
County of Sentencing	0.662	0.660	-0.002
Military Service	0.059	0.040	-0.020***
Any Children	0.609	0.630	0.020***
Number of Months Spent in Jail Pre-Trial	5.869	4.981	-0.888***

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

The county from which someone is sentenced<sup>29</sup> is not statistically significantly different for those sentenced to split supervision compared to those sentenced to prison only. Offenders

<sup>29</sup> Counties that were statistically significant correlated with any split supervision included: Bay, Brevard, Broward, Calhoun, Charlotte, Citrus, Collier, Columbia, Miami-Dade, Desoto, Escambia, Flagler, Franklin, Hendry, Hernando, Hillsborough, Jackson, Jefferson, Lafayette, Lake, Lee, Leon, Madison, Marion, Martin, Nassau, Palm Beach, Pinellas, St. Johns, St. Lucie, Santa Rosa, Sarasota, Sumter, Suwannee, Wakulla, and Walton. A dummy variable for “County of Sentencing” was created where 1 indicates that an individual was sentenced in one of the

who received a split supervision sentence were more likely to have had previously served in any branch of the military (5.9% vs. 4.0%,  $p<0.001$ ), and spent more time in jail pre-trial (5.869 months vs. 4.981 months,  $p<0.001$ ) compared to those who received a sentence of prison only. Finally, those offenders who were sentenced to prison only were approximately 2% more likely ( $p<0.001$ ) to have any children (63.0%) compared to those offenders who received a sentence of split supervision (60.9%).

Table 2 reports the descriptive statistics for those sentenced to a term of felony probation split supervision ( $n=39,452$ ), compared to those sentenced to any other type of split supervision (drug offender probation split supervision, sex offender probation split supervision, and community control split supervision) ( $n=22,257$ ). Felony probation split supervision is the most common type of split supervision in the cohort, representing approximately 64% of all offenders sentenced to split supervision. Similar to the results in Table 1, while there are many statistically significant differences between the two groups, there are few substantive differences. Compared to other types of split supervision, those persons sentenced to a term of felony probation split supervision are somewhat less likely to be male (88.6% vs. 90.9%,  $p<0.001$ ) and black (44.4% vs. 45.8%,  $p<0.01$ ). Those on felony probation split supervision are more likely to be Hispanic (9.0% vs. 7.8%,  $p<0.001$ ), however there are no significant differences between the two groups if the offender is white. Younger offenders are more likely to be sentenced to felony probation split supervision compared to all other types of split supervision ( $p<0.001$ ).

Employment prior to prison admission and whether an offender has highly visible tattoos are not statistically significantly different between the two groups. However, those sentenced to

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previously listed counties and 0 indicates that an individual was sentenced in any of the other counties in Florida not correlated with any split supervision.

felony probation split supervision are slightly more likely to be a suspected or confirmed gang member ( $p < 0.001$ ) compared to those sentenced to any other type of split supervision.

Table 2. Descriptive Statistics for Persons Sentenced to Felony Probation Split Supervision versus Persons Sentenced to All Other Types of Split Supervision

	Felony Probation Split Supervision (n=39,452)	All Other Split Supervision (n=22,257)	Mean Difference
Male	0.886	0.909	0.023***
Black	0.444	0.458	0.014**
White	0.466	0.464	-0.001
Hispanic	0.090	0.078	-0.012***
Age at Offense	31.405	32.774	1.369***
Pre-Prison Employment	0.230	0.233	0.003
Highly Visible Tattoos	0.477	0.479	0.002
Gang Member	0.061	0.053	-0.008***
<i>Primary Offense</i>			
Murder/Manslaughter	0.037	0.036	-0.001
Sex	0.050	0.144	0.094***
Robbery	0.110	0.109	-0.001
Other Violent	0.183	0.171	-0.012***
Burglary	0.174	0.130	-0.044***
Property	0.138	0.082	-0.056***
Drug	0.188	0.218	0.030***
Weapons	0.025	0.022	-0.003*
Other	0.096	0.088	-0.008***
Number of Prior Arrests	22.151	21.612	-0.539***
Number of Prior Convictions	4.127	4.018	-0.110**
Number of Prior Prison Commitments	0.420	0.608	0.188***
Any Prior Term of Supervision	0.766	0.666	-0.100***
County of Sentencing	0.751	0.754	0.003
Military Service	0.055	0.066	0.011***
Any Children	0.607	0.614	0.007
Number of Months Spent in Jail Pre-Trial	5.884	5.841	-0.043

\* $p < 0.05$ , \*\* $p < 0.01$ , \*\*\* $p < 0.001$

The primary offense for which a person is sentenced to prison plays an important role in whether a person is sentenced to felony probation split supervision or any other type of split supervision. For instance, those sentenced to felony probation split supervision are somewhat

more likely to be imprisoned for a primary offense of an “other violent” offense (18.3% vs. 17.1%,  $p<0.001$ ), burglary (17.4% vs. 13.0%,  $p<0.001$ ), property (13.8% vs. 8.2%,  $p<0.001$ ), weapons offenses (2.5% vs. 2.2%,  $p<0.05$ ), and other offenses (9.6% vs. 8.8%,  $p<0.001$ ) compared to those sentenced to any other form of split supervision. Differences in those whose primary offense was for robbery and murder/manslaughter were non-significant. Other offenses, however, result in a decreased likelihood of being sentenced to felony probation split supervision. Those persons whose primary offense upon admission to prison were sex offenses (5.0% vs. 14.4%,  $p<0.001$ ) and drug offenses (18.8% vs. 21.8%,  $p<0.001$ ) were less likely to be placed on felony probation split supervision than any other type of split supervision.

Prior criminal history has mixed effects on whether an individual is more or less likely to receive a sentence of felony probation split supervision compared with any other form of split supervision. Those sentenced to felony probation split supervision have more prior arrests (22.151 vs. 21.612,  $p<0.001$ ), more prior convictions (4.127 vs. 4.018,  $p<0.01$ ), and were more likely to have had a prior term of supervision with the Florida Department of Corrections (76.6% vs. 66.6%,  $p<0.001$ ). However, those sentenced to felony probation split supervision had, on average, fewer prior prison commitments than those sentenced to other types of split supervision (0.420 vs. 0.608,  $p<0.001$ ).

Similar to the results found in Table 1, the county of sentencing<sup>30</sup> was not significantly related with the type of split supervision an individual was sentenced to. Other factors, including whether an individual has children and the number of months spent in jail pre-trial were not

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<sup>30</sup> Counties that were statistically significantly correlated with felony probation split supervision are: Alachua, Baker, Bay, Brevard, Calhoun, Clay, Columbia, Miami-Dade, Duval, Escambia, Franklin, Gadsden, Hardee, Hendry, Hernando, Highlands, Hillsborough, Holmes, Jackson, Lake, Lee, Leon, Manatee, Marion, Okaloosa, Orange, Osceola, Pasco, Pinellas, Polk, Putnam, Sarasota, Sumter, Suwannee, Volusia, and Walton.

significantly different between offenders sentenced to felony probation split supervision and those sentenced to any other type of split supervision. However, those sentenced to felony probation split supervision were less likely to have prior military service (5.5% vs. 6.6%,  $p < 0.001$ ) than those sentenced to all other forms of split supervision.

Table 3 reports the descriptive statistics for those sentenced to a term of drug offender probation split supervision ( $n=4,131$ ), compared to those sentenced to any other type of split supervision (felony probation split supervision, sex offender probation split supervision, and community control split supervision) ( $n=57,578$ ). Compared to other types of split supervision, persons sentenced to drug offender split supervision are less likely to be male (77.7% vs. 90.3%,  $p < 0.001$ ), are less likely to be black (34.0% vs. 45.7%,  $p < 0.001$ ), less likely to be Hispanic (7.3% vs. 8.6%,  $p < 0.01$ ), are on average younger at the time of offenses (29.910 vs. 32.041,  $p < 0.001$ ), and are less likely to be a gang member (4.3% vs. 5.9%,  $p < 0.001$ ). Drug offender split supervision offenders are more likely to be white (58.7% vs. 45.6%,  $p < 0.001$ ), to have been employed prior to prison admission (32.2% vs. 22.5%,  $p < 0.001$ ), and are more likely to have highly visible tattoos (51.3% vs. 47.5%,  $p < 0.001$ ).

The results for primary offense indicate that persons sentenced to drug offender split supervision are less likely to have been sentenced to prison for most offenses (murder/manslaughter, sex offenses, robbery, other violent offenses, burglary, property offenses, and weapons offenses) compared to those sentenced to any other form of split supervision. There are two notable exceptions, however. The first is to be expected; that persons sentenced to drug offender split supervision are significantly more likely to be sentenced to prison for a drug offense (54.9% vs. 17.3%,  $p < 0.001$ ). The second notable exception is that there is no statistically

significant difference between persons sentenced to drug offender split supervision for an “Other” offense, compared with all other forms of split supervision.

Table 3. Descriptive Statistics for Persons Sentenced to Drug Offender Split Supervision versus Persons Sentenced to All Other Types of Split Supervision

	Drug Offender Split Supervision (n=4,131)	All Other Split Supervision (n=57,578)	Mean Difference
Male	0.777	0.903	0.126***
Black	0.340	0.457	0.117***
White	0.587	0.456	-0.130***
Hispanic	0.073	0.086	0.013**
Age at Offense	29.910	32.041	2.132***
Pre-Prison Employment	0.322	0.225	-0.097***
Highly Visible Tattoos	0.513	0.475	-0.038***
Gang Member	0.043	0.059	0.017***
<i>Primary Offense</i>			
Murder/Manslaughter	0.009	0.038	0.029***
Sex	0.011	0.090	0.078***
Robbery	0.050	0.114	0.064***
Other Violent	0.076	0.186	0.109***
Burglary	0.104	0.162	0.058***
Property	0.100	0.119	0.019***
Drug	0.549	0.173	-0.375***
Weapons	0.013	0.025	0.012***
Other	0.088	0.093	0.005
Number of Prior Arrests	18.779	22.185	3.406***
Number of Prior Convictions	2.812	4.179	1.367***
Number of Prior Prison Commitments	0.221	0.507	0.286***
Any Prior Term of Supervision	0.796	0.725	-0.071***
County of Sentencing	0.958	0.962	0.004
Military Service	0.027	0.062	0.034***
Any Children	0.612	0.609	-0.003
Number of Months Spent in Jail Pre-Trial	4.727	5.951	1.224***

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

In terms of criminal history, there appear to again be fairly consistent results. As shown in Table 3, offenders sentenced to drug offenders split supervision have fewer prior arrests

(18.779 vs. 22.185,  $p<0.001$ ), have fewer prior convictions (2.812 vs. 4.179,  $p<0.001$ ), and have fewer prior prison commitments (0.221 vs. 0.507,  $p<0.001$ ) compared to any other form of split supervision. Those on drug offender split supervision are more likely to have had a prior term of supervision with the Florida Department of Corrections (79.6% vs. 72.5%,  $p<0.001$ ). Similar to Table 2, there were no statistically significant differences in the proportion of cases who received a drug offender split supervision sentence versus any other type of split supervision in the county of sentencing<sup>31</sup>.

Those sentenced to drug offender split supervision were less likely to have served in the military (2.7% vs. 6.2%,  $p<0.001$ ) and spent fewer months in jail pre-trial (4.727 vs. 5.951,  $p<0.001$ ). There is no statistically significant difference between those sentenced to drug offender split supervision and any other form of split supervision if an offender had children.

Table 4 reports the descriptive statistics for those sentenced to a term of sex offender probation split supervision ( $n=2,164$ ), compared to those sentenced to any other type of split supervision (felony probation split supervision, drug offender probation split supervision, and community control split supervision) ( $n=57,578$ ). Compared with other forms of split supervision, persons sentenced to sex offender split supervision are more likely to be male (97.9% vs. 89.1%,  $p<0.001$ ), white (69.1% vs. 45.7%,  $p<0.001$ ), and are on average older (34.010 vs. 31.822,  $p<0.001$ ). While those sentenced to sex offender split supervision are slightly more likely to be Hispanic than persons sentenced to any other form of split supervision, the

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<sup>31</sup> Counties that were statistically significantly correlated with drug offender probation split supervision are: Alachua, Baker, Bay, Bradford, Brevard, Broward, Charlotte, Citrus, Clay, Collier, Columbia, Miami-Dade, Duval, Escambia, Flagler, Franklin, Gadsden, Hamilton, Hernando, Hillsborough, Holmes, Jackson, Lafayette, Lake, Lee, Leon, Levy, Madison, Manatee, Marion, Martin, Monroe, Okaloosa, Okeechobee, Orange, Osceola, Palm Beach, Pasco, Pinellas, Polk, Putnam, St. Johns, St. Lucie, Santa Rosa, Sarasota, Seminole, Sumter, Suwanee, Volusia, Walton, and Washington.



result does not achieve statistical significance. Those sentenced to sex offender split supervision are less likely to be black (21.8% vs. 45.8%,  $p < 0.001$ ), less likely to have highly visible tattoos (38.0% vs. 48.1%,  $p < 0.001$ ), and less likely to be a gang member (3.0% vs. 5.9%,  $p < 0.001$ ). While they were also less likely to have been employed prior to prison admission, this result does not achieve statistical significance.

Table 4. Descriptive Statistics for Persons Sentenced to Sex Offender Split Supervision versus Persons Sentenced to All Other Types of Split Supervision

	Sex Offender Split Supervision (n=2,164)	All Other Split Supervision (n=59,545)	Mean Difference
Male	0.979	0.891	-0.088***
Black	0.218	0.458	0.240***
White	0.691	0.457	-0.234***
Hispanic	0.091	0.085	-0.006
Age at Offense	34.010	31.822	-2.188***
Pre-Prison Employment	0.225	0.232	0.007
Highly Visible Tattoos	0.380	0.481	0.102***
Gang Member	0.030	0.059	0.030***
<i>Primary Offense</i>			
Murder/Manslaughter	0.000	0.038	0.037***
Sex	0.918	0.054	-0.864***
Robbery	0.003	0.114	0.111***
Other Violent	0.055	0.183	0.128***
Burglary	0.011	0.164	0.153***
Property	0.003	0.122	0.118***
Drug	0.004	0.206	0.202***
Weapons	0.001	0.025	0.023***
Other	0.005	0.096	0.092***
Number of Prior Arrests	5.366	22.558	17.192***
Number of Prior Convictions	0.409	4.222	3.812***
Number of Prior Prison Commitments	0.051	0.504	0.453***
Any Prior Term of Supervision	0.130	0.752	0.622***
County of Sentencing	0.637	0.630	-0.007
Military Service	0.173	0.055	-0.118***
Any Children	0.561	0.611	0.050***
Number of Months Spent in Jail Pre-Trial	6.431	5.848	-0.583***

\* $p < 0.05$ , \*\* $p < 0.01$ , \*\*\* $p < 0.001$

Similar to the results found in Table 3, there is little variation in the effect of primary offense at prison admission on whether a person was sentenced to sex offender split supervision or any other form of split supervision. Unsurprisingly, persons whose primary offense was a sex offense are significantly more likely to receive a sex offender split supervision sentence compared to any other form of split supervision (91.8% vs. 5.4%,  $p < 0.001$ ). For all other primary offenses (murder/manslaughter, robbery, other violent offenses, burglary, property, drug offenses, weapons offenses, and other offenses), persons were significantly more likely to have received any other form of split supervision over a sentence of sex offender split supervision.

Those sentenced to sex offender split supervision were more likely to have served in the military (17.3% vs. 5.5%,  $p < 0.001$ ), and spent more time in jail pre-trial than those sentenced to any other form of split supervision (6.431 vs. 5.848,  $p < 0.001$ ). They were also less likely to have any children (56.1% vs. 61.1%,  $p < 0.001$ ).

Table 5 reports the descriptive statistics for those sentenced to a term of community control split supervision ( $n=5,717$ ), compared to those sentenced to any other type of split supervision (felony probation split supervision, drug offender probation split supervision, and sex offender probation split supervision) ( $n=57,578$ ). Persons sentenced to community control split supervision are more likely to be male (91.3% vs. 89.3%,  $p < 0.001$ ), black (48.7% vs. 44.5%,  $p < 0.001$ ), and to be a gang member (7.2% vs. 5.7%,  $p < 0.001$ ). Those on community control split supervision are less likely to be white (42.7% vs. 46.9%,  $p < 0.001$ ), to have been employed prior to prison admission (21.5% vs. 23.3%,  $p < 0.01$ ), and are on average younger than persons sentenced to any other form of split supervision (29.313 vs. 32.163,  $p < 0.001$ ). There are no statistically significant differences between offenders sentenced to community control split

supervision and any other form of split supervision for the variables Hispanic and highly visible tattoos.

Table 5. Descriptive Statistics for Persons Sentenced to Community Control Split Supervision versus Persons Sentenced to All Other Types of Split Supervision

	Community Control Split Supervision (n=5,717)	All Other Split Supervision (n=55,992)	Mean Difference
Male	0.913	0.893	-0.020***
Black	0.487	0.445	-0.042***
White	0.427	0.469	0.042***
Hispanic	0.086	0.086	-0.000
Age at Offense	29.313	32.163	2.849***
Pre-Prison Employment	0.215	0.233	0.018**
Highly Visible Tattoos	0.490	0.477	-0.013
Gang Member	0.072	0.057	-0.015***
<i>Primary Offense</i>			
Murder/Manslaughter	0.044	0.036	-0.009***
Sex	0.069	0.086	0.017***
Robbery	0.143	0.106	-0.037***
Other Violent	0.189	0.177	-0.012*
Burglary	0.177	0.157	-0.020***
Property	0.100	0.119	0.020***
Drug	0.168	0.202	0.033***
Weapons	0.026	0.024	-0.002
Other	0.083	0.094	0.010**
Number of Prior Arrests	21.557	21.997	0.441
Number of Prior Convictions	4.861	4.009	-0.852***
Number of Prior Prison Commitments	0.505	0.486	-0.019
Any Prior Term of Supervision	0.801	0.723	-0.078***
County of Sentencing	0.633	0.605	-0.028***
Military Service	0.042	0.061	0.019***
Any Children	0.607	0.610	0.003
Number of Months Spent in Jail Pre-Trial	6.575	5.797	-0.779***

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Similar to the results found in Table 2, the primary offense for which someone is sentenced to prison plays an important, but mixed, role in determining if that person will be

sentenced to community control split supervision versus any other type of split supervision. With the exception of sex offenses, those sentenced to more serious offenses (murder/manslaughter, robbery, other violent offenses, and burglary offenses) were more likely to receive a sentence of community control split supervision than any other form of split supervision. Persons whose primary offense was a sex, property, drug, or other offenses were less likely to receive a community control split supervision sentence compared to any other form of split supervision. Weapons offenses did not produce statistically significant results.

Prior criminal history has mixed results. There were no statistically significant differences in determining if an individual will be sentenced to community control split supervision or any other form of split supervision. However, those with more prior convictions were more likely to be sentenced to community control split supervision (4.861 vs. 4.009,  $p < 0.001$ ) and those who had any prior term(s) of supervision were also more likely to be placed on community control split supervision (80.1% vs. 72.3%,  $p < 0.001$ ).

Unlike results reported in previous tables, findings in Table 4 show that the county of sentencing<sup>32</sup> plays a role in determining if an individual receives a sentence of community control split supervision versus any other form of supervision. Persons sentenced in one of the seventeen counties that have statistically significant difference in split supervision sentencing were more likely to receive a sentence of community control split supervision than any other form of split supervision (63.3% vs. 60.5%,  $p < 0.001$ ). Those who had previously served in the military were less likely to receive a sentence of community control split supervision (4.2% vs. 6.1%,  $p < 0.001$ ). Offenders sentenced to community control split supervision also spent more

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<sup>32</sup> Counties that were statistically significantly correlated ( $p < 0.05$ ) with community control split supervision are: Broward, Citrus, Columbia, Miami-Dade, Duval, Escambia, Gadsden, Hillsborough, Lake, Lee, Orange, Osceola, Palm Beach, Pasco, Polk, St. Johns, and Taylor.

time in jail pre-trial than those sentenced to any other form of split supervision (6.575 vs. 5.797,  $p < 0.001$ ). Having children was not associated with receiving a sentence of community control split supervision compared to all other types of split supervision.

## **5.2 Logistic Regression Results**

The descriptive statistics reported in section 5.1 of this paper indicate that there are a number of statistically significant variables that may play a role in whether an individual is sentenced to any form of split supervision (as compared to a sentence of prison only) and to a specific type of split supervision (compared with all other forms of split supervision). This section will discuss the results that inform the answer to research questions one and two, and will assess the role that various factors play in determining the sentence that a person will receive, using binary logistic regression.

The results presented in Table 6 mirror many of the findings presented in Table 1. Males have a 15.4% greater odds of being sentenced to any type of split supervision than females ( $p < 0.001$ ). Blacks have a 14.4% lower odds of being sentenced to any split supervision than whites ( $p < 0.001$ ), but the difference between Hispanics and whites is not statistically significant. For each year older a person is, they have a 0.6% greater odds of being sentenced to split supervision than prison only ( $p < 0.001$ ). Those who were employed prior to prison admission have a 25.5% lower odds of being sentenced to any type of split supervision than being sentenced to prison only ( $p < 0.001$ ). Persons with highly visible tattoos have a 25.1% lower odds of being sentenced to split supervision than being sentenced to prison only ( $p < 0.001$ ). Gang members have a slightly greater odds (8.1%) of being sentenced to split supervision ( $p < 0.01$ ) than non-gang members.

Table 6. Effect of Various Predictive Factors on Being Sentenced to a Term of Any Type of Split Supervision versus a Term of Prison Only: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio
Male	0.143***	0.019	1.154
Black	-0.156***	0.013	0.856
Hispanic	-0.038	0.022	0.963
Age at Offense	0.006***	0.001	1.006
Pre-Prison Employment	-0.295***	0.013	0.745
Highly Visible Tattoos	-0.288***	0.012	0.749
Gang Member	0.078**	0.025	1.081
<i>Primary Offense</i>			
Murder/Manslaughter	1.090***	0.039	2.973
Sex	1.492***	0.031	4.444
Robbery	1.133***	0.026	3.104
Other Violent	0.795***	0.022	2.216
Burglary	0.497***	0.022	1.643
Drug	-0.275***	0.020	0.760
Weapons	-0.144***	0.036	0.866
Other	0.148***	0.024	1.159
Number of Prior Arrests	-0.002***	0.002	0.998
Number of Prior Convictions	0.032***	0.002	1.033
Number of Prior Prison Commitments	0.107***	0.008	1.112
Any Prior Term of Supervision	-0.689***	0.008	0.502
County of Sentencing	-0.016	0.012	0.984
Military Service	0.142***	0.026	1.153
Any Children	0.031**	0.012	1.032
Number of Months Spent in Jail Pre-Trial	0.010***	0.001	1.010
Constant	-0.672***	0.034	0.511
Pseudo R-Squared	0.080***		

N = 156,161

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Reference Categories: White, Property Offense

The primary offense for which someone is sentenced to prison has mixed effects on the odds of being sentenced to any form of split supervision, compared to being sentenced to prison only. Most offenses (murder/manslaughter, sex offenses, robbery, other violent offenses, burglary, and other offenses) report significantly greater odds of being sentenced to any type of split supervision compared to prison only (p<0.001). However, those individuals whose primary

offense was a drug or weapons offense saw significantly lower odds of being sentenced to split supervision ( $p < 0.001$ ).

Prior criminal history also had mixed effects on the odds of being sentenced to split supervision compared to prison only. Those with more prior arrests and at least one prior term of supervision had lower odds of being sentenced to split supervision ( $p < 0.001$ ). However, those with more prior convictions and more prior prison commitments had a greater odds of receiving a split supervision sentence. The county of sentencing did not achieve statistically significant differences for those sentenced to split supervision compared to sentences of prison only.

Persons with prior military service have 15.3% greater odds of receiving a sentence of split supervision compared to a sentence of prison only ( $p < 0.001$ ). Those with children also had slightly greater odds (3.2%) of receiving a split supervision sentence ( $p < 0.01$ ). Finally, for each additional month spent in jail pre-trial, an individual has 1% greater odds of receiving a split supervision sentence compared with a prison only sentence ( $p < 0.001$ ).

Table 7 presents the binary logistic regression findings for persons sentenced to felony probation split supervision compared with all other forms of split supervision. Results indicate that males have an 11.1% lower odds of being placed on felony probation split supervision rather than any other form of split supervision ( $p < 0.001$ ). Hispanics have 14.5% greater odds of being placed on felony probation split supervision ( $p < 0.001$ ), while the results for blacks did not reach statistical significance. For each additional year of age at offense, offenders have 1.2% lower odds of being placed on felony probation split supervision than any other form of supervision ( $p < 0.001$ ). Those who were employed prior to prison admission have 9% lower odds of being placed on felony probation split supervision ( $p < 0.001$ ), while those with highly visible tattoos have 7.6% lower odds of receiving a felony probation split supervision sentence ( $p < 0.001$ ). Gang

members have 10.0% greater odds ( $p < 0.05$ ) of being sentenced to felony probation split supervision than any other form of split supervision.

Table 7. Effect of Various Predictive Factors on Being Sentenced to a Term of Felony Probation Split Supervision versus Any Other Type of Split Supervision: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio
Male	-0.118***	0.034	0.889
Black	-0.026	0.021	0.974
Hispanic	0.135***	0.037	1.145
Age at Offense	-0.013***	0.001	0.988
Pre-Prison Employment	-0.094***	0.023	0.910
Highly Visible Tattoos	-0.079***	0.020	0.924
Gang Member	0.095*	0.041	1.100
<i>Primary Offense</i>			
Murder/Manslaughter	-0.427***	0.058	0.652
Sex	-1.432***	0.046	0.239
Robbery	-0.447***	0.043	0.640
Other Violent	-0.297***	0.039	0.743
Burglary	-0.209***	0.040	0.811
Drug	-0.645***	0.038	0.525
Weapons	-0.392***	0.068	0.675
Other	-0.408***	0.045	0.665
Number of Prior Arrests	0.001	0.001	1.001
Number of Prior Convictions	0.004	0.003	1.004
Number of Prior Prison Commitments	-0.403***	0.014	0.668
Any Prior Term of Supervision	0.715***	0.025	2.044
County of Sentencing	-0.070***	0.022	0.932
Military Service	0.123**	0.040	1.131
Any Children	-0.027	0.020	0.973
Number of Months Spent in Jail Pre-Trial	0.004*	0.002	1.004
Constant	1.313***	0.059	3.717
Pseudo R-Squared	0.053***		

N = 52,581

\* $p < 0.05$ , \*\* $p < 0.01$ , \*\*\* $p < 0.001$

Reference Categories: White, Property Offense

Interestingly, results for primary offense were uniform in terms of the direction and significance of results. Compared to the reference category of property offenses, offenders with



any other category of primary offense at admission to prison have between 18.9% and 76.1% lower odds of receiving a felony probation split supervision sentence ( $p < 0.001$ ).

Variables related to prior criminal history report mixed results. The number of prior arrests and number of prior convictions were not statistically significantly associated with receiving a term of felony probation split supervision. However, those with more prior prison commitments have lower odds of being sentenced to felony probation split supervision (33.2%,  $p < 0.001$ ) while those with a history of prior terms of supervision have 104.4% greater odds of receiving a sentence of felony probation split supervision ( $p < 0.001$ ).

If the county of supervision was significantly associated with receiving a felony probation split supervision sentence, the offender had a 6.8% lower odds of receiving a sentence of felony probation split supervision ( $p < 0.001$ ). Those who served in the military have 13.1% lower odds of being sentenced to felony probation split supervision than any other form of split supervision ( $p < 0.01$ ). For each additional month of time spent in jail pre-trial, a person has a 0.4% greater odds of being sentenced to felony probation split supervision ( $p < 0.05$ ). Whether a person has any children is not statistically significantly correlated with receiving a felony probation split supervision sentence.

Table 8 presents the binary logistic regression findings for persons sentenced to drug offender probation split supervision compared with all other forms of split supervision. Findings indicate that males have a significantly lower odds of being sentenced to drug offender split supervision, compared with any other form of split supervision (35.4%,  $p < 0.001$ ). Race also plays a factor in whether someone receives a drug offender probation split supervision sentence compared with any other form of split supervision. Both blacks (40.5%) and Hispanics (36.2%) have significantly lower odds of being sentenced to drug offender split supervision ( $p < 0.001$ ).

Older offenders are also less likely to be placed on drug offender split supervision, with the odds of receiving this sentence decreasing by 2.1% per additional year in age ( $p < 0.001$ ).

Table 8. Effect of Various Predictive Factors on Being Sentenced to a Term of Drug Offender Probation Split Supervision versus Any Other Type of Split Supervision: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio
Male	-0.437***	0.053	0.646
Black	-0.519***	0.045	0.595
Hispanic	-0.450***	0.077	0.638
Age at Offense	-0.021***	0.002	0.979
Pre-Prison Employment	0.292***	0.043	1.339
Highly Visible Tattoos	0.107**	0.040	1.113
Gang Member	-0.022	0.089	0.978
<i>Primary Offense</i>			
Murder/Manslaughter	-0.971***	0.178	0.390
Sex	-1.590***	0.163	0.204
Robbery	-0.319***	0.100	0.727
Other Violent	-0.429***	0.090	0.651
Burglary	-0.124	0.085	0.883
Drug	1.495***	0.068	4.451
Weapons	-0.109	0.169	0.897
Other	0.129	0.090	1.137
Number of Prior Arrests	0.003*	0.002	1.003
Number of Prior Convictions	-0.103***	0.009	0.902
Number of Prior Prison Commitments	-0.314***	0.039	0.760
Any Prior Term of Supervision	0.524***	0.053	1.689
County of Sentencing	0.185	0.100	1.203
Military Service	-0.288**	0.110	0.750
Any Children	0.001	0.041	1.001
Number of Months Spent in Jail Pre-Trial	-0.008	0.004	0.992
Constant	-2.019***	0.145	0.133
Pseudo R-Squared	0.150***		

N = 52,581

\* $p < 0.05$ , \*\* $p < 0.01$ , \*\*\* $p < 0.001$

Reference Categories: White, Property Offense

Those individuals who were employed prior to being admitted to prison have a 33.9% greater odds of receiving a drug offender probation split supervision sentence ( $p < 0.001$ ), while those with highly visible tattoos have 11.3% greater odds of receiving the same sentence

( $p < 0.01$ ), compared to any other form of split supervision. Whether a person was a gang member is not statistically significantly associated with receiving a drug offender probation split supervision sentence.

Results for primary offense are unsurprising. Those persons whose primary offense at the time of admission to prison was a drug offense have 345.1% greater odds ( $p < 0.001$ ) of receiving a drug offender split supervision sentence than any other form of split supervision. Other primary offenses (murder/manslaughter, sex offenses, robbery, and other violent offenses) have lower odds of receiving drug offender split supervision ( $p < 0.001$ ), or were not statistically significantly related to the outcome (burglary, weapons, and other offenses).

Variables related to prior criminal history have mixed effects on whether an individual is likely to be sentenced to drug offender probation split supervision or any other type of split supervision. Each additional prior arrest results in a 0.3% greater odds of receiving drug offender split supervision ( $p < 0.05$ ), while having a prior term of supervision results in a 68.9% greater odds of receiving the same sentence ( $p < 0.001$ ). Each additional prior conviction that a person has results in a 9.8% lower odds of receiving a drug offender split supervision sentence ( $p < 0.001$ ), while each additional prior prison commitment results in a 24% lower odds of receiving the same sentence ( $p < 0.001$ ). The county of sentencing was not statistically associated with the outcome measure.

If an individual had any prior military service, they have a 25% lower odds ( $p < 0.01$ ) of receiving a sentence to drug offender split supervision. Whether they had any children and the length of time that was spent in jail pre-trial were not statistically associated with receiving a drug offender split supervision sentence compared with any other form of split supervision.

Table 9 presents the binary logistic regression findings for persons sentenced to sex offender probation split supervision compared with all other forms of split supervision. Findings for this analysis are unusual compared with previously reported findings, in that few variables are statistically associated with being sentenced to a term of sex offender probation compared with any other form of supervision. Gender, being Hispanic, age at offense, having highly visible tattoos, and being a gang member are all unrelated to the outcome measure. However, blacks have 17.6% lower odds of being sentenced to sex offender split supervision ( $p < 0.05$ ), while those who were employed prior to prison admission have 72.8% greater odds of receiving the same sentence.

Results for the effect of primary offense on receiving a sentence of sex offender probation split supervision are, like those for drug offender probation split supervision, unsurprising. Only two of the nine primary offenses are related to receiving a sex offender probation split supervision sentence: sex offenses (19,741.8% greater odds,  $p < 0.001$ ) and other violent offenses (598.3% greater odds,  $p < 0.001$ ).

Those who were sentenced to sex offender split supervision had, on average, shorter criminal histories. For each additional prior arrest, an individual has a 2.7% lower odds of being sentenced to sex offender probation split supervision ( $p < 0.001$ ), for each additional prior conviction they have 25.1% lower odds ( $p < 0.001$ ) of receiving the same sentence, and for each additional prior prison commitment they have 24.5% lower odds ( $p < 0.05$ ) of being sentenced to sex offender probation split supervision compared with any other form of split supervision. Those who had any prior term of supervision have 84.3% lower odds ( $p < 0.001$ ) of being sentenced to sex offender split supervision.

Table 9. Effect of Various Predictive Factors on Being Sentenced to a Term of Sex Offender Probation Split Supervision Versus Any Other Type of Split Supervision: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio
Male	0.366	0.207	1.442
Black	-0.193*	0.082	0.824
Hispanic	-0.136	0.118	0.873
Age at Offense	0.001	0.003	1.001
Pre-Prison Employment	0.547***	0.086	1.728
Highly Visible Tattoos	-0.002	0.070	0.998
Gang Member	-0.241	0.174	0.786
<i>Primary Offense</i>			
Murder/Manslaughter	-1.793	1.082	0.167
Sex	5.695***	0.415	297.418
Robbery	-0.693	0.582	0.500
Other Violent	1.943***	0.423	6.983
Burglary	0.594	0.465	1.812
Drug	-0.444	0.558	0.642
Weapons	0.891	0.713	2.438
Other	0.301	0.543	1.351
Number of Prior Arrests	-0.028***	0.006	0.973
Number of Prior Convictions	-0.290***	0.039	0.749
Number of Prior Prison Commitments	-0.281*	0.116	0.755
Any Prior Term of Supervision	-1.855***	0.106	0.157
County of Sentencing	0.225***	0.069	1.253
Military Service	-0.238*	0.095	0.788
Any Children	0.058	0.069	1.060
Number of Months Spent in Jail Pre-Trial	-0.003	0.005	0.997
Constant	-5.432***	0.456	0.004
Pseudo R-Squared	0.636***		

N = 52,581

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Reference Categories: White, Property Offense

The county from which a person is sentenced results in a 25.3% greater odds of receiving a sex offender probation split supervision (p<0.001), compared to any other form of split supervision. Persons with prior military service have 21.2% lower odds (p<0.05) of being sentenced to sex offender probation split supervision. Having children and the number of months spent in jail pre-trial were unrelated to the outcome measure.

Table 10 presents the binary logistic regression findings for persons sentenced to community control split supervision compared with all other forms of split supervision. Results indicate that males have a 12.4% greater odds ( $p < 0.05$ ) of being sentenced to a community control split supervision sentence compared to any other form of split supervision, while race and ethnicity were unrelated to the outcome. Older offenders have lower odds of being sentenced to community control split supervision, with each additional year of age at the time of offense resulting in a 3.6% lower odds ( $p < 0.001$ ) of being sentenced to community control split supervision. Having highly visible tattoos was also associated with an 8% lower odds ( $p < 0.01$ ) of being sentenced to community control split supervision. Whether an individual was employed prior to prison admission and whether they are a gang member is unrelated to the outcome.

The primary offense for which an individual was sentenced to prison was generally related to an increased odds of being sentenced to community control split supervision versus any other form of split supervision. A primary offense of murder/manslaughter results in a 46.6% greater odds of being sentenced to community control split supervision ( $p < 0.001$ ), while robbery results in a 40.7% greater odds ( $p < 0.001$ ), other violent offenses result in a 43.6% greater odds ( $p < 0.001$ ), burglary results in a 21.1% greater odds ( $p < 0.01$ ), weapons offenses result in a 35.5% greater odds ( $p < 0.01$ ), and other offenses result in a 23.5% greater odds ( $p < 0.01$ ) of being sentenced to community control split supervision rather than any other form of split supervision. Both sex offenses and drug offenses were unrelated to whether an individual was sentenced to community control split supervision or any other type of split supervision.

Prior criminal history has a mixed relationship with being sentenced to community control split supervision over any other form of split supervision. For each additional prior arrest there is a resulting 0.9% lower odds ( $p < 0.001$ ) of being sentenced to community control split

supervision and for each additional prior prison commitment there is a 4.3% lower odds ( $p<0.05$ ) for the same outcome. However, each additional prior conviction results in a 5.1% greater odds ( $p<0.001$ ) of being sentenced to community control split supervision and having served a previous term of supervision results in a 94.6% greater odds ( $p<0.001$ ) of being sentenced to community control split supervision, compared to other types of split supervision.

Table 10. Effect of Various Predictive Factors on Being Sentenced to a Term of Community Control Split Supervision versus Any Other Type of Split Supervision: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio
Male	0.117*	0.057	1.124
Black	0.012	0.034	1.102
Hispanic	-0.010	0.059	0.990
Age at Offense	-0.036***	0.002	0.964
Pre-Prison Employment	-0.020	0.038	0.980
Highly Visible Tattoos	-0.083**	0.031	0.920
Gang Member	0.077	0.060	1.080
<i>Primary Offense</i>			
Murder/Manslaughter	0.383***	0.089	1.466
Sex	0.138	0.077	1.148
Robbery	0.342***	0.066	1.407
Other Violent	0.362***	0.061	1.436
Burglary	0.192**	0.062	1.211
Drug	0.058	0.062	1.060
Weapons	0.304**	0.104	1.355
Other	0.211**	0.073	1.235
Number of Prior Arrests	-0.009***	0.001	0.991
Number of Prior Convictions	0.050***	0.004	1.051
Number of Prior Prison Commitments	-0.044*	0.022	0.957
Any Prior Term of Supervision	0.666***	0.043	1.946
County of Sentencing	0.093**	0.032	1.098
Military Service	-0.061	0.073	0.941
Any Children	0.062	0.032	1.064
Number of Months Spent in Jail Pre-Trial	0.011***	0.002	1.011
Constant	-2.107***	0.096	0.122
Pseudo R-Squared	0.032***		

N = 52,581

\* $p<0.05$ , \*\* $p<0.01$ , \*\*\* $p<0.001$

Reference Categories: White, Property Offense

The county of sentencing also plays a role in whether a person is sentenced to community control split supervision or another type of split supervision. Persons who are sentenced in a county that is statistically significantly related to the sentencing outcome have 9.8% greater odds ( $p < 0.01$ ) of being sentenced to a term of community control split supervision over any other form of split supervision. Each additional month spent in jail pre-trial resulted in a 1.1% greater odds ( $p < 0.001$ ) of being sentenced to community control split supervision. Whether an individual served in the military or had children was unrelated to the outcome measure.

### **5.3 Summary of Findings**

This section summarizes the results from sections 5.1 and 5.2 and the first two research questions. The findings in section 5.1 address the differences between offenders receiving a split sentence and those sentenced to a term of prison only. Section 5.2 builds off of the descriptive statistics presented in section 5.1 and reports binary logistic regression models that predict what factors are related to being sentenced to a specific term of split supervision, compared with any other form of split supervision. The methods used and variables selected for analysis in the first ten tables are described in Chapter 4.

Research question one asks: What are the differences between offenders receiving a split sentence and those sentenced to a term of prison only? Results presented in Table 1 indicate that there are a host of variables judges consider when determining whether to sentence an individual to a term of split supervision or to sentence them to serve a prison term with no community supervision to follow. When deciding whether to sentence an individual to split supervision versus a sentence of prison only, demographic variables such as gender, race and ethnicity, and age at offense are all significant. Additionally, whether an individual was employed prior to prison admission, if they have highly visible tattoos, and if they are a gang member are also all



related to sentencing outcome. Primary offense also plays a role, with more serious offenses resulting in a greater odds of being placed on split supervision. Prior criminal history also plays a role in whether an individual is sentenced to split supervision or prison only, as well as if they served in the military and if they have children. The only non-significant variable is county of sentencing, indicating that there is no significant difference in sentencing decisions across the county of sentencing.

Tables 2 through 5 present the differences between offenders sentenced to a specific type of split supervision (e.g., felony probation, drug offender probation, sex offender probation, and community control) compared to those sentenced to all other types of split supervision. When deciding what type of split supervision to sentence someone to, judges are likely to take into consideration factors such as the person's gender, race/ethnicity, the age at which they committed the primary offense for which they are being sentenced, whether they were employed prior to prison admission, whether they have highly visible tattoos, and whether they are a gang member. Unsurprisingly, the primary offense plays an important role in the type of split supervision a person is likely to be sentenced to. Property offenders have greater odds of receiving felony probation split supervision, compared to all other forms of split supervision, while drug offenders have greater odds of receiving a sentence of drug offender probation split supervision. Sex offenders have greater odds of receiving a sex offender probation split sentence, while robbery offenders have greater odds of receiving a sentence to community control split supervision, compared to all other forms of split supervision. Prior criminal history also plays a role in the type of split supervision a person may be sentenced to. Finally, other factors that may be taken into consideration by the judge at the time of sentencing, including whether the individual previously served in the military, had any children, and the length of time that was

spent in jail pre-trial may influence whether the judge chooses a certain type of split supervision over others. Interestingly, the county of sentencing only plays a significant role when comparing community control split supervision with all other types of split supervision.

Research question two asks: What are the differences between offenders receiving a specific type of split sentence (split probation, split drug offender probation, split sex offender probation, or split community control) compared to those sentenced to other forms of split supervision. The results show that judges take several factors in consideration when determining sentencing outcomes. For persons sentenced to any type of split supervision (compared to those sentenced to prison only), demographic characteristics such as gender, race, and age at offense are all predictive of sentencing outcome. Other individual characteristics, such as pre-prison employment, highly visible tattoos, gang membership, military service, children, and the number of months spent in jail pre-trial are also correlated with whether an individual received a sentence to split supervision or prison only. Prior criminal history and the current offense to which a person is sentenced to prison are also correlated with the sentence outcome. When looking at the likelihood of being sentenced to a specific form of split supervision, compared with all other types of split supervision, the only variable that did not produce significant results across all four models was whether an individual has children. For those sentenced to felony probation split supervision, the variables that produced the largest effects are for primary offense, prior supervision, and number of prior prison commitments. For those sentenced to drug offender probation split supervision, the variables that produced the largest effects are for demographics (race, ethnicity, and gender), primary offense, prior terms of supervision, and prior military service. For those sentenced to sex offender probation split supervision, the variables that produced the largest effects are for primary offense, prior criminal history, and military

service. For those sentenced to community control split supervision, the variables that produced the largest effects are for prior supervision and primary offense.

Overall, the findings in this chapter indicate that there is justification for further investigation into the role that split supervision plays in post-prison employment and recidivism outcomes for Florida offenders. Chapters 6 and 7 will explore the relationship between split supervision and post-prison employment and recidivism outcomes, as previously outlined.

## CHAPTER 6

### **RESULTS OF DIFFERENCES IN POST-PRISON EMPLOYMENT BETWEEN SPLIT SUPERVISION AND PRISON ONLY SENTENCES**

The results in this chapter are presented in two sections labeled 6.1 and 6.2. In the first section, descriptive statistics are used to assess differences in the likelihood of obtaining post-prison employment within one quarter and within five quarters after release from prison for those sentenced to split supervision, compared with those sentenced to prison only. The results in section 6.2 will discuss the logistic regression model findings for research questions three and four. Section 6.3 will summarize the results of sections 6.1 and 6.2.

It should be noted that the variables used in this chapter are different from those included in Chapter 5. For example, age at prison release is used in place of age at offense. This alternate calculation of age is used for two reasons: first, it is unlikely that the sentencing outcome (i.e., split supervision or prison only) would be influenced by how old a person would be when released from prison; and second, because research has shown that the age of release from prison is correlated with post-prison outcomes (Bales & Mears, 2008; Beck & Shipley, 1987; Langan & Levin, 2002). Other changes include the addition of measures related to prison incarceration (e.g., education level, substance abuse addiction or dependency, mental health diagnosis, time served in prison, custody level at release, disciplinary infractions, visitation, and year of release) that are calculated by the Florida Department of Corrections upon admission to and while serving time in prison, and would be impossible for the judge to be aware of at the time of sentencing. Variables that were found to be uncorrelated with the outcome and do not have an established effect on the outcome were removed from the analysis (e.g., whether the person had children, military service, county of sentencing).

## 6.1 Descriptive Results

Due to limited empirical research on the differences between offenders sentenced to terms of split supervision, it is important to first establish if there are, in fact, differences between individuals sentenced to split supervision compared to those sentenced to prison only, as well as differences between the types of split supervision that a person could be sentenced to, on employment outcomes. To establish these differences, mean differences tests are conducted. Table 11 displays the results of t-tests among individuals sentenced to any type of split supervision ( $n=61,709$ ) and those who received a sentence of prison only ( $n=126,030$ ). As the results show, the only variables to not result in statistically significant differences between the means of those with split supervision and those with prison only were three of the year of release measures (2005, 2009, and 2010). Importantly, those offenders with any form of split supervision were, on average, more likely to be employed within the first quarter after release from incarceration (34.7% vs. 33.0%,  $p<0.001$ ), and within five quarters after release (44.8% vs. 43.3%,  $p<0.001$ ).

Age at the time of release from prison indicates that those sentenced to any type of split supervision are, on average, older at release from prison than those sentenced to prison only (36.248 vs. 34.460,  $p<0.001$ ). Those sentenced to split supervision also have, on average, slightly higher TABE scores (7.637 vs. 7.252,  $p<0.001$ ), slightly more reported substance abuse addiction or dependency issues (51.3% vs. 49.9%,  $p<0.001$ ), and are slightly more likely to have a mental health diagnosis (23.3% vs. 19.1%,  $p<0.001$ ). The amount of time spent in prison, in months, is also significantly different for those sentenced to split supervision and those sentenced to prison only. Surprisingly, persons sentenced to split supervision spend, on average, nearly 20 months more time in prison than those sentenced to prison only (42.601 vs. 22.720,  $p<0.001$ ).

Prison experience is also different for those sentenced to any form of split supervision, compared to those sentenced to prison only. Persons sentenced to split supervision tend to be released at a higher custody level prior to release, than those sentenced to prison only. For instance, 54.3% of those with prison only were released with a community or minimum custody classification level, compared with 44.4% of those with some form of split supervision ( $p < 0.001$ ). However, 39.2% of those with split supervision were released with a medium custody classification level and 16.4% were released with a close custody classification level, compared to 33.9% and 11.8% of those with sentences of prison only, respectively ( $p < 0.001$ ). Persons sentenced to split supervision also had slightly fewer disciplinary infractions per month served than those with prison only (0.081 vs. 0.099,  $p < 0.001$ ). Those on split supervision have, on average, slightly more visits per month served than those with sentences of prison only (0.319 vs. 0.298,  $p < 0.001$ ).

The year that an individual was released from prison results in generally statistically significant, but substantively small, differences between those sentenced to split supervision and those sentenced to prison only. As previously mentioned, the years 2005, 2009, and 2010 are not statistically significantly different while the other years (2004, 2006, 2007, 2008, and 2011) are statistically significantly different for the two groups, but result in no more than a 1.2% difference. Similarly, the employment outcomes of interest (obtaining employment within the first quarter after release from incarceration and within the first five quarters after release) are also statistically significantly different but those differences are not substantively very large. As previously mentioned, those with split supervision are slightly more likely to be employed within the first quarter after release from prison (34.7% vs. 33.0%,  $p < 0.001$ ) and within the first five quarters after release (44.8% vs. 43.3%,  $p < 0.001$ ).

Table 11. Descriptive Statistics for Persons Sentenced to Any Term of Split Supervision versus Persons Sentenced to Prison Only: Employment Outcomes

	Any Split Supervision (n=61,709)	Prison Only (n=126,030)	Mean Difference
Male	0.894	0.866	-0.285***
Black	0.449	0.496	0.047***
White	0.465	0.428	-0.037***
Hispanic	0.086	0.076	-0.010***
Age at Release	36.248	34.460	-1.788***
Pre-Prison Employment	0.231	0.304	0.073***
Highly Visible Tattoos	0.478	0.543	0.065***
Gang Member	0.058	0.047	-0.011***
Education Level (TABE)	7.637	7.252	-0.386***
Substance Abuse Addiction or Dependency	0.513	0.499	-0.014***
Mental Health Diagnosis	0.233	0.191	-0.042***
<i>Primary Offense</i>			
Murder/Manslaughter	0.036	0.013	-0.023***
Sex	0.084	0.023	-0.062***
Robbery	0.110	0.049	-0.061***
Other Violent	0.178	0.116	-0.062***
Burglary	0.159	0.132	-0.027***
Property	0.117	0.164	0.047***
Drug	0.199	0.355	0.157***
Weapons	0.024	0.040	0.016***
Other	0.093	0.107	0.014***
Number of Prior Arrests	21.957	23.809	1.853***
Number of Prior Convictions	4.088	4.280	0.192***
Number of Prior Prison Commitments	0.488	0.477	-0.011**
Any Prior Term of Supervision	0.730	0.855	0.125***
Time Served in Prison (Months)	42.601	22.720	-19.881***
<i>Custody at Release</i>			
Community or Minimum	0.444	0.543	-0.099***
Medium	0.392	0.339	-0.053***
Close	0.164	0.118	-0.046***
Disciplinary Infractions per Month Served	0.081	0.099	0.018***
Visits per Month Served	0.319	0.298	-0.021***
<i>Year of Release from Prison</i>			
2004	0.116	0.103	-0.012***
2005	0.116	0.114	-0.002
2006	0.120	0.124	0.004*
2007	0.125	0.133	0.008***
2008	0.129	0.137	0.008***

Table 11 - continued. Descriptive Statistics for Persons Sentenced to Any Term of Split Supervision versus Persons Sentenced to Prison Only: Employment Outcomes

	Any Split Supervision (n=61,709)	Prison Only (n=126,030)	Mean Difference
<i>Year of Release from Prison</i>			
2009	0.135	0.137	0.002
2010	0.131	0.130	-0.001
2011	0.129	0.122	-0.006***
<b>Dependent Variables</b>			
Employment within 1 Quarter of Release	0.347	0.330	-0.017***
Employment within 5 Quarters of Release	0.448	0.433	-0.015***

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Table 12 reports the descriptive statistics for those inmates sentenced to a term of felony probation split supervision (n=39,452), compared to those sentenced to any other type of split supervision (drug offender probation split supervision, sex offender probation split supervision, and community control split supervision) (n=22,257). Similar to the results in Table 11, while there are a few variables that are not statistically significantly different between those sentenced to felony probation split supervision compared with all other forms of split supervision, the majority of measures included result in statistically significant differences between the two groups. For example, those sentenced to felony probation split supervision are, on average, nearly two years younger than those sentenced to any other form of split supervision (35.535 vs. 37.512, p<0.001). Those sentenced to felony probation split supervision also have, on average, slightly higher TABE scores (7.676 vs. 7.569, p<0.001) and are slightly less likely to have a mental health diagnosis (22.8% vs. 24.3%, p<0.001). There are no statistically significant differences in the two groups in terms of their likelihood of having a substance abuse addiction or dependency.



Table 12. Descriptive Statistics for Persons Sentenced to Felony Probation Split Supervision versus Persons Sentenced to All Other Types of Split Supervision: Employment Outcomes

	Felony Probation Split Supervision (n=39,452)	All Other Split Supervision (n=22,257)	Mean Difference
Male	0.886	0.909	0.023***
Black	0.444	0.458	0.014**
White	0.466	0.464	-0.001
Hispanic	0.090	0.078	-0.012***
Age at Release	35.535	37.512	1.978***
Pre-Prison Employment	0.230	0.233	0.003
Highly Visible Tattoos	0.477	0.479	0.002
Gang Member	0.061	0.053	-0.008***
Education Level (TABE)	7.676	7.569	-0.107***
Substance Abuse Addiction or Dependency	0.511	0.517	0.006
Mental Health Diagnosis	0.228	0.243	0.016***
<i>Primary Offense</i>			
Murder/Manslaughter	0.037	0.036	-0.001
Sex	0.050	0.144	0.094***
Robbery	0.110	0.109	-0.001
Other Violent	0.183	0.171	-0.012***
Burglary	0.174	0.130	-0.044***
Property	0.138	0.082	-0.056***
Drug	0.188	0.218	0.030***
Weapons	0.025	0.022	-0.003*
Other	0.096	0.088	-0.008***
Number of Prior Arrests	22.151	21.612	-0.539***
Number of Prior Convictions	4.127	4.018	-0.110**
Number of Prior Prison Commitments	0.420	0.608	0.188***
Any Prior Term of Supervision	0.766	0.666	-0.100***
Time Served in Prison (Months)	40.011	47.192	7.180***
<i>Custody at Release</i>			
Community or Minimum	0.480	0.379	-0.102***
Medium	0.371	0.431	0.060***
Close	0.149	0.191	0.041***
Disciplinary Infractions per Month Served	0.086	0.073	-0.013***
Visits per Month Served	0.320	0.317	-0.003
Number of Special Conditions of Supervision	6.087	7.933	1.846***
<i>Year of Release from Prison</i>			
2004	0.122	0.105	-0.017***
2005	0.120	0.107	-0.013***
2006	0.124	0.112	-0.012***
2007	0.128	0.121	-0.007*
2008	0.129	0.128	-0.002

Table 12 - continued. Descriptive Statistics for Persons Sentenced to Felony Probation Split Supervision versus Persons Sentenced to All Other Types of Split Supervision: Employment Outcomes

	Felony Probation Split Supervision (n=39,452)	All Other Split Supervision (n=22,257)	Mean Difference
<i>Year of Release from Prison</i>			
2009	0.133	0.139	0.007*
2010	0.127	0.139	0.012***
2011	0.117	0.148	0.031***
<b>Dependent Variables</b>			
Employment within 1 Quarter of Release	0.356	0.331	-0.025***
Employment within 5 Quarters of Release	0.456	0.434	-0.022***

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Persons sentenced to felony probation split supervision serve, on average, seven months less time in prison than those sentenced to any other form of split supervision (40.011 vs. 47.192, p<0.001). They are also generally more likely to be released with a community or minimum custody level than those sentenced to any other form of split supervision (48.0% vs. 37.9%, p<0.001) but less likely to be released with a medium (37.1% vs. 43.1%, p<0.001) or close custody (14.9% vs. 19.1%, p<0.001) level. Those sentenced to felony probation split supervision have, on average, slightly more disciplinary infractions per month (0.086 vs. 0.073, p<0.001) but there are no differences in terms of visits per month in prison. One variable that was added for the analysis of differences across the types of split supervision is a measure of the number of special conditions of supervision<sup>33</sup> that an individual was sentenced to. Judges have the discretion to add special conditions of supervision at the time of sentencing when sentencing a person to supervision. Persons sentenced to felony probation split supervision have, on average,

<sup>33</sup> Special conditions of supervision are conditions imposed by a judge in addition to the standard conditions of supervision, and can include substance abuse treatment, classes such as anger management, restitution, HIV testing, and electronic monitoring, among others.

almost two fewer conditions of supervision than those sentenced to any other form of split supervision (6.087 vs. 7.933,  $p < 0.001$ ).

The year of release from prison has generally statistically significant but not substantively different results for those sentenced to felony probation split supervision compared to any other form of split supervision. The exception to this is 2008, which does not result in significant differences between the two groups. Similarly, those sentenced to felony probation split supervision are significantly more likely to be employed within the first quarter after release from prison (35.6% vs. 33.1%,  $p < 0.001$ ) and within the first five quarters after release (45.6% vs. 43.4%,  $p < 0.001$ ) compared to those sentenced to any other form of split supervision, however the differences are substantively small.

Table 13 presents the findings of means difference tests for those sentenced to drug offender probation split supervision compared with all other types of split supervision. Similar to the findings presented in Tables 11 and 12, there are few variables that are not statistically significantly different between the two groups. Those sentenced to drug offender probation split supervision were, on average, younger than those sentenced to any other form of split supervision (32.141 vs. 36.542,  $p < 0.001$ ). They also had, on average, higher TABE scores (8.012 vs. 7.610,  $p < 0.001$ ) and were more likely to have a substance abuse addiction or dependency (65.0% vs. 50.2%,  $p < 0.001$ ) than those sentenced to any other form of split supervision. Persons sentenced to drug offender probation split supervision were also less likely to have a mental health diagnosis (19.1% vs. 23.6%,  $p < 0.001$ ) than those sentenced to any other form of split supervision.

Persons sentenced to drug offender probation split supervision served significantly less time in prison than those sentenced to any other form of split supervision. On average, those on

Table 13. Descriptive Statistics for Persons Sentenced to Drug Offender Probation Split Supervision versus Persons Sentenced to All Other Types of Split Supervision: Employment Outcomes

	Drug Offender Split Supervision (n=4,131)	All Other Split Supervision (n=57,578)	Mean Difference
Male	0.777	0.903	0.126***
Black	0.340	0.457	0.117***
White	0.587	0.456	-0.130***
Hispanic	0.073	0.086	0.013**
Age at Release	32.141	36.542	4.401***
Pre-Prison Employment	0.322	0.225	-0.097***
Highly Visible Tattoos	0.513	0.475	-0.038***
Gang Member	0.043	0.059	-0.017***
Education Level (TABE)	8.012	7.610	-0.402***
Substance Abuse Addiction or Dependency	0.650	0.502	-0.147***
Mental Health Diagnosis	0.191	0.236	0.045***
<i>Primary Offense</i>			
Murder/Manslaughter	0.009	0.038	0.029***
Sex	0.011	0.090	0.078***
Robbery	0.050	0.114	0.064***
Other Violent	0.076	0.186	0.109***
Burglary	0.104	0.162	0.058***
Property	0.100	0.119	0.019***
Drug	0.549	0.173	-0.375***
Weapons	0.013	0.025	0.012***
Other	0.088	0.093	0.005
Number of Prior Arrests	18.779	22.185	3.406***
Number of Prior Convictions	2.812	4.179	1.367***
Number of Prior Prison Commitments	0.221	0.507	0.286***
Any Prior Term of Supervision	0.796	0.725	-0.071***
Time Served in Prison (Months)	18.836	44.306	25.471***
<i>Custody at Release</i>			
Community or Minimum	0.682	0.427	-0.255***
Medium	0.250	0.402	0.152***
Close	0.068	0.171	0.103***
Disciplinary Infractions per Month Served	0.073	0.082	0.009***
Visits per Month Served	0.383	0.314	-0.069***
Number of Special Conditions of Supervision	6.691	6.776	0.086
<i>Year of Release from Prison</i>			
2004	0.071	0.119	0.048***
2005	0.087	0.118	0.030***
2006	0.116	0.120	0.003
2007	0.135	0.125	-0.011*
2008	0.145	0.128	-0.017**

Table 13 - continued. Descriptive Statistics for Persons Sentenced to Drug Offender Probation Split Supervision versus Persons Sentenced to All Other Types of Split Supervision: Employment Outcomes

	Drug Offender Split Supervision (n=4,131)	All Other Split Supervision (n=57,578)	Mean Difference
<i>Year of Release from Prison</i>			
2009	0.161	0.133	-0.027***
2010	0.142	0.131	-0.011*
2011	0.143	0.127	-0.015**
<b>Dependent Variables</b>			
Employment within 1 Quarter of Release	0.351	0.347	-0.004
Employment within 5 Quarters of Release	0.458	0.447	-0.010

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

drug offender probation split supervision served over 25 months fewer in prison than those sentenced to any other form of split supervision (18.836 months vs. 44.306 months, p<0.001). They were also much more likely to be released with a community or medium custody level (68.2% vs. 42.7%, p<0.001) and less likely to be released with a medium (25.0% vs. 40.2%, p<0.001) or close custody (6.8% vs. 17.1%, p<0.001) level than those sentenced to any other form of split supervision.

The incarceration experience for the two groups also differed. Those sentenced to drug offender probation split supervision had, on average, slightly fewer disciplinary infractions per month served (0.073 vs. 0.082, p<0.001) and slightly more visits per month served (0.383 vs. 0.314, p<0.001) than those sentenced to any other form of split supervision. There were no differences between the two groups in terms of the number of special conditions of supervision that were set by the sentencing judge.

Similar to the findings reported in Table 12, the year of release from prison results in statistically significant, but substantively small, differences between those sentenced to drug

offender probation split supervision and any other form of split supervision. However, the release year of 2006 did not result in significant differences between the two groups. Finally, it is interesting to note that there were no statistically significant differences between those sentenced to drug offender probation split supervision, compared with those sentenced to any other form of split supervision, in terms of their employment outcomes. While those sentenced to drug offender probation split supervision are more likely to be employed after release from prison than those sentenced to any other form of split supervision, the differences do not reach statistical significance.

Table 14 presents the results of means differences tests for offenders sentenced to sex offender probation split supervision, compared with those sentenced to any other form of split supervision. Those sentenced to sex offender probation split supervision are, on average, over three years older than those sentenced to any other form of split supervision (39.463 vs. 36.131,  $p < 0.001$ ). They also generally have higher TABE scores (8.989 vs. 7.588,  $p < 0.001$ ) and are much less likely to have a substance abuse addiction or dependency (27.3% vs. 52.2%,  $p < 0.001$ ). Interestingly, they are also slightly more likely to have a mental health diagnosis (29.9% vs. 23.1%,  $p < 0.001$ ). There were no differences between the two groups in terms of the average length of time, in months, served in prison prior to release.

Individuals sentenced to sex offender probation split supervision are much more likely to be released with a medium or close custody level. The Florida Department of Corrections does not assign sex offenders to minimum or community custody levels, therefore there were no persons sentenced to sex offender probation split supervision that were released with these custody levels. Persons on sex offender probation split supervision were more likely to be

Table 14. Descriptive Statistics for Persons Sentenced to Sex Offender Probation Split Supervision versus Persons Sentenced to All Other Types of Split Supervision: Employment Outcomes

	Sex Offender Split Supervision (n=2,164)	All Other Split Supervision (n=59,545)	Mean Difference
Male	0.979	0.891	-0.088***
Black	0.218	0.458	0.240***
White	0.691	0.457	-0.234***
Hispanic	0.091	0.085	-0.006
Age at Release	39.463	36.131	-3.331***
Pre-Prison Employment	0.225	0.232	0.007
Highly Visible Tattoos	0.380	0.481	0.102***
Gang Member	0.030	0.059	0.030***
Education Level (TABE)	8.989	7.588	-1.391***
Substance Abuse Addiction or Dependency	0.273	0.522	0.249***
Mental Health Diagnosis	0.299	0.231	-0.069***
<i>Primary Offense</i>			
Murder/Manslaughter	0.000	0.038	0.037***
Sex	0.918	0.054	-0.864***
Robbery	0.003	0.114	0.111***
Other Violent	0.055	0.183	0.128***
Burglary	0.011	0.164	0.153***
Property	0.003	0.122	0.118***
Drug	0.004	0.206	0.202***
Weapons	0.001	0.025	0.023***
Other	0.005	0.096	0.092***
Number of Prior Arrests	5.366	22.558	17.192***
Number of Prior Convictions	0.409	4.222	3.812***
Number of Prior Prison Commitments	0.051	0.504	0.453***
Any Prior Term of Supervision	0.130	0.752	0.622***
Time Served in Prison (Months)	44.326	42.539	-1.788
<i>Custody at Release</i>			
Community or Minimum	0.000	0.460	0.460***
Medium	0.681	0.382	-0.299***
Close	0.319	0.159	-0.161***
Disciplinary Infractions per Month Served	0.058	0.082	0.024***
Visits per Month Served	0.583	0.309	-0.274***
Number of Special Conditions of Supervision	11.570	6.561	-5.009***
<i>Year of Release from Prison</i>			
2004	0.086	0.117	0.031***
2005	0.093	0.116	0.024***
2006	0.109	0.120	0.011
2007	0.133	0.125	-0.008
2008	0.127	0.129	0.002

Table 14 - continued. Descriptive Statistics for Persons Sentenced to Sex Offender Probation Split Supervision versus Persons Sentenced to All Other Types of Split Supervision: Employment Outcomes

	Sex Offender Split Supervision (n=2,164)	All Other Split Supervision (n=59,545)	Mean Difference
<i>Year of Release from Prison</i>			
2009	0.142	0.135	-0.007
2010	0.136	0.131	-0.005
2011	0.174	0.127	-0.047***
<b>Dependent Variables</b>			
Employment within 1 Quarter of Release	0.308	0.349	0.041***
Employment within 5 Quarters of Release	0.444	0.448	0.004

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

released with a medium custody level (68.1% vs. 38.2%, p<0.001) or a close custody level (31.9% vs. 15.9%, p<0.001) than those sentenced to any other type of split supervision.

Prison experiences also differed for those sentenced to sex offender probation split supervision compared with all other forms of split supervision. Those on sex offender probation split supervision had fewer disciplinary infractions per month (0.058 vs. 0.082, p<0.001) and more visits per month (0.583 vs. 0.309, p<0.001) than those sentenced to any other form of split supervision. They also had, on average, five additional conditions of supervision (11.570 vs. 6.561, p<0.001) than those on any other type of split supervision.

Unlike findings reported in prior tables, the year of release from prison is generally not different between those sentenced to sex offender probation split supervision and those sentenced to any other form of split supervision. The exceptions are 2004, 2005, and 2011 which report statistically significant (but substantively small) differences between the two groups. Persons sentenced to sex offender probation split supervision were less likely to be employed within either the first quarter or first five quarters after release from prison than persons sentenced to



any other form of split supervision. However, this difference is only significant within the first quarter (30.8% vs. 34.9%,  $p < 0.001$ ) and does not retain statistical significance within the first five quarters after release.

Table 15 provides the results of means differences tests for persons sentenced to community control split supervision compared to those sentenced to any other form of split supervision. Persons sentenced to community control split supervision are, on average, over two years younger than those sentenced to any other type of split supervision (33.879 vs. 36.490,  $p < 0.001$ ). They also generally have slightly higher TABE scores (7.725 vs. 7.628,  $p < 0.05$ ) and are slightly less likely to have a substance abuse addiction or dependency (47.3% vs. 51.7%,  $p < 0.001$ ). There were no differences between the two groups in terms of the likelihood of having a mental health diagnosis.

The number of months spent in prison is slightly greater for those sentenced to community control split supervision compared with those sentenced to any other type of split supervision. The average length of time, in months, served in prison prior to release was 44.246 for those on community control split supervision, and 42.433 for those on any other kind of split supervision ( $p < 0.05$ ). Individuals sentenced to community control split supervision are only slightly less likely to be released with a community or minimum custody level (41.0% vs. 44.7%,  $p < 0.001$ ), and were only slightly more likely to be released with a medium custody level (42.4% vs. 38.9%,  $p < 0.001$ ). There were no statistically significant differences between the two groups in terms of release from close custody designation at release.

Prison experiences also differed slightly for those sentenced to community control split supervision, compared with all other forms of split supervision. Those on community control split supervision had slightly more disciplinary infractions per month (0.098 vs. 0.080,  $p < 0.001$ )

Table 15. Descriptive Statistics for Persons Sentenced to Community Control Split Supervision versus Persons Sentenced to All Other Types of Split Supervision: Employment Outcomes

	Community Control Split Supervision (n=5,717)	All Other Split Supervision (n=55,992)	Mean Difference
Male	0.913	0.893	-0.020***
Black	0.487	0.445	-0.042***
White	0.427	0.469	0.042***
Hispanic	0.086	0.086	-0.000
Age at Release	33.879	36.490	2.611***
Pre-Prison Employment	0.215	0.233	0.018**
Highly Visible Tattoos	0.490	0.477	-0.013
Gang Member	0.072	0.057	-0.015***
Education Level (TABE)	7.725	7.628	-0.096*
Substance Abuse Addiction or Dependency	0.473	0.517	0.044***
Mental Health Diagnosis	0.242	0.232	-0.010
<i>Primary Offense</i>			
Murder/Manslaughter	0.044	0.036	-0.009***
Sex	0.069	0.086	0.017***
Robbery	0.143	0.106	-0.037***
Other Violent	0.189	0.177	-0.012*
Burglary	0.177	0.157	-0.020***
Property	0.100	0.119	0.020***
Drug	0.168	0.202	0.033***
Weapons	0.026	0.024	-0.002
Other	0.083	0.094	0.010**
Number of Prior Arrests	21.557	21.997	0.441
Number of Prior Convictions	4.861	4.009	-0.852***
Number of Prior Prison Commitments	0.505	0.486	-0.019
Any Prior Term of Supervision	0.801	0.723	-0.078***
Time Served in Prison (Months)	44.246	42.433	-1.813*
<i>Custody at Release</i>			
Community or Minimum	0.410	0.447	0.037***
Medium	0.424	0.389	-0.035***
Close	0.166	0.164	-0.002
Disciplinary Infractions per Month Served	0.098	0.080	-0.019***
Visits per Month Served	0.326	0.318	-0.008
Number of Special Conditions of Supervision	7.067	6.741	-0.326**
<i>Year of Release from Prison</i>			
2004	0.131	0.114	-0.017***
2005	0.136	0.113	-0.023***
2006	0.123	0.119	-0.004
2007	0.122	0.126	0.004
2008	0.121	0.130	0.008

Table 15 - continued. Descriptive Statistics for Persons Sentenced to Community Control Split Supervision versus Persons Sentenced to All Other Types of Split Supervision: Employment Outcomes

	Community Control Split Supervision (n=5,717)	All Other Split Supervision (n=55,992)	Mean Difference
<i>Year of Release from Prison</i>			
2009	0.125	0.136	0.011*
2010	0.120	0.133	0.013**
2011	0.122	0.129	0.007
<b>Dependent Variables</b>			
Employment within 1 Quarter of Release	0.365	0.345	-0.020**
Employment within 5 Quarters of Release	0.473	0.445	-0.028***

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

than those sentenced to any other form of split supervision. There was not a statistically significant difference between the two groups in terms of visits per month. Persons on community control split supervision also had, on average, slightly more conditions of supervision (7.067 vs. 6.741, p<0.01) than those on any other type of split supervision.

The year of release from prison is only different between those sentenced to community control split supervision and those sentenced to any other form of split supervision in four of the eight years included in analyses. Persons sentenced in 2004, 2005, 2009, and 2010 had statistically significant (but again, similar to previous results, not substantially different) differences between the two groups while there were no differences for those released in 2006, 2007, 2008, and 2011. Persons sentenced to community control split supervision were slightly more likely to be employed within either the first quarter (36.5% vs. 34.5%, p<0.01) or first five quarters after release from prison (47.3% vs. 44.5%, p<0.001) than persons sentenced to any other form of split supervision.

## 6.2 Logistic Regression Results

The descriptive statistics reported in section 6.1 of this paper indicate that there are a number of statistically significant variables that may play a role in whether an individual is sentenced to any form of split supervision (as compared to a sentence of prison only) and to a specific type of split supervision (compared with all other forms of split supervision), as well as important differences between the primary independent variables (being sentenced to any form of split supervision compared to prison only and being sentenced to a specific type of split supervision compared to all other types of split supervision) on the likelihood of a person obtaining employment either within the first quarter after release from prison or within the first five quarters after release. This section will discuss the results that inform the answers to research questions three and four, and will assess the relationship between the sentencing decision (any split supervision and type of split supervision), using binary logistic regression. The results presented in Tables 16-20 report only the relationship between the primary independent variable and the dependent variables of interest. This is done in the interest of parsimony; the variables included in Tables 11-15 are also included in each of the following models as control variables.

The results presented in Table 16 show that there is not a statistically significant relationship between being sentenced to any form of split supervision, compared to being sentenced to prison only, and obtaining employment within the first quarter after release or within the first five quarters after release from prison. These findings indicate that the odds of obtaining employment for persons who received a sentence of any form of split supervision are approximately equal to those who receive a sentence of prison only, with no supervision to follow.

Table 16. Effect of Being Sentenced to a Term of Any Split Supervision versus Prison Only on Employment within 1 and 5 Quarters After Release: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio	R <sup>2</sup>
Any Split Supervision				
Employment within 1 Quarter	0.019	0.056	1.019	0.223***
Employment within 5 Quarters	-0.030	0.054	0.971	0.219***

N=43,823

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Reference Categories: White, Property Offense, Community/Minimum Custody, Release Year 2007

Tables 17-20 report results that address research question four and the effect of receiving a specific type of split supervision (compared to all other types of split supervision) on obtaining employment after release from prison. Similar to the results in Table 16, the results of Table 17 show that there is not a statistically significant relationship between being sentenced to felony probation split supervision, compared to being sentenced to any other form of split supervision (drug offender probation split supervision, sex offender probation split supervision, and community control split supervision), and obtaining employment within the first quarter after

Table 17. Effect of Being Sentenced to a Term of Felony Probation Split Supervision versus Any Other Type of Split Supervision on Employment within 1 and 5 Quarters After Release: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio	R <sup>2</sup>
Felony Probation Split Supervision				
Employment within 1 Quarter	0.017	0.026	1.017	0.222***
Employment within 5 Quarters	0.016	0.025	1.016	0.217***

N=41,720

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Reference Categories: White, Property Offense, Community/Minimum Custody, Release Year 2007

release or within the first five quarters after release from prison. These findings indicate that the odds of obtaining employment for persons who received a sentence of felony probation split

supervision are approximately equal to those who receive a sentence to any other form of split supervision.

Unlike the results presented in Tables 16 and 17, the results presented in Table 18 indicate that there are statistically significant differences between offenders sentenced to drug offender probation split supervision and those sentenced to any other form of split supervision and their likelihood of obtaining employment within either the first quarter or first five quarters after release from incarceration. Among those sentenced to drug offender probation split supervision, there is a 9.7% lower odds ( $p < 0.05$ ) of obtaining employment within the first quarter after release from prison and a 9.0% lower odds ( $p < 0.05$ ) of obtaining employment within the first five quarters after release.

Table 18. Effect of Being Sentenced to a Term of Drug Offender Probation Split Supervision versus Any Other Type of Split Supervision on Employment within 1 and 5 Quarters After Release: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio	$R^2$
Drug Offender Probation Split Supervision				
Employment within 1 Quarter	-0.102*	0.048	0.903	0.222***
Employment within 5 Quarters	-0.094*	0.046	0.910	0.217***

N=41,720

\* $p < 0.05$ , \*\* $p < 0.01$ , \*\*\* $p < 0.001$

Reference Categories: White, Property Offense, Community/Minimum Custody, Release Year 2007

The results presented in Table 19 indicate that, similar to Tables 16 and 17, there is not a statistically significant difference in the odds of obtaining employment after release from prison for those sentenced to sex offender probation split supervision and those sentenced to any other form of split supervision.

Table 19. Effect of Being Sentenced to a Term of Sex Offender Probation Split Supervision versus Any Other Type of Split Supervision on Employment within 1 and 5 Quarters After Release: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio	R <sup>2</sup>
Sex Offender Probation Split Supervision				
Employment within 1 Quarter	-0.025	0.078	0.975	0.222***
Employment within 5 Quarters	0.007	0.073	1.007	0.217***

N=41,720

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Reference Categories: White, Property Offense, Community/Minimum Custody, Release Year 2007

The results presented in Table 20 indicate that there is no statistically significant difference in the odds of obtaining employment after release from prison for those sentenced to community control split supervision and those sentenced to any other form of split supervision.

Table 20. Effect of Being Sentenced to a Term of Community Control Split Supervision versus Any Other Type of Split Supervision on Employment within 1 and 5 Quarters After Release: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio	R <sup>2</sup>
Community Control Split Supervision				
Employment within 1 Quarter	0.020	0.042	1.020	0.222***
Employment within 5 Quarters	0.061	0.040	1.063	0.217***

N=41,720

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Reference Categories: White, Property Offense, Community/Minimum Custody, Release Year 2007

### 6.3 Summary of Findings

This section summarizes the results from sections 6.1 and 6.2 and provides the answers to the third and fourth research questions. The findings in section 6.1 address the differences between offenders receiving a split sentence and those sentenced to a term of prison only on the likelihood of obtaining post-prison employment. Section 6.2 addresses the effect of receiving a specific type of split supervision, compared to all other types of split supervision, on the

likelihood of obtaining post-prison employment. The methods used and variables selected for analysis in Tables 11 through 20 are described in Chapter 4.

Research question three asks: What is the effect of receiving a split sentence on the likelihood of post-prison employment, versus prison only? Results presented in Table 11 indicate that persons sentenced to any type of split supervision are, on average, more likely to obtain employment both within the first quarter after release and within the first five quarters after release from prison. However, when using logistic regression to model this relationship, including a host of covariates presented in Table 11, there is no longer a statistically significant difference in the odds of obtaining employment after release from prison, either within the first quarter or first five quarters after release from prison. This finding indicates that all of the variation shown in Table 11 is explained by controlling for differences between the two groups.

Research question four asks: What is the effect of receiving a specific type of split sentence (split felony probation, split drug offender probation, split sex offender probation, or split community control) on the likelihood of post-prison employment, across types of split sentences? The results show that, in general, there is no difference across types of split supervision in the odds of obtaining employment after release from prison. Results from Tables 12 and 15 show that there are statistically significant differences between those sentenced to felony probation split supervision and community control split supervision on both employment within the first quarter and within the first five quarters after release from prison, while Table 14 only reports significant findings for employment within the first quarter after release for those on sex offender probation split supervision. However, when holding the variables shown in those tables constant, these differences do not result in statistically significant differences in the odds of obtaining employment. This finding indicates that all of the variation shown in Tables 12 and



15 is explained by controlling for differences between the two groups. Table 13, however, reports no statistically significant differences in the means of employment after release from prison for those sentenced to drug offender probation split supervision (compared to all other forms of split supervision), but when using logistic regression analysis and holding the variables presented in Table 13 constant there are statistically significantly lower odds of obtaining employment for persons on drug offender probation split supervision compared to all other types of split supervision.

The findings presented in Tables 11-20 indicate that there is largely no relationship between sentencing outcomes and employment outcomes, with the exception of those sentenced to drug offender probation split supervision. These null findings are interesting as obtaining employment is a condition of supervision, and thus it would be expected that those placed on split supervision would have a greater likelihood of obtaining employment after release from prison in order to comply with the conditions of their supervision. It is possible that the effect of being supervised (including having a probation officer verify your employment and the requirements of reporting to the supervising officer during working hours) may cancel out any positive impact that requiring employment as a condition of supervision might have on the ability of a supervised individual to successfully obtain employment after release from prison. The only relationship that established statistically significantly different odds of obtaining employment was for those sentenced to drug offender probation split supervision, compared to all other forms of split supervision. It is possible that the odds of obtaining employment after release from prison are reduced for those sentenced to drug offender probation split supervision, compared to any other type of split supervision, because of the addition of extra reporting requirements (persons on drug offender probation are required to be drug tested more frequently

than those on other types of community supervision) and increased likelihood of substance abuse addiction or dependency among persons sentenced to drug offender probation split supervision.

## **CHAPTER 7**

### **RESULTS OF DIFFERENCES IN RECIDIVISM BETWEEN SPLIT SUPERVISION AND PRISON ONLY SENTENCES**

The results in this chapter are presented in three sections labeled 7.1, 7.2, and 7.3. In the first section, descriptive statistics are used to assess differences in the likelihood of recidivating within one, two, and three years after release from prison for those sentenced to split supervision (any type and between types of split supervision). The results in section 7.2 will discuss the logistic regression model findings for research questions five and six, while section 7.3 will discuss the Cox proportional hazard regression model findings for these research questions. Finally, section 7.4 will summarize the results of sections 7.1, 7.2, and 7.3.

Tables 21-31 present only the relationship between the primary independent variables of interest (sentencing to any type of split supervision compared to prison only and sentencing to a specific type of split supervision, compared with all other types of split supervision) and the dependent outcomes of interest (recidivism). This is done in the interest of parsimony; the variables included in Tables 11-15 are included in each of the following models as control variables.

#### **7.1 Descriptive Results**

Table 21 presents the findings for mean differences tests between persons sentenced to any term of split supervision and those sentenced to prison only on nine measures of recidivism: arrest for a new crime within one, two, and three years of release from prison; conviction for a felony offense within one, two, and three years of release from prison; and return to prison for any reason (excluding technical violations of supervision) within one, two, and three years of

release from prison. Results shown indicate that, on average, persons sentenced to any form of split supervision are less likely to be arrested for a new crime within one (29.4% vs. 36.6%,  $p<0.001$ ), two (45.4% vs. 54.5%,  $p<0.001$ ), and three years (52.9% vs. 62.1%,  $p<0.001$ ); or be convicted of a felony offenses within one (10.4% vs. 15.4%,  $p<0.001$ ), two (16.4% vs. 25.2%,  $p<0.001$ ), and three years (20.7% vs. 32.1%,  $p<0.001$ ) of release from incarceration. However, they are more likely to be returned to prison for any reason within one (18.5% vs. 3.7%,  $p<0.001$ ), two (29.4% vs. 11.9%,  $p<0.001$ ), and three years (39.0% vs. 20.6%,  $p<0.001$ ).

Table 21. Descriptive Statistics for Persons Sentenced to Any Term of Split Supervision versus Persons Sentenced to Prison Only: Recidivism Outcomes

	Any Split Supervision (n=61,709)	Prison Only (n=126,030)	Mean Difference
<b>Arrest for a New Crime</b>			
Within 1 Year of Release	0.294	0.366	0.073***
Within 2 Years of Release	0.454	0.545	0.091***
Within 3 Years of Release	0.529	0.621	0.092***
<b>Conviction for a Felony Offense</b>			
Within 1 Year of Release	0.104	0.154	0.050***
Within 2 Years of Release	0.164	0.252	0.089***
Within 3 Years of Release	0.207	0.321	0.115***
<b>Return to Prison for Any Reason</b>			
Within 1 Year of Release	0.185	0.037	-0.147***
Within 2 Years of Release	0.294	0.119	-0.175***
Within 3 Years of Release	0.390	0.206	-0.184***

\* $p<0.05$ , \*\* $p<0.01$ , \*\*\* $p<0.001$

Table 22 presents the findings for means differences tests between persons sentenced to felony probation split supervision compared with all other types of split supervision on twelve measures of recidivism: arrest for a new crime within one, two, and three years of release from prison; conviction for a felony offense within one, two, and three years of release from prison;

return to prison for any reason (excluding technical violations of supervision) within one, two, and three years; and return to prison for a technical violation of supervision within one, two, and three years of release from prison.

Results indicate there is generally a statistically significant difference between persons sentenced to felony probation split supervision and those sentenced to other forms of split supervision on the likelihood of recidivism, with the exception of arrest for a new crime at one and two years after release from prison which do not produce observable differences. Arrest within three years, however, is slightly higher (53.5% vs. 51.7%,  $p < 0.001$ ) for those on felony probation split supervision than those on other forms of split supervision.

Table 22. Descriptive Statistics for Persons Sentenced to a Term of Felony Probation Split Supervision versus Any Other Type of Split Supervision: Recidivism Outcomes

	Felony Probation Split Supervision (n=39,452)	All Other Split Supervision (n=22,259)	Mean Difference
<b>Arrest for a New Crime</b>			
Within 1 Year of Release	0.294	0.294	-0.000
Within 2 Years of Release	0.454	0.453	-0.000
Within 3 Years of Release	0.535	0.517	-0.017***
<b>Conviction for a Felony Offense</b>			
Within 1 Year of Release	0.106	0.101	-0.006*
Within 2 Years of Release	0.166	0.159	-0.007*
Within 3 Years of Release	0.211	0.196	-0.014***
<b>Return to Prison for Any Reason</b>			
Within 1 Year of Release	0.179	0.195	0.016***
Within 2 Years of Release	0.288	0.304	0.016***
Within 3 Years of Release	0.383	0.404	0.021***
<b>Return to Prison for a Technical Violation of Supervision</b>			
Within 1 Year of Release	0.100	0.129	0.029***
Within 2 Years of Release	0.114	0.149	0.035***
Within 3 Years of Release	0.129	0.171	0.042***

\* $p < 0.05$ , \*\* $p < 0.01$ , \*\*\* $p < 0.001$

Results for those sentenced to felony probation split supervision compared with other forms of split supervision indicate that those on felony probation split supervision are slightly more likely to be convicted of a felony offense within one year of release from prison (10.6% vs. 10.1%,  $p < 0.05$ ), two years of release from prison (16.6% vs. 15.9%,  $p < 0.05$ ), and three years of release from prison (21.1% vs. 19.6%,  $p < 0.001$ ). They are, however, less likely to return to prison either for any reason (excluding technical violations of supervision) or for a technical violation of supervision. Those sentenced to felony probation split supervision are slightly less likely to return to prison for any reason within one year of release from prison (17.9% vs. 19.5%,  $p < 0.001$ ), two years of release from prison (28.8% vs. 30.4%,  $p < 0.001$ ), and three years of release from prison (38.3% vs. 40.4%,  $p < 0.001$ ), compared with those sentenced to any other type of split supervision. They are also slightly less likely to return to prison for a technical violation of supervision within one year of release from prison (10.0% vs. 12.9%,  $p < 0.001$ ), two years of release from prison (11.4% vs. 14.9%,  $p < 0.001$ ), and three years of release from prison (12.9% vs. 17.1%,  $p < 0.001$ ), compared with those sentenced to any other type of split supervision.

Table 23 presents the findings of mean differences tests between persons sentenced to drug offender probation split supervision compared with all other types of split supervision on twelve measures of recidivism: arrest for a new crime within one, two, and three years of release from prison; conviction for a felony offense within one, two, and three years of release from prison; return to prison for any reason (excluding technical violations of supervision) within one, two, and three years; and return to prison for a technical violation of supervision within one, two, and three years of release from prison.

Findings indicate that there is not a statistically significant difference between persons sentenced to drug offender probation split supervision and those sentenced to any other form of split supervision on arrest for a new crime (either at one, two, or three years) after release from prison, or on the likelihood of being convicted for a felony offense within one year of release from prison. There is, however, a slightly greater likelihood of being convicted for a felony offenses with two years of release from prison (18.2% vs. 16.2%,  $p < 0.01$ ) and within three years of release from prison (23.2% vs. 20.4%,  $p < 0.001$ ) for persons sentenced to drug offender probation split supervision compared with those sentenced to other forms of split supervision.

Table 23. Descriptive Statistics for Persons Sentenced to a Term of Drug Offender Probation Split Supervision versus Any Other Type of Split Supervision: Recidivism Outcomes

	Drug Offender Probation Split Supervision (n=4,131)	All Other Split Supervision (n=57,578)	Mean Difference
<b>Arrest for a New Crime</b>			
Within 1 Year of Release	0.283	0.294	0.011
Within 2 Years of Release	0.456	0.454	-0.002
Within 3 Years of Release	0.538	0.528	-0.011
<b>Conviction for a Felony Offense</b>			
Within 1 Year of Release	0.106	0.104	-0.001
Within 2 Years of Release	0.182	0.162	-0.020**
Within 3 Years of Release	0.232	0.204	-0.028***
<b>Return to Prison for Any Reason</b>			
Within 1 Year of Release	0.142	0.188	0.046***
Within 2 Years of Release	0.238	0.298	0.059***
Within 3 Years of Release	0.332	0.394	0.062***
<b>Return to Prison for a Technical Violation of Supervision</b>			
Within 1 Year of Release	0.055	0.114	0.059***
Within 2 Years of Release	0.058	0.132	0.074***
Within 3 Years of Release	0.065	0.149	0.084***

\* $p < 0.05$ , \*\* $p < 0.01$ , \*\*\* $p < 0.001$

Results for both return to prison measures indicate that persons sentenced to drug offender probation split supervision have, on average, lower likelihoods of returning to prison for any reason or for a technical violation of supervision, compared to those sentenced to other types of split supervision. Persons sentenced to drug offender probation split supervision are, on average, slightly less likely to return to prison for any reason within one year (14.2% vs. 18.8%,  $p < 0.001$ ), within two years (23.8% vs. 29.8%,  $p < 0.001$ ), and within three years (33.2% vs. 39.4%,  $p < 0.001$ ) of release from prison compared to those sentenced to any other type of split supervision. They are also, on average, slightly less likely to return to prison for a technical violation of supervision within one year (5.5% vs. 11.4%,  $p < 0.001$ ), within two years (5.8% vs. 13.2%,  $p < 0.001$ ), and within three years (6.5% vs. 14.9%,  $p < 0.001$ ) of release from prison compared to those sentenced to any other type of split supervision.

Table 24 presents the findings for mean differences tests between persons sentenced to sex offender probation split supervision compared with all other types of split supervision on twelve measures of recidivism: arrest for a new crime within one, two, and three years of release from prison; conviction for a felony offense within one, two, and three years of release from prison; return to prison for any reason (excluding technical violations of supervision) within one, two, and three years; and return to prison for a technical violation of supervision within one, two, and three years of release from prison.

Findings indicate that there is both a statistically significant and substantively large difference between persons sentenced to sex offender probation split supervision and those sentenced to any other form of split supervision on arrest for a new crime at one, two, and three years after release from prison, compared with those sentenced to any other form of split supervision. Persons sentenced to sex offender probation split supervision are, on average,



significantly less likely to be arrested for a new crime within one year of release from prison (8.7% vs. 30.1%,  $p<0.001$ ), within two years (15.3% vs. 46.4%,  $p<0.001$ ), and within three years (18.7% vs. 54.0%,  $p<0.001$ ) of release from prison, compared with persons sentenced to any other type of split supervision. They are also, on average, less likely to be convicted of a felony offense within one year (3.8% vs. 10.7%,  $p<0.001$ ), two years (6.2% vs. 16.7%,  $p<0.001$ ), and within three years (7.5% vs. 21.0%,  $p<0.001$ ) of release from prison, compared with persons sentenced to any other type of split supervision.

Table 24. Descriptive Statistics for Persons Sentenced to a Term of Sex Offender Probation Split Supervision versus Any Other Type of Split Supervision: Recidivism Outcomes

	Sex Offender Probation Split Supervision (n=2,164)	All Other Split Supervision (n=59,545)	Mean Difference
<b>Arrest for a New Crime</b>			
Within 1 Year of Release	0.087	0.301	0.214***
Within 2 Years of Release	0.153	0.464	0.311***
Within 3 Years of Release	0.187	0.540	0.354***
<b>Conviction for a Felony Offense</b>			
Within 1 Year of Release	0.038	0.107	0.068***
Within 2 Years of Release	0.062	0.167	0.105***
Within 3 Years of Release	0.075	0.210	0.135***
<b>Return to Prison for Any Reason</b>			
Within 1 Year of Release	0.019	0.188	0.097***
Within 2 Years of Release	0.182	0.298	0.116***
Within 3 Years of Release	0.265	0.395	0.130***
<b>Return to Prison for a Technical Violation of Supervision</b>			
Within 1 Year of Release	0.013	0.114	0.101***
Within 2 Years of Release	0.013	0.131	0.118***
Within 3 Years of Release	0.015	0.148	0.133***

\* $p<0.05$ , \*\* $p<0.01$ , \*\*\* $p<0.001$

Results for both return to prison measures indicate that persons sentenced to sex offender probation split supervision have, on average, significantly lower likelihoods of returning to prison for any reason or for a technical violation of supervision, compared to those sentenced to other types of split supervision. Persons sentenced to sex offender probation split supervision are, on average, less likely to return to prison for any reason within one year (1.9% vs. 18.8%,  $p < 0.001$ ), within two years (18.2% vs. 29.8%,  $p < 0.001$ ), and within three years (26.5% vs. 39.5%,  $p < 0.001$ ) of release from prison compared to those sentenced to any other type of split supervision. They are also, on average, less likely to return to prison for a technical violation of supervision within one year (1.3% vs. 11.4%,  $p < 0.001$ ), within two years (1.3% vs. 13.1%,  $p < 0.001$ ), and within three years (1.5% vs. 14.8%,  $p < 0.001$ ) of release from prison compared to those sentenced to any other type of split supervision.

Table 25 presents the findings for mean differences tests between persons sentenced to community control split supervision compared with all other types of split supervision on twelve measures of recidivism: arrest for a new crime within one, two, and three years of release from prison; conviction for a felony offense within one, two, and three years of release from prison; return to prison for any reason (excluding technical violations of supervision) within one, two, and three years; and return to prison for a technical violation of supervision within one, two, and three years of release from prison. Findings indicate that there is generally no difference in the means of recidivism outcomes for those sentenced to community control split supervision, compared with all other types of split supervision.

Findings indicate that there is no statistically significant difference between offenders sentenced to community control split supervision and those sentenced to any other form of split supervision on the likelihood of being arrested for a new crime within one or two years of release

from prison; being convicted of a felony offense within one, two, or three years of release from prison, being returned to prison for any reason within one or two years of release from prison; or being returned to prison for a technical violation of supervision within one, two, or three years of release from prison. However, those sentenced to community control split supervision are slightly more likely to be arrested for a new crime within three years of release from prison (54.7% vs. 52.7%,  $p<0.01$ ) and returned to prison for any reason within three years of release from prison (40.4% vs. 38.9%,  $p<0.05$ ) compared to those sentenced to any other form of split supervision.

Table 25. Descriptive Statistics for Persons Sentenced to a Term of Community Control Split Supervision versus Any Other Type of Split Supervision: Recidivism Outcomes

	Community Control Split Supervision (n=5,717)	All Other Split Supervision (n=55,992)	Mean Difference
<b>Arrest for a New Crime</b>			
Within 1 Year of Release	0.297	0.293	-0.003
Within 2 Years of Release	0.465	0.453	-0.012
Within 3 Years of Release	0.547	0.527	-0.021**
<b>Conviction for a Felony Offense</b>			
Within 1 Year of Release	0.107	0.104	-0.004
Within 2 Years of Release	0.169	0.163	-0.006
Within 3 Years of Release	0.212	0.205	-0.007
<b>Return to Prison for Any Reason</b>			
Within 1 Year of Release	0.190	0.184	-0.006
Within 2 Years of Release	0.303	0.293	-0.010
Within 3 Years of Release	0.404	0.389	-0.015*
<b>Return to Prison for a Technical Violation of Supervision</b>			
Within 1 Year of Release	0.105	0.111	0.006
Within 2 Years of Release	0.123	0.127	0.005
Within 3 Years of Release	0.138	0.144	0.006

\* $p<0.05$ , \*\* $p<0.01$ , \*\*\* $p<0.001$

## 7.2 Logistic Regression Results

The descriptive statistics reported in section 7.1 of this paper indicate that there are important differences between the primary independent variables (being sentenced to any form of split supervision compared to prison only and being sentenced to a specific type of split supervision compared to all other types of split supervision) on the likelihood of a person recidivating within one, two, and three years after release from prison. This section will discuss the results that inform the answers to research questions five and six, and will assess the relationship between sentencing outcome (any split supervision and type of split supervision) and recidivism, using binary logistic regression. The results presented in Tables 26-30 report only the relationship between the primary independent variable and the dependent variables of interest. This is done in the interest of parsimony; all of the variables included in Tables 11-15 are included in each of the following models as control variables.

The results of Table 26 show that, with one exception, there is no statistically significant relationship between being sentenced to any form of split supervision, compared to being sentenced to prison only, and the odds of recidivating within one, two, or three years after release from prison. The exception to this is returning to prison for any reason within one year of release from prison. In this instance, results indicate that persons sentenced to any type of split supervision have a 17.1% greater odds ( $p < 0.05$ ) of being returned to prison for any reason compared with those sentenced to prison only.

Tables 27-30 report results that address research question four and the effect of receiving a specific type of split supervision (compared to all other types) on recidivating after release from prison. The results of Table 27 indicate that being sentenced to felony probation split supervision has mixed effects on the odds of recidivating, depending on which measure of

recidivism is used. Offenders sentenced to felony probation split supervision have lower odds of being arrested for a new crime and of returning to prison for a technical violation of supervision, compared to those sentenced to any other form of split supervision. There are, however, no statistically significant differences in the odds of being convicted for a felony offense or returning to prison for any reason.

Table 26. Effect of Being Sentenced to a Term of Any Split Supervision versus Prison Only on Recidivism Outcomes: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio	R <sup>2</sup>
<b>Arrest for a New Crime</b>				
Within 1 Year of Release	0.019	0.057	1.019	0.119***
Within 2 Years of Release	-0.006	0.052	0.994	0.141***
Within 3 Years of Release	0.031	0.056	1.031	0.141***
<b>Conviction for a Felony Offense</b>				
Within 1 Year of Release	-0.073	0.082	0.929	0.083***
Within 2 Years of Release	-0.087	0.067	0.917	0.080***
Within 3 Years of Release	-0.060	0.067	0.942	0.079***
<b>Return to Prison for Any Reason</b>				
Within 1 Year of Release	0.158*	0.076	1.171	0.081***
Within 2 Years of Release	0.028	0.061	1.029	0.101***
Within 3 Years of Release	0.050	0.061	1.052	0.196***

N=43,823

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Reference Categories: White, Property Offense, Community/Minimum Custody, Release Year 2007

Persons sentenced to a term of felony probation split supervision have a 10.3% lower odds of being arrested for a new crime within one year of release (p<0.001), a 12.2% lower odds within two years of release (p<0.001), and an 11.8% lower odds within three years of release (p<0.001) of prison compared to those who were sentenced to any other form of split supervision. Similarly, those sentenced to a term of felony probation split supervision also have significantly lower odds of being returned to prison for a technical violation of supervision

within one year of release (23.6%,  $p < 0.001$ ), two years of release (23.6%,  $p < 0.001$ ), and three years of release (25.7%,  $p < 0.001$ ) of prison compared to those who were sentenced to any other form of split supervision.

Table 27. Effect of Being Sentenced to a Term of Felony Probation Split Supervision versus Any Other Type of Split Supervision on Recidivism Outcomes: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio	$R^2$
<b>Arrest for a New Crime</b>				
Within 1 Year of Release	-0.109***	0.026	0.897	0.121***
Within 2 Years of Release	-0.130***	0.025	0.878	0.144***
Within 3 Years of Release	-0.126***	0.027	0.882	0.145***
<b>Conviction for a Felony Offense</b>				
Within 1 Year of Release	-0.012	0.037	0.989	0.083***
Within 2 Years of Release	-0.056	0.031	0.946	0.080***
Within 3 Years of Release	-0.047	0.031	0.954	0.080***
<b>Return to Prison for Any Reason</b>				
Within 1 Year of Release	0.003	0.031	1.003	0.079***
Within 2 Years of Release	0.035	0.026	1.035	0.100***
Within 3 Years of Release	0.031	0.027	1.032	0.195***
<b>Return to Prison for a Technical Violation of Supervision</b>				
Within 1 Year of Release	-0.269***	0.042	0.764	0.124***
Within 2 Years of Release	-0.289***	0.040	0.764	0.137***
Within 3 Years of Release	-0.297***	0.040	0.743	0.166***

N=41,720

\* $p < 0.05$ , \*\* $p < 0.01$ , \*\*\* $p < 0.001$

Reference Categories: White, Property Offense, Community/Minimum Custody, Release Year 2007

Table 28 presents the logistic regression models for persons sentenced to drug offender probation split supervision (compared to all other types of split supervision) on recidivism outcomes. The findings indicate that, like those presented in Table 27, sentencing decision has varying effects on recidivism. For example, there is no statistically significant difference in the odds of being arrested for a new crime within one or two years of release, being convicted of a

felony offense within one or two years of release, or being returned to prison for a technical violation of supervision within one, two, or three years of release from prison for offenders sentenced to a term of drug offender probation split supervision or those sentenced to any other type of split supervision.

Table 28. Effect of Being Sentenced to a Term of Drug Offender Probation Split Supervision versus Any Other Type of Split Supervision on Recidivism Outcomes: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio	R <sup>2</sup>
<b>Arrest for a New Crime</b>				
Within 1 Year of Release	0.050	0.047	1.051	0.120***
Within 2 Years of Release	0.053	0.044	1.055	0.144***
Within 3 Years of Release	0.133*	0.049	1.120	0.144***
<b>Conviction for a Felony Offense</b>				
Within 1 Year of Release	0.001	0.068	1.001	0.083***
Within 2 Years of Release	0.094	0.056	1.099	0.080***
Within 3 Years of Release	0.110*	0.056	1.117	0.080***
<b>Return to Prison for Any Reason</b>				
Within 1 Year of Release	0.124*	0.060	1.132	0.079***
Within 2 Years of Release	0.127*	0.049	1.136	0.100***
Within 3 Years of Release	0.127*	0.050	1.135	0.195***
<b>Return to Prison for a Technical Violation of Supervision</b>				
Within 1 Year of Release	-0.107	0.092	0.898	0.123***
Within 2 Years of Release	-0.138	0.091	0.871	0.136***
Within 3 Years of Release	-0.148	0.092	0.862	0.165***

N=41,720

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Reference Categories: White, Property Offense, Community/Minimum Custody, Release Year 2007

Findings in Table 28 show that persons sentenced to a term of drug offender probation split supervision have a 12.0% greater odds (p<0.05) of being arrested for a new crime within three years of release from prison, compared with those sentenced to any other form of split supervision. They also have an 11.7% greater odds (p<0.05) of being convicted for a felony

offense within three years of release from prison, compared with those sentenced to any other form of split supervision. Finally, as the results in Table 28 indicate, persons sentenced to drug offender probation split supervision have a 13.2% greater odds ( $p<0.05$ ) of being returned to prison for any reason within one year of release from prison, two years (13.6%,  $p<0.05$ ) of release from prison, and three years (13.5%,  $p<0.05$ ) of release from prison, compared to those sentenced to any other form of split supervision.

Unlike the findings presented in Tables 27 and 28, the logistic regression model results presented in Table 29 are largely statistically significant and consistent across recidivism outcomes. Persons sentenced to a term of sex offender probation split supervision have a 30.0% lower odds ( $p<0.01$ ) of being arrested within one year of release from prison, a 25.1% lower odds ( $p<0.01$ ) of being arrested within two years of release from prison, and a 21.8% lower odds ( $p<0.01$ ) of being arrested within three years of release from prison compared with those sentenced to any other type of split supervision. Additionally, they have a 33.1% lower odds ( $p<0.01$ ) of being convicted for a felony offenses within one year of release from prison; however, there are no statistically significant differences in the odds of conviction for a felony offense within two or three years for persons sentenced to sex offender probation split supervision compared to other types of split supervision.

The odds of being returned to prison for any reason or for a technical violation of supervision are much lower for persons sentenced to sex offender probation split supervision compared with those sentenced to other types of split supervision. For example, persons sentenced to a term of sex offender probation split supervision have a 47.9% lower odds ( $p<0.001$ ) of being returned to prison for any reason within one year of release from prison, a 36.6% lower odds ( $p<0.001$ ) of being returned to prison for any reason within two years of



release from prison, and a 31.2% lower odds ( $p < 0.001$ ) of being returned to prison for any reason within three years of release from prison compared with those sentenced to any other type of split supervision. Additionally, the results in Table 29 indicate that persons sentenced to a term of sex offender probation split supervision have an 81.3% lower odds ( $p < 0.001$ ) of being returned to prison for a technical violation of supervision within one year of release from prison, an 83.0% lower odds ( $p < 0.001$ ) within two years of release from prison, and an 83.3% lower odds ( $p < 0.001$ ) within three years of release from prison compared with those sentenced to any other type of split supervision.

Table 29. Effect of Being Sentenced to a Term of Sex Offender Probation Split Supervision versus Any Other Type of Split Supervision on Recidivism Outcomes: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio	$R^2$
<b>Arrest for a New Crime</b>				
Within 1 Year of Release	-0.357**	0.108	0.700	0.121***
Within 2 Years of Release	-0.289**	0.092	0.749	0.144***
Within 3 Years of Release	-0.246*	0.096	0.782	0.145***
<b>Conviction for a Felony Offense</b>				
Within 1 Year of Release	-0.402**	0.152	0.669	0.082***
Within 2 Years of Release	-0.247	0.127	0.781	0.080***
Within 3 Years of Release	-0.205	0.130	0.814	0.800***
<b>Return to Prison for Any Reason</b>				
Within 1 Year of Release	-0.651***	0.104	0.521	0.080***
Within 2 Years of Release	-0.455***	0.081	0.634	0.101***
Within 3 Years of Release	-0.374***	0.084	0.688	0.196***
<b>Return to Prison for a Technical Violation of Supervision</b>				
Within 1 Year of Release	-1.678***	0.263	0.187	0.128***
Within 2 Years of Release	-1.773***	0.262	0.170	0.141***
Within 3 Years of Release	-1.804***	0.264	0.167	0.170***

N=41,720

\* $p < 0.05$ , \*\* $p < 0.01$ , \*\*\* $p < 0.001$

Reference Categories: White, Property Offense, Community/Minimum Custody, Release Year 2007

Table 30 presents the logistic regression results comparing persons sentenced to community control split supervision with those sentenced to all other types of split supervision on recidivism outcomes. Findings again indicate that there are mixed effects of sentencing decision on recidivism, depending on which measure of recidivism is being used. Persons sentenced to a term of community control split supervision do not have statistically significant odds of being arrested for a new crime within three years of release; being convicted of a felony offense within one, two, or three years of release; or being returned to prison for any reason within one or three years of release from prison.

Table 30. Effect of Being Sentenced to a Term of Community Control Split Supervision versus Any Other Type of Split Supervision on Recidivism Outcomes: Binary Logistic Regression Model

	$\beta$	S.E.	Odds Ratio	R <sup>2</sup>
<b>Arrest for a New Crime</b>				
Within 1 Year of Release	-0.155***	0.042	0.857	0.120***
Within 2 Years of Release	-0.109**	0.039	0.897	0.144***
Within 3 Years of Release	-0.078	0.043	0.925	0.144***
<b>Conviction for a Felony Offense</b>				
Within 1 Year of Release	-0.074	0.058	0.928	0.083***
Within 2 Years of Release	-0.080	0.050	0.923	0.081***
Within 3 Years of Release	-0.082	0.050	0.921	0.081***
<b>Return to Prison for Any Reason</b>				
Within 1 Year of Release	-0.073	0.051	0.930	0.079***
Within 2 Years of Release	-0.084*	0.042	0.920	0.100***
Within 3 Years of Release	-0.079	0.043	0.924	0.196***
<b>Return to Prison for a Technical Violation of Supervision</b>				
Within 1 Year of Release	-0.264***	0.074	0.768	0.123***
Within 2 Years of Release	-0.251***	0.070	0.778	0.136***
Within 3 Years of Release	-0.235***	0.071	0.790	0.165***

N=41,720

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Reference Categories: White, Property Offense, Community/Minimum Custody, Release Year 2007

Persons sentenced to a term of community control split supervision do have statistically significant lower odds of being arrested for a new crime within one year (14.3%,  $p < 0.001$ ) or two years (10.3%,  $p < 0.01$ ) of being released from prison, compared with those sentenced to any other form of split supervision. They also have an 8.0% lower odds ( $p < 0.05$ ) of being returned to prison for any reason, compared with those sentenced to any other form of split supervision. Finally, those persons sentenced to a term of community control split supervision have significantly lower odds of being returned to prison for a technical violation of supervision compared to those sentenced to any other form of split supervision. Persons on community control split supervision have a 23.2% lower odds ( $p < 0.001$ ) of being returned to prison for a technical violation of supervision within one year of release, a 22.2% lower odds ( $p < 0.001$ ) of being returned to prison for a technical violation of supervision within two years of release, and a 21.0% lower odds ( $p < 0.001$ ) of being returned to prison for a technical violation of supervision within three years of release, compared to those sentenced to any other form of split supervision.

### **7.3 Survival Analysis (Cox Proportional Hazard Regression) Results**

Table 31 presents the results of Cox proportional hazard regression models for persons sentenced to any form of split supervision compared with those sentenced to prison only on recidivism outcomes. The findings in Tables 31 and 32 are described as hazard ratios (H.R.), which are the number of events per interval of time (Allison, 2010). In this instance, the time interval unit is the number of months between release from prison the last follow up date, and the event is recidivism (measured as arrest for a new crime, conviction for a felony offense, and return to prison for any reason). The last follow up date represents the right censored date. Additionally, while a hazard rate has no upward bound, it cannot be less than zero.

Findings in Table 31 mirror those of Table 26 and indicate that the hazard of being arrested for a new crime, being convicted for a felony offense, and being returned to prison for any reason is not statistically significantly different for those sentenced to any type of split supervision compared with those sentenced to a term of prison only.

Table 31. Effect of Being Sentenced to a Term of Split Supervision versus Prison Only on Recidivism Outcomes: Cox Proportional Hazard Regression Models

	$\beta$	S.E.	Hazard	$\chi^2$
<b>Any Split Supervision</b>				
Arrest for a New Crime	0.015	0.031	1.015	9,990.43***
Conviction for a Felony Offense	-0.006	0.048	0.994	3,739.63***
Return to Prison for Any Reason	0.039	0.041	1.039	6,813.27***

N=43,823

\*p<0.05, \*\*p<0.01, \*\*\*p<0.001

Reference Categories: White, Property Offense, Community/Minimum Custody, Release Year 2007

Table 32 presents the results of Cox proportional hazard regression models for each type of split supervision and recidivism. The findings presented in Table 32 mirror those presented in Tables 27-30. First, persons sentenced to felony probation split supervision have a slightly lower hazard of being arrested for a new crime (0.942 H.R., p<0.001) and a significantly lower hazard of being returned to prison for a technical violation of supervision (0.783 H.R., p<0.001), compared with those sentenced to any other type of split supervision. Those sentenced to a drug offender probation split supervision sentence have a slightly greater hazard of being returned to prison for any reason (1.033 H.R., p<0.01), compared to those sentenced to any other type of split supervision.

Persons sentenced to a term of sex offender probation split supervision had the largest difference in hazard rates for recidivism outcomes. Those sentenced to a term of sex offender

probation split supervision had a 30.9% lower hazard ( $p < 0.001$ ) of being arrested for a new crime, a 19.1% lower hazard ( $p < 0.05$ ) of being convicted for a felony offense, a 30.0% lower hazard ( $p < 0.001$ ) of being returned to prison for any reason, and an 88.2% lower hazard ( $p < 0.001$ ) of being returned to prison for a technical violation of supervision, compared with persons sentenced to any other form of split supervision.

Table 32. Effect of Being Sentenced to a Specific Term of Split Supervision versus Any Other Type of Split Supervision on Recidivism Outcomes: Cox Proportional Hazard Regression Models

	$\beta$	S.E.	Hazard	$\chi^2$
<b>Felony Probation Split Supervision</b>				
Arrest for a New Crime	-0.060***	0.014	0.942	9,679.29***
Conviction for a Felony Offense	-0.035	0.022	0.965	3,586.14***
Return to Prison for Any Reason	0.024	0.017	1.024	6,445.04***
Return to Prison for a Technical Violation of Supervision	-0.245***	0.035	0.783	3,311.56***
<b>Drug Offender Split Supervision</b>				
Arrest for a New Crime	0.032	0.026	1.033	9,645.42***
Conviction for a Felony Offense	0.041	0.039	1.042	3,579.71***
Return to Prison for Any Reason	0.091**	0.033	1.095	6,448.69***
Return to Prison for a Technical Violation of Supervision	-0.136	0.086	0.872	3,281.91***
<b>Sex Offender Split Supervision</b>				
Arrest for a New Crime	-0.370***	0.062	0.691	9,703.14***
Conviction for a Felony Offense	-0.212*	0.094	0.809	3,584.54***
Return to Prison for Any Reason	-0.356***	0.055	0.700	6,542.51***
Return to Prison for a Technical Violation of Supervision	-2.140***	0.298	0.118	3,403.26***
<b>Community Control Split Supervision</b>				
Arrest for a New Crime	-0.071**	0.023	0.932	9,653.64***
Conviction for a Felony Offense	-0.058	0.034	0.943	3,614.85***
Return to Prison for Any Reason	-0.040	0.027	0.961	6,828.67***
Return to Prison for a Technical Violation of Supervision	-0.228***	0.064	0.796	3,282.96***

N=43,823

\* $p < 0.05$ , \*\* $p < 0.01$ , \*\*\* $p < 0.001$

Reference Categories: White, Property Offense, Community/Minimum Custody, Release Year 2007

Finally, the findings in Table 32 indicate that there is a significantly lower hazard of being arrested for a new crime and for returning to prison for a technical violation of supervision for offenders sentenced to a term of community control split supervision, compared with those sentenced to any other type of split supervision. Those on community control split supervision have a 6.8% lower hazard ( $p < 0.01$ ) of being arrested for a new crime and a 20.4% lower hazard ( $p < 0.001$ ) of being returned to prison for a technical violation of supervision, compared to persons sentenced to any other form of split supervision. The results for conviction for a felony offense and return to prison for any reason did not achieve statistical significance.

#### **7.4 Summary of Findings**

This section summarizes the results from sections 7.1, 7.2, and 7.3, and the fifth and sixth research questions. The findings in section 7.1 address the differences between offenders receiving a split sentence and those sentenced to a term of prison only on the likelihood of post-prison recidivism. Sections 7.2 addresses the effect of sentencing decision (being sentenced to any form of split supervision compared to prison only, and to a specific type of split supervision compared to all other types of split supervision) on the likelihood of post-prison recidivism using logistic regression models. Section 7.3 addresses the effect of sentencing decision (being sentenced to any form of split supervision compared to prison only, and to a specific type of split supervision compared to all other types of split supervision) on the likelihood of post-prison recidivism using Cox proportional hazard regression models. The methods used and variables selected for analysis in Tables 21 through 32 are described in Chapter 4.

Research question five asks: What is the effect of receiving a split sentence on the likelihood of post-prison recidivism (arrest, conviction, and return to prison), versus those sentenced to a term of prison only? Results presented in Table 21 indicate that there are

significant differences in recidivism outcomes (arrest for a new crime within one, two, and three years of release from prison; conviction for a felony offense within one, two, and three years of release from prison; and return to prison for any reason within one, two, and three years of release from prison) for persons sentenced to any type of split supervision, compared with those sentenced to a term of prison only. Table 26 reports the results of this analysis using logistic regression models, while Table 31 reports the results of this analysis using Cox proportional hazard regression models. Overall, findings indicate that while there may appear to be a statistically significant difference between those sentenced to any form of split supervision and those sentenced to prison only in terms of recidivism outcomes, when including covariates into a regression model (logistic or Cox proportional hazard) the effect disappears for almost all measures of recidivism and vanishes entirely when considering the effect of timing to the event.

Research question six asks: What is the effect of receiving a specific type of split sentence (felony probation split supervision, drug offender probation split supervision, sex offender probation split supervision, or community control split supervision) on the likelihood of post-prison recidivism (arrest, conviction, return to prison, and return to prison for a technical violation of supervision), across types of split sentences? The results show that, similar to those of research question five, the strongest relationship between sentencing outcomes and recidivism exists in the mean differences between the primary independent variable and dependent variables. Tables 22-25 report mostly significant differences between those sentenced to a specific type of split supervision, compared with those sentenced to all other forms of split supervision. However, when using logistic regression, some results lose statistical significance.

When comparing the logistic regression results in Tables 27-30 to the Cox proportional hazard regression model results in Table 32, one conclusion that can be drawn is that the results

between the two statistical techniques are consistent. Those sentenced to a term of felony probation split supervision are less likely to be arrested for a new crime and are less likely to return to prison for a technical violation of supervision, compared to those sentenced to any other form of split supervision. Persons sentenced to a term of drug offender probation split supervision are more likely to be returned to prison for any reason compared to those sentenced to any other type of split supervision. Offenders sentenced to a term of sex offender probation split supervision are less likely to be arrested for a new crime, convicted for a felony offense, returned to prison for any reason, and returned to prison for a technical violation of supervision, compared to those sentenced to any other form of split supervision. Finally, those sentenced to a term of community control split supervision are less likely to be arrested for a new crime or returned to prison for a technical violation of supervision, compared to those sentenced to any other type of split supervision.



## **CHAPTER 8**

### **CONCLUSION**

This final chapter has three objectives: provide a summary of the results of the present study, acknowledge the limitations of the current study as well as how future research may be able to address these limitations, and discuss the policy implications of the findings presented. Section 8.1 will summarize the key findings from the present study, as well as discuss how these results fit within the prior research on split supervision. Section 8.2 will discuss the limitations of the current study, as well as the various ways in which future research may be able to continue to address the effects of split supervision. While this study is an early step in the examination of split supervision, Section 8.3 will outline policy implications that can be drawn from the present findings.

#### **8.1 Summary**

Chapters 5, 6, and 7 contain a host of tables displaying the empirical results from the present dissertation, along with text that interprets the results. In order to highlight the larger findings from this study, a summary of the results is provided. The six research questions that are addressed in this paper will be presented and the key findings that inform the answers to the questions are highlighted.

##### **8.1.1 Predicting Sentencing Decisions**

The first two research questions focus on the difference between persons sentenced to any split supervision sentence and those sentenced to prison only, as well as the differences between persons sentenced to a specific type of split supervision and any other type of split

supervision. Research question one is addressed with Tables 1 and 6, while research question two is addressed with Tables 2-5 and 7-10.

**8.1.1.1 Any Split Supervision.** The first research question ask what are the differences between offenders receiving a split sentence and those sentenced to a term of prison only. Using both mean difference tests (t-tests) and logistic regression modeling, the findings from this paper indicate that persons who are sentenced to any term of split supervision are, on average, white males, are slightly older than those sentenced to prison, and are generally more likely to be sentenced on a more serious offense (i.e., murder/manslaughter, sex offenses, robbery, other violent, and property offenses) than those who receive a sentence to prison only. They also generally have less lengthy prior criminal histories including slightly fewer prior arrests, prior convictions, and prior terms of community supervision, and spend approximately one additional month in jail pre-trial than persons who receive a term of prison only. Variables with the largest difference in odds are among primary offense and, like the means differences presented in Table 1, indicate that persons with a more serious primary offense (i.e., murder/manslaughter, sex offenses, robbery offenses, and other violent offenses) have significantly greater odds of being sentenced to a term of split supervision than a sentence to prison only. Having any prior term of supervision was also associated with a significantly lower odds of being sentenced to split supervision compared to being sentenced to prison only. These findings may complement research done by Talarico and Meyers (1987) which hypothesized that split sentencing is used by judges to enforce more punitive sanctions on offenders. While not directly testing judges' intentions in sentencing, the findings of this paper indicate that, in general, more serious offenders are sentenced to a term of split supervision, as compared to those sentenced to prison only. If the use of split supervision is considered "punitive" (in that it is an additional sanction of

community supervision to follow incarceration), then the results of this paper show that judges may be more likely to impose a split sentence on more serious offenders as a means to maintain official control (via the Department of Corrections) over these offenders after they are released from incarceration.

Based on these results, two things are clear. First, that there is enough variation between persons sentenced to any term of split supervision and those sentenced to prison only to justify further examination of the two groups. Second, that it appears judges are primarily considering the demographic characteristics, current offenses, and prior criminal history of offenders when determining whether to sentence a person to a period of split supervision or to sentence them to prison only.

**8.1.1.2 Types of Split Supervision.** The second research question asks what are the differences between offenders receiving a specific type of split sentence (felony probation, drug offender, sex offender, and community control) compared to those sentenced to other forms of split supervision. As with research question one, mean differences tests and logistic regression modeling were used to answer this question. The answer to the second research question is, broadly, that different factors are of importance to different forms of split supervision.

Different variables play a role in determining the likelihood of a person being sentenced to a specific type of split supervision, compared to all other types of split supervision. For example, blacks and men are slightly less likely to be placed on felony probation split supervision while Hispanics are slightly more likely to be placed on felony probation split supervision compared to all other forms of split supervision. Primary offense plays a mixed role in that those charged with sex and drug offenses are less likely to be placed on felony probation split supervision, while those with burglary and property offenses are more likely to receive the

same sentence. Those sentenced to felony probation split supervision are also slightly more likely to have lengthier criminal histories. The largest odds ratio that is associated with being sentenced to a term of felony probation split supervision is whether a person had a previous term of supervision. Other important factors include the primary offense, number of prior prison commitments, gender, and ethnicity (Hispanic or not) of the offender.

Gender, race, ethnicity, and age all play a role in the likelihood that a person will be sentenced to drug offender probation split supervision, compared with all other forms of split supervision. Primary offense plays a role to the extent that drug offenders are significantly more likely to receive a drug offender probation split supervision sentence and offenders with all other types of primary offenses are less likely to receive the same sentence. Persons sentenced to drug offender split supervision are also generally less likely to have lengthy criminal histories and to have spent slightly less time in jail pre-trial than those sentenced to other forms of split supervision. For persons sentenced to drug offender probation split supervision, the largest odds ratios are associated with primary offense (if the person was sentenced to a drug offense), gender, race and ethnicity, pre-prison employment, and whether the person had ever served in the military.

Persons placed on sex offender probation split supervision are, on average, older white males compared to those sentenced to any other form of split supervision. Similar to drug offender probation, the primary offense type is an important factor in the likelihood of being sentenced to sex offender probation split supervision. Persons whose primary offense is a sex offense are much more likely to be sentenced to sex offender probation split supervision than those whose primary offense is for any other crime. Additionally, those sentenced to sex offender probation split supervision are much less likely to have lengthy criminal histories and are slightly

more likely to have spent a longer time in jail pre-trial than those sentenced to any other form of split supervision. Similar to those sentenced to drug offender probation split supervision, the largest odds ratio for a person sentenced to sex offender probation split supervision is associated with having a sex offense as the primary offense. Other important factors include having an “other violent” primary offense, pre-prison employment, having a previous term of supervision, gender, race and ethnicity, and being a gang member.

Finally, persons sentenced to a term of community control split supervision are generally slightly more likely to be male, black, and younger than those sentenced to any other form of split supervision. With the exception of persons whose primary offense is a sex offense, those sentenced to a term of community control split supervision are generally more likely to have a more serious primary offense, such as murder/manslaughter, robbery, other violent offenses, and burglary. They are also likely to have spent slightly more time in jail pre-trial than those sentenced to any other form of split supervision. For persons sentenced to a term of community control split supervision, the largest odds ratios are associated with the primary offense.

Overall, findings from this chapter indicate that judges likely weigh some factors (such as demographic characteristics and primary offense) more heavily than others (such as whether the offender has any children) when determining whether to sentence a person to split supervision or prison only, and when determining what specific type of split supervision to sentence them to. An additional finding of interest is that the county in which a person is sentenced has little effect on the type of sentence that they receive (either to split supervision versus prison only or to the type of split supervision they receive). Even though there is variation in the use of split supervision across the 67 counties in Florida, when modeled with other factors the county of sentencing is typically non-significantly related to the sentencing type.

## **8.1.2 Sentencing Decision and Post-Prison Employment**

The third and fourth research questions address the effect of sentencing decision (any split supervision versus prison only and between types of split supervision) on two measures of post-prison employment. Research question three is addressed with Tables 11 and 16, while research question four is addressed with Tables 12-15 and 17-20.

**8.1.2.1 Any Split Supervision.** The third research question asks what the effect of receiving a split sentence, versus prison only, is on the likelihood of obtaining post-prison employment. As with research questions one and two, mean differences tests and logistic regression modeling were used to answer this question. The answer to the third research question is that, while there may be statistically significantly different means in employment outcomes for those sentenced to split supervision versus those sentenced to prison only, these differences are no longer present when holding a host of factors constant in the logistic regression models. The null findings in itself is interesting, in that it indicates any differences between the two groups can be accounted for by controlling for factors such as demographic characteristics, individual differences both pre-incarceration and during the period of incarceration, and prior criminal history. Chapter 3 outlines possible explanations for why being sentenced to a term of split supervision might increase or decrease the likelihood of obtaining employment after release from prison. The results of Table 16 indicate that any possible positive and negative factors related to employment outcomes cancel each other out, thus leaving a null finding.

**8.1.2.2 Types of Split Supervision.** The fourth research question asks what the effect of receiving a specific type of split sentence, versus all other types of split supervision, is on the likelihood of obtaining post-prison employment. As with research questions one, two, and three, mean differences tests and logistic regression modeling were used to answer this question. The

answer to the third research question is that there is largely no relationship between the type of split supervision a person is sentenced to and their odds of obtaining employment after release from prison. Persons sentenced to felony probation split supervision are, on average, slightly more likely to obtain employment after release from prison than persons sentenced to another form of split supervision. However, as the results in Table 17 show, this finding does not maintain statistical significance once controls are included in the logistic regression model.

Findings in Table 13 indicate that there is not a statistically significant difference between persons sentenced to drug offender probation split supervision and those sentenced to other types of split supervision on the likelihood of obtaining post-prison employment. However, the logistic regression findings in Table 18 indicate the exact opposite. Persons sentenced to drug offender probation split supervision (as compared to other types of split supervision) have significantly lower odds of obtaining employment within the first quarter after release from prison as well as within the first five quarters after release. It is possible that, despite serving shorter sentences in prison, persons sentenced to drug offender probation split supervision have a uniquely difficult time obtaining employment after release from prison, possibly either due to the nature of their offense (primarily for drugs) or to the nature of their supervision, which requires a more intensive form of supervision with increased drug testing and oversight from the probation officer.

In terms of post-prison employment, the findings reported in Table 14 indicate that there are slight differences between those sentenced to sex offender probation split supervision and those sentenced to other types of split supervision in terms of obtaining employment within the first quarter, however this difference loses statistical significance when looking at the first five quarters after release from prison. The logistic regression model findings reported in Table 19

indicate that there is no longer a statistically significant effect of being sentenced to a term of sex offender probation split supervision (compared with all other types of split supervision) on employment outcomes.

Table 15 indicates that persons sentenced to community control split supervision are slightly more likely to obtain employment within the first quarter and within the first five quarters after release from prison, as compared to persons sentenced to any other type of split supervision. However, much like many of the findings previously reported, when holding a host of variables constant in a logistic regression model there is no longer a statistically significant difference in the odds of obtaining employment after release from prison for persons sentenced to community control split supervision compared with other types of split supervision.

Overall, these findings indicate that there is little-to-no difference between persons sentenced to split supervision on employment outcomes, at least within the first quarter after release and within the first five quarters after release. It could be possible that differences begin to emerge either within shorter timeframes (i.e., within the first month after release) or within longer timeframes (i.e., within the first two years after release) that are not captured in the present study. In spite of the null findings (with the exception of drug offender probation split supervision), this research is still an advancement over prior research that failed to include post-prison employment as an outcome measure for persons sentenced to split supervision (Spivak & Damphousse, 2006).

### **8.1.3 Sentencing Decision and Recidivism**

The fifth and sixth research questions address the effect of sentencing decision (any split supervision versus prison only and between types of split supervision) on multiple measures of recidivism. Research question five is addressed with Tables 21, 26 and 31, while research



question six is addressed with Tables 22-25, 27-30, and 32. These effects are modeled using means difference tests, logistic regression, and Cox proportional hazard regression models.

**8.1.3.1 Any Split Supervision.** The fifth research question asks what the effect of receiving a split sentence, compared to prison only, is on the likelihood of recidivism. For persons sentenced to any type of split supervision, means difference tests reported in Table 21 indicate that the likelihood of arrest for a new crime and conviction for a felony offense (both measured at one, two, and three years after release from prison) is significantly lower than it is for persons sentenced to prison only. However, the likelihood of returning to prison for any reason is significantly greater for those sentenced to split supervision compared with those sentenced to prison only. Logistic regression models provided in Table 26 indicate that, when controlling for a host of variables, there is no longer a statistically significant difference in odds of recidivating (with the exception of returning to prison for any reason within one year of release) between the two groups. These findings are mirrored in Table 31, which reports the hazard ratios for persons sentenced to any split supervision compared with those sentenced to prison only.

These findings are different from prior research, which found a significant decrease in the hazard of being returned to prison for persons sentenced to split supervision (Spivak & Damphousse, 2006). It is possible that differences in outcomes are a function of the different populations of offenders in Florida compared with those analyzed in Oklahoma by Spivak and Damphousse (2006). Additional research involving populations from different time periods and different jurisdictions that use split supervision as a sentencing outcome are warranted.

**8.1.3.2 Types of Split Supervision.** The sixth research question asks what the effect of receiving a specific type of split supervision, compared to all other types of split supervision, is

on the likelihood of recidivism. Findings indicate that being sentenced to felony probation split supervision is associated with an increased likelihood of being arrested for a new crime within three years and being convicted for a felony offense within one, two, and three years of release. However, when considering the likelihood of being returned to prison for any reason or for a technical violation of supervision (within one, two, and three years of release), offenders sentenced to felony probation split supervision are significantly less likely to recidivate compared to those on other types of split supervision. Interestingly, when controlling for a host of covariates, Table 27 reports that the odds of being arrested for a new crime and being returned to prison for a technical violation (within one, two, and three years of release for both measures) are significantly less for persons on felony probation split supervision. Additionally, the odds of being convicted for a felony offense and being returned to prison for any reason are no longer statistically significant. The same findings are present in Table 32, which reports the hazard ratios for persons sentenced to felony probation split supervision and recidivism outcomes. While there is no research that examines the effects of types of split supervision on post-prison arrest, these findings fit within the research done by Gelb, et al., which found that parole reduces the likelihood of arrest.

Findings for persons sentenced to drug offender probation split supervision indicate that they are, on average, less likely to be returned to prison for any reason or for a technical violation of supervision (at one, two, and three years after release from prison) than those sentenced to other types of split supervision. They are, however, on average more likely to be convicted for a felony offense within two and three years of release from prison. Results of mean differences tests for arrest for a new crime within one, two, and three years of release and conviction for a felony offense within one year of release did not produce statistically significant results. When

modeling the effect of receiving drug offender probation split supervision on recidivism outcomes using logistic regression, the findings in Table 28 indicate that persons with this particular sentence have significantly greater odds of being arrested for a new crime within three years of release, being convicted for a felony offense within three years of release, and being returned to prison for any reason (within one, two, and three years of release) compared to those sentenced to other types of split supervision. The logistic regression models in Table 28 did not produce statistically significantly different odds of being arrested for a new crime (within one and two years), being convicted of a felony offense (within one and two years), or of being returned to prison for a technical violation of supervision. When using Cox proportional hazard regression models, Table 32 reports that persons sentenced to drug offender probation split supervision have significantly higher hazard ratios for returning to prison for any reason, compared with those sentenced to other forms of split supervision.

Findings indicate that, across measures of recidivism, those on sex offender probation split supervision are significantly less likely to recidivate. This holds true for arrest for a new crime, conviction for a felony offense, return to prison for any reason, and return to prison for a technical violation of supervision (all measured within one, two, and three years of release from prison). Logistic regression model results presented in Table 29 almost perfectly mirror the means differences reported in Table 24. Findings in Table 29 indicate that persons sentenced to sex offender probation split supervision have significantly lower odds of being arrested for a new crime (within one, two, and three years of release), being convicted for a felony offense within one year of release, being returned to prison for any reason or being returned to prison for a technical violation of supervision (within one, two, and three years of release for both measures). Additionally, Table 32 presents findings that indicate that persons on sex offender probation split

supervision have significantly lower hazards of recidivating across all four measures of recidivism. These findings indicate that the use of split supervision may be particularly salient for sex offenders.

The mean differences for persons sentenced to community control split supervision and those sentenced to other types of split supervision generally do not statistically significantly differ on recidivism outcomes. The exceptions are being arrested for a new crime within three years of release and being returned to prison for any reason within three years of release. However, when modeling the relationship using logistic regression and including a host of covariates, this changes. As the findings in Table 30 indicate, persons sentenced to community control split supervision have lower odds of being arrested for a new crime (within one and two years of release), of being returned to prison for any reason within two years of release, and of being returned to prison for a technical violation of supervision (within one, two, and three years of release from prison). The odds of being arrested for a new crime within three years of release, of being convicted for a felony offense (within one, two, and three years of release), and of being returned to prison for any reason within one and three years of release are not significantly different between the two groups. These findings are largely mirrored in Table 32, which reports hazard ratios for the four outcomes. Findings in Table 32 show that persons sentenced to a term of community control split supervision have significantly lower hazards of being arrested for a new crime and of being returned to prison for any reason, compared with other types of split supervision. There were no statistically significant differences between the two groups for being convicted of a new felony offense and being returned to prison for any reason. These findings indicate that, while community control split supervision may be effective at reducing the

likelihood of arrest for a new crime, there is likely little-to-no effect on post-prison convictions of returning to prison for any reason.

Overall, findings indicate two important distinctions: first, that there are significant differences between sentencing outcomes (split supervision versus prison only and between types of split supervision) on recidivism. Second, that there are differences in outcomes across measures of recidivism. By including only one measure of recidivism (such as return to prison for any reason) it is possible that important distinctions between sentencing outcomes and variations in measuring recidivism will be missed.

The only result that is comparable to previous research is the Cox proportional hazard regression model reported in Table 31 that shows the effect of receiving a sentence to any type of split supervision on returning to prison for any reason. The results found in this paper are inconsistent with prior research (Spivak & Damphousse, 2006) in that the findings from this paper indicate an increased hazard of recidivating by returning to prison for any reason, however the results are not statistically significant. It is possible that the variation in findings is a product of the differing characteristics of persons sentenced in Florida with those sentenced in Oklahoma. Additionally, the research by Spivak and Damphousse (2006) was conducted on a cohort of inmates released between January 1, 1985 and December 31, 1999 while the current study uses a cohort of inmates released between 2004 and 2011. The nearly twenty year difference between the two cohorts could also account for differences in recidivism outcomes.

## **8.2 Limitations**

There are several shortcomings in this study that could be improved in order to better understand the factors related to sentencing decisions and post-prison outcomes among persons sentenced to split supervision. The first two research questions address whether there is variation

in sentencing offenders to split supervision (compared to prison only) and between the types of split supervision. The current study was unable to account for variations across individual judges, although it attempted to approximate this variation by using the county of sentencing as a proxy for judges. Other county-level variables that may account for differences in sentencing outcome, as well as post-prison employment and recidivism, include the socioeconomic status of the counties from which offenders are being sentenced, the political climate (i.e., conservative and “tough on crime” or liberal and rehabilitation-focused), employment rate, and average educational attainment of the counties from which offenders are sentenced. Other aspects of sentencing that might impact whether a person is given split supervision or prison only may include the number of points they have according to the Florida Sentencing Guidelines, and the nature of the relationship between members of the courtroom workgroup (e.g., the judge, the prosecuting attorney, and the defense attorney). A qualitative evaluation of judges, prosecutors, and defense attorneys would provide additional information into the “why” of sentencing decisions, while county-level data would provide more context to the communities from which offenders are coming and to which they return.

This study was unable to account for a more nuanced examination of employment. First, the study was limited by the available Florida Department of Revenue (FDR) data, which is self-reported by employers. Because of this, employment data is unable to capture possible differences in obtaining part-time versus full-time employment, the amount of wages an individual earns, and the type of employment that they obtain. There are also no measures included that account for whether a person is employed once during the study periods, or multiple times. Including a measure that captures the length and stability of employment might better help to understand differences in persons obtaining and maintaining employment after

release from prison. Ideally, self-reported employment data would be used to complement the data available from the FDR.

One key measure that was not captured in this study was that of housing after release from incarceration. Prior research has documented the importance of housing on improved reentry outcomes (Travis, 2005). Finding steady housing is critical for the success of ex-inmates, and can be particularly problematic for sex offenders who are subjected to increased restrictions on where they can live. Other potential housing barriers for supervised offenders may including restrictions on the places they may frequent and around persons (such as victims) that they may not have contact with. Being able to assess whether a person returns to a homeless shelter or a stable family home may be important to understanding post-prison outcomes.

As was touched on previously, the county contextual factors that are present in both the county of sentencing and the county to which an individual returns may influence both sentencing outcomes and post-prison outcomes. Research indicates that the community context to which an inmate returns upon release from prison has an effect on their reentry outcomes (see Hipp, Petersilia & Turner, 2010; Kubrin & Stewart, 2006; and Mears, Wang, Hay, & Bales, 2008). Some studies have found that wealthier neighborhoods may serve as a protective factor for reducing recidivism among ex-inmates while other studies indicate that the labor market conditions within a community may effect reentry outcomes (Wang, Mears, & Bales, 2010). In essence, communities that have few or no opportunities in industries that are willing to hire ex-inmates creates competition between ex-inmates returning to those areas. More detailed information about the communities from which inmates are sentenced and to which they return after release from prison would allow for additional understanding of sentencing outcomes and post-prison outcomes.

### **8.3 Implications**

The findings presented in this study have potential implications for judicial sentencing and correctional policies. These implications will be discussed according to the three substantive topics that have previously been presented. Finally, a discussion of future directions for research will be included.

#### **8.3.1 Sentencing Decisions**

Given that this research begins with an examination of what factors may account for variations in sentencing, some guidance for judges is warranted. First, there appears to be significant differences between persons who are sentenced to split supervision compared to those sentenced to prison only. These fall along the lines of demographics, as well as primary offense and prior criminal history. As such, judges who are weighing whether to sentence an individual to a term of split supervision or to a term of prison only should carefully examine their own potential biases. A host of studies have examined the effects of bias in sentencing (see Baumer, 2013; Everett & Wojtkiewicz, 2002; and Kleck, 1981) and when faced with discretionary sentencing judges should be particularly careful that they are not introducing personal biases into their sentencing decisions.

#### **8.3.2 Post-Prison Employment**

The primary finding for persons sentenced to split supervision is that there is likely no significant effect on their odds of obtaining employment after release from prison. This finding in itself has important connotations for correctional policies. First, prisons should emphasize employment training in fields where ex-inmates are likely to be hired while an offender is incarcerated. In this effort, the state of Arizona can serve as a leader. In 2016 the state introduced



“Second Chance Centers” which house offenders close to their release date and provide them with in-demand skills, identification (such as a Driver’s License or State Identification), and tools (such as proper clothing for interviews and work, construction tools, and boots) that will assist them with obtaining and keeping employment after release from prison (Expanding Arizona’s Successful Second Chance Programs, 2018). Correctional leaders in Florida may well take note of the Arizona model, as to increase post-prison employment among released offenders.

### **8.3.3 Recidivism**

Policymakers who wish to reduce recidivism in Florida should consider looking to split supervision as a means to potentially lower the rate of post-prison reoffending and returning to prison. Findings from this study indicate that while split supervision as a whole may not have a positive effect on reducing the likelihood that an individual will recidivate, specific types of split supervision are shown to be effective. In particular, those sentenced to a term of felony probation split supervision are less likely to be arrested for a new crime and less likely to be returned to prison for a technical violation of supervision. Those sentenced to sex offender probation split supervision are less likely to be arrested for a new crime, convicted for a felony offense, returned to prison for any reason, and returned to prison for a technical violation of supervision. Persons sentenced to community control split supervision are less likely to be arrested for a new crime, returned to prison for any reason, and returned to prison for a technical violation of supervision. When determining possible sentencing outcomes, it appears that tying the type of split supervision to the offender can be effective at reducing multiple measures of recidivism. Drug offender probation, however, is the exception to this as both logistic regression and Cox proportional hazard regression models indicate an increased likelihood of recidivism. It is

possible that lawmakers and correctional policymakers should reevaluate the requirements of drug offender probation to see if they are really necessary to aid those with drug and addiction problems.

#### **8.4 Future Directions for Research**

Future directions for research that examines both the factors that are correlated with sentencing an individual to a term of split supervision and the post-prison outcomes for persons serving a period of split supervision can include the addition of variables mentioned in Section 8.2. Future research should attempt to gain additional information from sentencing judges in order to determine if bias is truly present during the time of sentencing, including qualitative data. Additionally, future studies can expand upon the work that was presented here in terms of post-prison employment outcomes. It is possible that while there are generally no substantial differences between persons sentenced to split supervision and between types of split supervision and employment outcomes, there may still be important nuances to uncover (for example, between wages earned and types of employment obtained after release from prison). Future research should also consider the effect of county level contextual variables that were not included in this study. Perhaps the real determination of post-prison success is more strongly tied to the community in which a person returns to after release from incarceration.

In summary, this work is a step forward in the examination of factors that play a role in determining whether an individual is sentenced to split supervision (versus prison only) and between types of split supervision, as well as an examination of the effects of split supervision on post-prison outcomes of employment and recidivism. This work builds on the work of Spivak and Damphousse (2006) and the body of literature that examines community supervision and post-prison outcomes among released inmates.

# APPENDIX A

## IRB APPROVAL LETTERS



Office of the Vice President For Research  
Human Subjects Committee  
Tallahassee, Florida 32306-2742  
(850) 644-8673 · FAX (850) 644-4392

### APPROVAL MEMORANDUM

Date: 08/13/2016

To: **Catie Clark** [REDACTED]

Address: 1127

Dept.: **CRIMINOLOGY AND CRIMINAL JUSTICE**

From: Thomas L. Jacobson, Chair

Re: **Use of Human Subjects in Research**  
**Examining Post-Prison Supervision: Assessing the Likelihood of Sentencing, Incarceration Experience, and Recidivism and Employment Outcomes for Florida Inmates**

The application that you submitted to this office in regard to the use of human subjects in the research proposal referenced above has been reviewed by the Human Subjects Committee at its meeting on 10/14/2015. Your project was approved by the Committee.

The Human Subjects Committee has not evaluated your proposal for scientific merit, except to weigh the risk to the human participants and the aspects of the proposal related to potential risk and benefit. This approval does not replace any departmental or other approvals which may be required.

If you submitted a proposed consent form with your application, the approved stamped consent form is attached to this approval notice. Only the stamped version of the consent form may be used in recruiting research subjects.

If the project has not been completed by 10/12/2016 you must request a renewal of approval for continuation of the project. As a courtesy, a renewal notice will be sent to you prior to your expiration date; however, it is your responsibility as the Principal Investigator to timely request renewal of your approval from the Committee.

You are advised that any change in protocol for this project must be reviewed and approved by the Committee prior to implementation of the proposed change in the protocol. A protocol change/amendment form is required to be submitted for approval by the Committee. In addition, federal regulations require that the Principal Investigator promptly report, in writing, any unanticipated problems or adverse events involving risks to research subjects or others.

By copy of this memorandum, the chairman of your department and/or your major professor is reminded that he/she is responsible for being informed concerning research projects involving human subjects in the department, and should review protocols as often as needed to insure that the project is being conducted in compliance with our institution and with DHHS regulations.

This institution has an Assurance on file with the Office for Human Research Protection. The Assurance Number is IRB00000446.

Cc: **William Bales** [REDACTED], Advisor  
HSC No. 2015.16539



Office of the Vice President For Research  
Human Subjects Committee  
P. O. Box 3062742  
Tallahassee, Florida 32306-2742  
(850) 644-8673 · FAX (850) 644-4392

RE-APPROVAL MEMORANDUM

Date: 06/15/2017

To: Catie Clark [REDACTED]

Address: 1127

Dept.: CRIMINOLOGY AND CRIMINAL JUSTICE

From: Thomas L. Jacobson, Chair

Re: Re-approval of Use of Human subjects in Research:  
Examining Post-Prison Supervision: Assessing the Likelihood of Sentencing, Incarceration Experience, and  
Recidivism and Employment Outcomes for Florida Inmates

Your request to continue the research project listed above involving human subjects has been approved by the Human Subjects Committee. If your project has not been completed by 09/13/2017, you are must request renewed approval by the Committee.

If you submitted a proposed consent form with your renewal request, the approved stamped consent form is attached to this re-approval notice. Only the stamped version of the consent form may be used in recruiting of research subjects. You are reminded that any change in protocol for this project must be reviewed and approved by the Committee prior to implementation of the proposed change in the protocol. A protocol change/amendment form is required to be submitted for approval by the Committee. In addition, federal regulations require that the Principal Investigator promptly report in writing, any unanticipated problems or adverse events involving risks to research subjects or others.

By copy of this memorandum, the Chairman of your department and/or your major professor are reminded of their responsibility for being informed concerning research projects involving human subjects in their department. They are advised to review the protocols as often as necessary to insure that the project is being conducted in compliance with our institution and with DHHS regulations.

Cc:  
HSC No. 2016.18991



Office of the Vice President For Research  
Human Subjects Committee  
P. O. Box 3062742  
Tallahassee, Florida 32306-2742  
(850) 644-8673 · FAX (850) 644-4392

RE-APPROVAL MEMORANDUM

Date: 04/12/2018

To: Catie Clark [REDACTED]

Address: 1127

Dept.: CRIMINOLOGY AND CRIMINAL JUSTICE

From: Thomas L. Jacobson, Chair

Re: Re-approval of Use of Human subjects in Research:  
Examining Post-Prison Supervision: Assessing the Likelihood of Sentencing, Incarceration Experience, and  
Recidivism and Employment Outcomes for Florida Inmates

Your request to continue the research project listed above involving human subjects has been approved by the Human Subjects Committee. If your project has not been completed by 07/11/2018, you are must request renewed approval by the Committee.

If you submitted a proposed consent form with your renewal request, the approved stamped consent form is attached to this re-approval notice. Only the stamped version of the consent form may be used in recruiting of research subjects. You are reminded that any change in protocol for this project must be reviewed and approved by the Committee prior to implementation of the proposed change in the protocol. A protocol change/amendment form is required to be submitted for approval by the Committee. In addition, federal regulations require that the Principal Investigator promptly report in writing, any unanticipated problems or adverse events involving risks to research subjects or others.

By copy of this memorandum, the Chairman of your department and/or your major professor are reminded of their responsibility for being informed concerning research projects involving human subjects in their department. They are advised to review the protocols as often as necessary to insure that the project is being conducted in compliance with our institution and with DHHS regulations.

Cc:  
HSC No. 2017.21442



Office of the Vice President For Research  
Human Subjects Committee  
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Tallahassee, Florida 32306-2742  
(850) 644-8673 · FAX (850) 644-4392

RE-APPROVAL MEMORANDUM

Date: 05/10/2018

To: Catie Clark [REDACTED]

Address: 1127

Dept.: CRIMINOLOGY AND CRIMINAL JUSTICE

From: Thomas L. Jacobson, Chair

Re: Re-approval of Use of Human subjects in Research:  
Examining Post-Prison Supervision: Assessing the Likelihood of Sentencing, Incarceration Experience, and  
Recidivism and Employment Outcomes for Florida Inmates

Your request to continue the research project listed above involving human subjects has been approved by the Human Subjects Committee. If your project has not been completed by 05/08/2019 , you are must request renewed approval by the Committee.

If you submitted a proposed consent form with your renewal request, the approved stamped consent form is attached to this re-approval notice. Only the stamped version of the consent form may be used in recruiting of research subjects. You are reminded that any change in protocol for this project must be reviewed and approved by the Committee prior to implementation of the proposed change in the protocol. A protocol change/amendment form is required to be submitted for approval by the Committee. In addition, federal regulations require that the Principal Investigator promptly report in writing, any unanticipated problems or adverse events involving risks to research subjects or others.

By copy of this memorandum, the Chairman of your department and/or your major professor are reminded of their responsibility for being informed concerning research projects involving human subjects in their department. They are advised to review the protocols as often as necessary to insure that the project is being conducted in compliance with our institution and with DHHS regulations.

Cc:  
HSC No. 2018.23730

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## **BIOGRAPHICAL SKETCH**

Catie Lynn Clark holds a Master of Science in Criminology from Florida State University and a Bachelor of Arts in Political Science from the University of Central Florida. Ms. Clark recently relocated to Arizona to serve as the Director of the Statistical Analysis Center (SAC) for the Arizona Criminal Justice Commission. Prior to serving as the SAC Director, she was a Research Assistant at Florida State University's (FSU) College of Criminology and Criminal Justice while completing her doctorate in Criminology. While at FSU, Ms. Clark taught two undergraduate Criminology courses ("Introduction to Research Methods" and "Criminal Justice Policy") during various semesters between Fall 2010 and Spring 2016. Ms. Clark previously served as a Research Associate with the National Center for State Courts, where she worked on projects related to Drug Courts at both the state and local levels. During her time with the National Center for State Courts, Ms. Clark assisted with a site visit to a juvenile drug court, the data analysis and assessment of both adult and juvenile drug court programs in various locales across the United States, and the completion of technical reports relative to these projects. Prior to attending graduate school at Florida State University, Ms. Clark served as a certified Felony Probation Officer with the State of Florida's Department of Corrections. During her time as a probation officer, Ms. Clark supervised a caseload of approximately 100 felony offenders, testified in violation of probation hearings, and prepared reports and pre-sentencing investigations for various Circuit Court judges.

Ms. Clark serves as the Chair of the Arizona Substance Abuse Epidemiology Work Group, and serves as a member of the Arizona Substance Abuse Partnership; the Prescription Drug Core Group; the Youth Prevention Sub-Group; the Forensic Science Advisory Committee; the Governor's Recidivism Reduction Core Team, Data Team (as Lead), and Evaluation Team

(as Co-Lead). She has also served as a peer-reviewer for the academic journal *Criminal Justice Policy Review*, and as a peer-reviewer for the Residential Substance Abuse Treatment Program grant, the High School Health and Wellness grant, and as a peer-reviewer for the Office of Justice Programs. While at FSU, she also served as the representative for the FSU College of Criminology in the FSU Congress of Graduate Students. She is currently a member of the American Society of Criminology, the Academy of Criminal Justice Sciences, Western Society of Criminology, and the Justice Research and Statistics Association where she serves on the Relationships Committee and Technical Assistance and Capacity Building Committee, and is a candidate for the 2018-2019 Executive Committee as the Secretary/Treasurer.

Throughout her career, Ms. Clark has conducted numerous presentations, research reports, and publications that examine the recidivism of released inmates in Florida, a variety of criminal justice and substance abuse topics in Arizona, and the effectiveness of correctional programming. Her research interests focus on correctional populations (both community and incarcerated), as well as the evaluation of correctional programs.