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# **City Club** *of Portland*

## **BULLETIN**

Portland, Oregon

Vol. 62, No. 24

**November 9, 1981**

**Printed herein for presentation, discussion and action  
on Friday, November 13, 1981:**

### **REPORT ON HALFWAY HOUSES: A COMMUNITY-BASED ALTERNATIVE TO THE CELLBLOCK**

*The Committee:* Donald P. Bourgeois, Doris C. Carlsen, Ronald Iverson, Janet Kneeland, Helen Lee, Allan Oliver, Katherine Runnion, Milan Stoyanov, and William H. Replogle, *Chairman*.

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*"To inform its members and the community in public matters and to  
arouse in them a realization of the obligation of citizenship."*

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## REPORT ON

## HALFWAY HOUSES: A COMMUNITY-BASED ALTERNATIVE TO THE CELLBLOCK

To the Board of Governors,  
City Club of Portland:

1. INTRODUCTIONA. The Setting

Overcrowding in the Oregon State prison system reached epidemic proportions in 1980. At least that was the opinion of federal Judge James M. Burns who ruled on August 22, 1980, that confining two prisoners in a one-person cell at the Oregon State Penitentiary amounted to cruel and unusual punishment in violation of the U.S. Constitution. In Capps v. Atiyeh, the State was ordered to reduce the number of prisoners to design capacity.<sup>1</sup>

Related facts are indicative of the problem: From 1975 to 1980, the population of Oregon State prisons climbed about 20 percent to 3,100 inmates, or 32 percent over the design capacity (2,363 inmates). In the same period, the number of Oregon offenders on probation or parole increased over 100 percent from 6,500 to 13,500. Multnomah County's correctional facilities also have been at or near their 550 inmate capacity for several years. Faced with a lawsuit in federal court, the County recently agreed to reduce Rocky Butte Jail's population and eliminate double-bunking in maximum security cells. Further compounding the problem is the \$60,000 to \$80,000 cost to construct one new jail cell.

Voters will be faced with a \$60 million corrections bond issue in the May 1982 primary election. If approved, some of the funds will be set aside to construct a 250-bed regional jail with remaining funds used by the State to make grants to counties for less expensive alternatives to jails. One alternative is to provide halfway houses for some criminal offenders.

Halfway houses are listed in Oregon's 1977 Community Corrections Act as one type of facility counties might use to detain those charged with criminal offenses.<sup>2</sup> The legislative purpose of the Act is to provide sentencing alternatives and improved local services for offenders with the goal of reducing the occurrence of repeat criminal offenses. The State provides financial assistance to counties that participate in the program, but the law does not tell counties how to spend the money.

Multnomah County is responsible for Portland-area corrections facilities and services, and chose to participate in the community corrections

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1. On June 15, 1981, the United States Supreme Court held that it is not unconstitutional to confine two prisoners for long periods in a one-person cell. The Court said that prison conditions were not unconstitutional unless they inflict needless pain on inmates. Capps v. Atiyeh, which had been appealed by the State, is being reconsidered in view of the Supreme Court's directive.

2. Other types of facilities mentioned in the Act are work release centers and jails.

program. To do so, the County prepared a "comprehensive community corrections plan" and submitted it to the State for approval. Implementation of the plan is described in Section III of this report.

## B. Charge and Scope of Study

Although Multnomah County has received community corrections funds since 1978, overcrowding persists in State and local facilities. In light of continued public concern about this matter, the Standing Committee on Law and Public Safety of the City Club proposed a study of halfway houses as an alternative to incarceration for some sentenced offenders. On November 5, 1979, the study was approved by the Board of Governors.

Your Committee (hereafter referred to as "we") was asked to determine the effectiveness of halfway houses as rehabilitative tools and their impact on residential neighborhoods where they are located. If we judged them to be effective, we were to determine how to establish them to relieve overcrowding in Multnomah County and State correctional facilities. If we determined that halfway houses did not constitute a valid treatment mode and should not be an integral part of the community rehabilitation program, we were to assess the impact of that conclusion on Multnomah County's community corrections plan.

From March 1980 through June 1981, we studied halfway houses in Multnomah County and elsewhere. We spoke with the persons listed in Appendix A, reviewed the publications listed in Appendix B, and compiled the glossary of terms listed in Appendix C.

We studied halfway houses for criminal offenders, including those houses programed for drug and alcohol abuse. The study contains no analysis of halfway houses for neglected children, runaway juveniles, and battered women.

## II. BACKGROUND AND HISTORY

### A. Definition of Halfway Houses

Many facilities are called "halfway houses." They may appear as hotel-like structures or as family homes. They are usually located in populous areas, close to schools, public transportation, employment opportunities, and recreational facilities.

Under supervision, house residents hold jobs, attend school, shop, visit relatives, and generally interact with society. Halfway house programs attempt to change an offender's attitude, improve self-image, and hopefully, rehabilitate the offender.

The term "halfway house" suggests its position in the correctional system. "Halfway-in" programs are used as sentencing alternatives for offenders who need a more structured living arrangement than probation but less than incarceration. "Halfway-out" programs provide a transitional living arrangement for offenders who have served time in an institution. Halfway houses provide less security and supervision than jails and prisons, but more than probation or parole.

Ideally, a high ratio of staff to residents permits each resident to find someone on the staff to trust, talk with about problems and to help

work out those problems. Many offenders show a need to improve their self-image and halfway house programs are intended to provide an interested friend and a supportive environment. Halfway house staff attempt to encourage and assist the resident to obtain meaningful employment, and they provide counseling and other services in a neighborhood setting.

The term halfway house excludes two somewhat similar kinds of facilities providing reduced confinement. Work release centers are community-based facilities used for offenders requiring more than minimal supervision. Unlike halfway houses, these programs customarily serve large numbers of offenders, are staffed by correctional officers, and normally offer the resident little, if any, counseling. Offenders are expected to find employment or educational programs in the community on their own. When not working or in school, they are required to remain at the facility.

Prison farms or forest camps are utilized for offenders who are not suited for community living, but who need less supervision than that afforded by jail or prison. These facilities provide the offender with work, usually of a menial nature, and are run by correctional officers.

#### B. History

Halfway houses for the criminal offender originated in England and Ireland in the early 1800s. They were first suggested in the United States in 1817, when a Massachusetts prison commission recommended that a temporary refuge be created to house destitute released offenders. The recommendation was based on the belief that return to criminal activity (recidivism) was caused primarily by the offender's poor adjustment to the community following release.

Not until 1864 was the first American halfway house established as the "Temporary Asylum for Discharged Female Prisoners" in Massachusetts. By the early 1920s, there were houses known as "Hope Halls" in Louisiana, Ohio, Iowa, California, Florida, and Texas for both men and women.

These early houses provided shelter, food, clothing, and friendly advice for those who had served their sentence. As is often the case today, only a few offenders had these services at hand when released from custody.

Typically, the first halfway houses were privately sponsored, self-contained and isolated from the criminal justice system, without ready access to new clients. Many believe that this is why they failed. Other correctional authorities believe they failed because of parole regulations forbidding former prisoners from associating with each other.

It is not surprising, therefore, that few of the early halfway houses exist today. The Isaac T. Hooper House in New York and the House of Industry in Philadelphia are two of the survivors. They were established in the late 1880s and continue to receive parolees from New York and Pennsylvania prisons, respectively.

By the early 1900s, the halfway house concept gained some acceptance. However, halfway house popularity waned during the depression because it was difficult to find jobs for ex-offenders and raise money for house operations.



Interest revived in the 1950s because of doubts about the effectiveness of prisons in rehabilitating prisoners. Penologists recognized that opportunities for rehabilitation vanished after ex-offenders were released into communities whose citizens were often indifferent or hostile to them.

In 1964, the International Halfway House Association was founded. Currently, there are more than 1,600 houses in the association, located in most of the 50 states. They provide programs for over 50,000 offenders.

### III. FINDINGS

#### A. Status of Halfway Houses Nationally

##### 1. Correctional Theory

The traditional approach to corrections emphasizes confinement and punishment rather than rehabilitation. But changes in correctional theory have contributed to acceptance of community-oriented programs, such as halfway houses for criminal offenders. The reintegrative theory recognizes the harmful effects of institutionalized isolation. It proposes that some offenders can avoid confinement altogether, while others, who have been confined, can be returned to society having had a controlled community living experience.

##### 2. Uses of Halfway House Programs

In community corrections programs, halfway houses are used in two ways: (a) as sentencing alternatives for offenders who are in need of a more structured environment than probation, but less structured than incarceration (halfway-in); and (b) for offenders serving time in an institution as a condition of and precedent to release or for parolees in need of a transitional living arrangement (halfway-out).

(a) Halfway-In. An offender may be referred to a halfway house if the sentencing judge considers the person to be too much of a risk for unconditional supervised probation status, but recognizes that the individual and society will not benefit from incarceration. Given this circumstance, the court could order the offender to participate in a halfway house program as a condition of probation - depending upon acceptance by a halfway house.

In another instance, an offender already on probation might encounter adjustment problems and be threatened with probation revocation. Rather than revoke probation and incarcerate the individual, the court may choose to direct the offender to a halfway house. The offender can remain in the community, maintain family ties and continue to work or go to school.

(b) Halfway-Out. An individual may go to a halfway house several months prior to release from an institution, earning unconditional release or parole status by successfully participating in a house program. The purpose is to ease an often difficult transition.

Additionally, halfway house programs can be used to accommodate parole violators. Rather than revoke parole status and incarcerate the individual, parole authorities may send the individual to a halfway house as a compromise.

### 3. Types and Numbers of Offenders Served

Halfway houses across the country serve all types of offenders. Those most in need of a transitional environment (halfway-out) have often been convicted of and imprisoned for the most serious offenses. Customarily these people have been separated from society, family and friends for the longest periods of time. For this reason, one can find rapists, murderers and other major felons in halfway house programs as a condition of release or parole. They are, however, judged to be non-violent and capable of community living before being admitted to the program.

Offenders who have committed less serious crimes or possess relatively "clean" criminal records often are found in halfway-in houses.

Halfway houses serving criminal offenders in the United States have from five to 165 residents.<sup>3</sup> However, the vast majority of houses serve ten to fifteen residents, encouraging a family-like atmosphere with informal and close association between residents and staff.

### 4. Services Offered

To help "reintegrate" the individual into society, virtually all houses offer vocational or educational assistance. In fact, most houses require that residents secure employment or be enrolled in school before leaving the house program. Correctional authorities believe that vocational stability is a primary factor in rehabilitation.

Most houses offer various degrees of financial counseling and assistance. Residents may need to establish a savings account, prepare a budget, make victim restitution payments and pay family support obligations.

Most programs attempt to foster a positive, or at least a nondisruptive, relationship between the offender and his family. A majority of houses offer in-house family services such as counseling between residents and spouses, mandatory financial support to families, and weekend visitation privileges.

Correctional authorities believe that a resident can build and maintain a positive family relationship on release if good habits are acquired in the halfway house setting. Residents must keep their rooms and possessions in good order, do housekeeping chores, and attend counseling and therapy sessions.

To help residents build new habits, attitudes, and self-images, houses use group and individual counseling techniques. Correctional authorities believe that a concept of self-worth is an important factor in preventing repeat criminal behavior.

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3. One house in Frankfurt, Germany reports a house capacity of 340.

House programs devote attention to diagnosing the offender: how the person got that way, what are the attributes; what are the deficiencies; and how the attributes can be emphasized and the deficiencies corrected so that the person can become and remain a productive, law-abiding citizen.

Houses provide security to protect the community from harmful or criminal acts of the residents. In most cases, houses supervise the residents on a 24-hour basis, with formal check-in and check-out procedures. If a resident breaks a house rule, commits a crime, fails to adjust to the living arrangement, or loses a job, the resident can be sent back to the releasing institution or to the sentencing court.

Houses attempt to assure the well-being of the residents by providing food, clothing, shelter and transportation.

### 5. Administration

Halfway houses are often operated by private, non-profit organizations supported by charitable foundations and individual contributors. A smaller number of houses are publicly owned or operated.

Administrative staffs of halfway house programs range from highly trained personnel to untrained former residents. Most experts agree that each staff member must have a personality and temperament capable of assisting offenders to resolve their problems under intense working conditions.

Houses customarily have a director with management responsibility for the entire operation. Counselors are hired to supervise and assist residents. Some houses use students to provide part-time counseling services. Clerical staff maintain financial records, answer telephones and perform secretarial functions. The house may also have a cook. Many houses employ a job placement specialist who may also double as a community relations representative. Persons with specialized skills, such as physicians, are consulted as needed.

### 6. Physical Structure and Location

Halfway house programs can be found in a wide range of facilities, from older homes structured for multiple family use to converted hotels, motels, or apartments houses.

The great majority of halfway houses are located in lower socio-economic neighborhoods, sometimes in dilapidated facilities in deteriorating neighborhoods. Some correctional authorities argue that residents should not be in neighborhoods that are "better" than those from which they came or to which they will go upon release. Others believe that halfway houses should be placed in the best neighborhood setting that funding will permit.

### 7. Costs

Operating expenses are incurred for staff salaries, professional fees, contract services, transportation, maintenance, utilities, food, and supplies. Nationwide, these costs range from \$15 to \$70 per day, per resident, depending upon the quality and quantity of services offered and the location and physical structure of the house.

Many programs require that residents reimburse the house for all or some portion of room and board from earned wages. Additionally, residents often contribute to family support and make restitution to crime victims. Furthermore, income taxes are withheld from residents' paychecks. So, halfway houses have the capacity to put offenders into the mainstream of the economy. Prisons and jails do not.

#### 8. Neighborhood Concerns

In siting a halfway house in a community, the sponsoring organization must face neighborhood concerns. The public wants assurance that the crime rate will not go up, that property values will not go down, that the neighborhood will not be inundated with undesirables, that people will be safe on the streets, and that the house will not create noise or parking problems.

A national study shows that 2 to 17 percent of the residents commit crimes while participating in halfway house programs. However, we are not aware of comparable crime statistics for offenders participating in other types of programs. Approximately 25 percent of the crimes are against persons, 25 percent against property, with the remainder involving drug or alcohol problems. No evidence has been collected to indicate whether the crimes take place near the house or in other parts of the community.<sup>4</sup>

We found no reliable data pertaining to the remaining neighborhood concerns.

#### 9. Measure of Success

Recidivism has been the most common measure utilized in assessing the success rate of halfway house participants. In other words, has the individual been convicted of additional crime(s) after leaving the house?

We reviewed 35 studies which dealt with the post-release outcome of residents of halfway houses (halfway-out).<sup>5</sup> Of these, 17 studies utilized a quasi-experimental approach, two studies utilized a true experimental technique and 16 studies merely measured the outcome of halfway house graduates. A true experimental design randomly assigns individuals to experimental and control groups. A quasi-experimental design does not make random selections. Regardless of the design employed, virtually all of the studies which measured recidivism used follow-up periods ranging from 12 to 18 months.

Of the 17 studies which compared recidivism rates of halfway-out residents with those of institutional parolees, using a quasi-experimental design, 11 of the studies reported that recidivism rates of halfway house

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4. Seiter, Richard P., Ph.D. "Halfway Houses: Phase I Summary Report." The National Institute of Law Enforcement and Criminal Justice. 1977. The study was based on a review of 55 evaluations of halfway house programs and a survey of an additional 153 programs.

5. Ibid.

residents were less than those of the comparison group (most commonly, institutional parolees). However, only three of these studies indicated that the difference was statistically significant. Five of the 17 studies concluded that there was no statistically significant difference between the groups. One such study reported that former halfway house residents repeated criminal activity more than offenders from comparable probation and parole groups.

Of the two evaluations of halfway houses utilizing a true experimental design, both found no significant differences in recidivism or failure rates between halfway house graduates and parolees.

Of the 16 studies consisting primarily of non-comparative follow-ups of former residents, the average recidivism rate is 20 percent computed from a range of zero to 43 percent. Comparative recidivism rates for the general population of ex-convicts is not discussed.

We were unable to find any evaluative studies on halfway-in houses. The fact that the majority of houses serve the parolee (halfway-out) may contribute to this apparent lack of data.

We also reviewed 24 studies which measured program success by "positive termination" factors. The factors included (1) a change in behaviors and attitudes to meet the norm set by the house, (2) capability of effectively communicating and relating to others, (3) employment or educational enrollment, (4) financial responsibility and (5) community adjustment.<sup>6</sup>

The range of program success rates reported was 26 percent to 93 percent. However, the studies customarily failed to identify the criteria used to define "success" or program completion. Moreover, the types of programs, residents and time of the studies varied immensely.

Other studies have analyzed halfway-out residents who were classified as the least likely to succeed in the community.<sup>7</sup> Comparing their recidivism rates with those of non-resident parolees in the area, the studies found that ex-house residents had the lowest rates among all of the parolees at the six-month mark following four weeks at the house. However, follow-up studies with the same group showed that ex-house residents had about the highest recidivism rate among all of the parolees at the 12 and 24 month mark. The program evaluated in this study has been altered to provide a longer residency period and an in-house vocational assistance program. Results of these changes on resident recidivism have not been documented.

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6. Ibid.

7. Berkowitz, Joyce. "Ex-Convict Motivation and Recovery Center (X-MARC) - Second Year and Final Evaluation Reports." American Justice Institute. August 1974.

## B. Halfway Houses in Multnomah County

### 1. Oregon Constitution

The Oregon Constitution requires that "laws for the punishment of crimes shall be founded on the principles of reformation, and not of vindictive justice."<sup>8</sup>

### 2. Governor's Task Force Report of 1976

In 1975 then-Governor Straub appointed a State Task Force on Corrections to review the overload on the corrections system and determine how to "reduce prison population in a responsible, constructive manner." The Task Force concluded that incarceration, while temporarily solving a problem by isolating a person from society, often creates new problems by disrupting employment and family relationships.

The Task Force reasoned that a target group of offenders, non-dangerous felons, with sentences of five years or less,<sup>9</sup> could be diverted from State correctional institutions if there were adequate supervision and rehabilitative programs in local communities. This would "reduce the anticipated need for new State correctional institutions in the future."

The Task Force recommended that State funds be used to improve local services such as probation, parole and jail facilities and to provide new programs and facilities which would give the courts more sentencing options. Specifically, the Task Force said that the correctional system needed more "medium-security" facilities such as "halfway houses" to reduce overuse of the "maximum-security" facilities.

### 3. Community Corrections Act of 1977

In response to recommendations of the Task Force and in an effort to reduce the occurrence of repeat criminal offenses, the Oregon legislature passed the Community Corrections Act of 1977. The law authorizes the State to give funds to counties that elect to "provide appropriate sentencing alternatives and to provide improved local services for persons charged with criminal offenses." The Act stipulates that community corrections monies shall be available only for programs dealing with misdemeanants <sup>10</sup>, parolees, probationers and persons convicted of crimes other than murder, treason or Class A felonies.

### 8. Constitution of Oregon. Article I. Section 15.

9. In Oregon, there are three classes of felons - A, B, and C. Class C felonies are the least serious, having maximum sentences of five years and a maximum fine of \$10,000. Class C Crimes involve non-violent acts such as theft of property valued at more than \$200, theft of a vehicle, forgery, bigamy, promoting prostitution and burglary of a commercial building. Class B felonies involve maximum sentences of 10 years and a maximum fine of \$10,000. An example is burglary of a residence. Class A felonies are the most serious, resulting in a maximum sentence of 20 years and a maximum fine of \$10,000. Those crimes include homicide, rape, and armed robbery.

10. Misdemeanors are punishable by fines up to \$1000 and sentences up to one year.

Under the law, counties electing to qualify for State funds must establish a local corrections advisory committee and submit a community corrections plan to the State Corrections Division. Among other things, each county's plan must set forth the location and description of halfway houses as well as all other facilities used in implementing the plan, including jails and work release centers. The legislation does not require that participating counties establish halfway houses.

The State legislature appropriated \$22 million for the 1977 through 1979 biennium and \$32.9 million for the 1979 through 1981 biennium for community corrections programs throughout the State. In turn, the State required that participating counties pay a penalty for each Class C felon sentenced to the State Corrections Division after January 1, 1979.

#### 4. Relationship of State and County Corrections Systems

Table 1 details the role that halfway houses play in Oregon's criminal justice system.

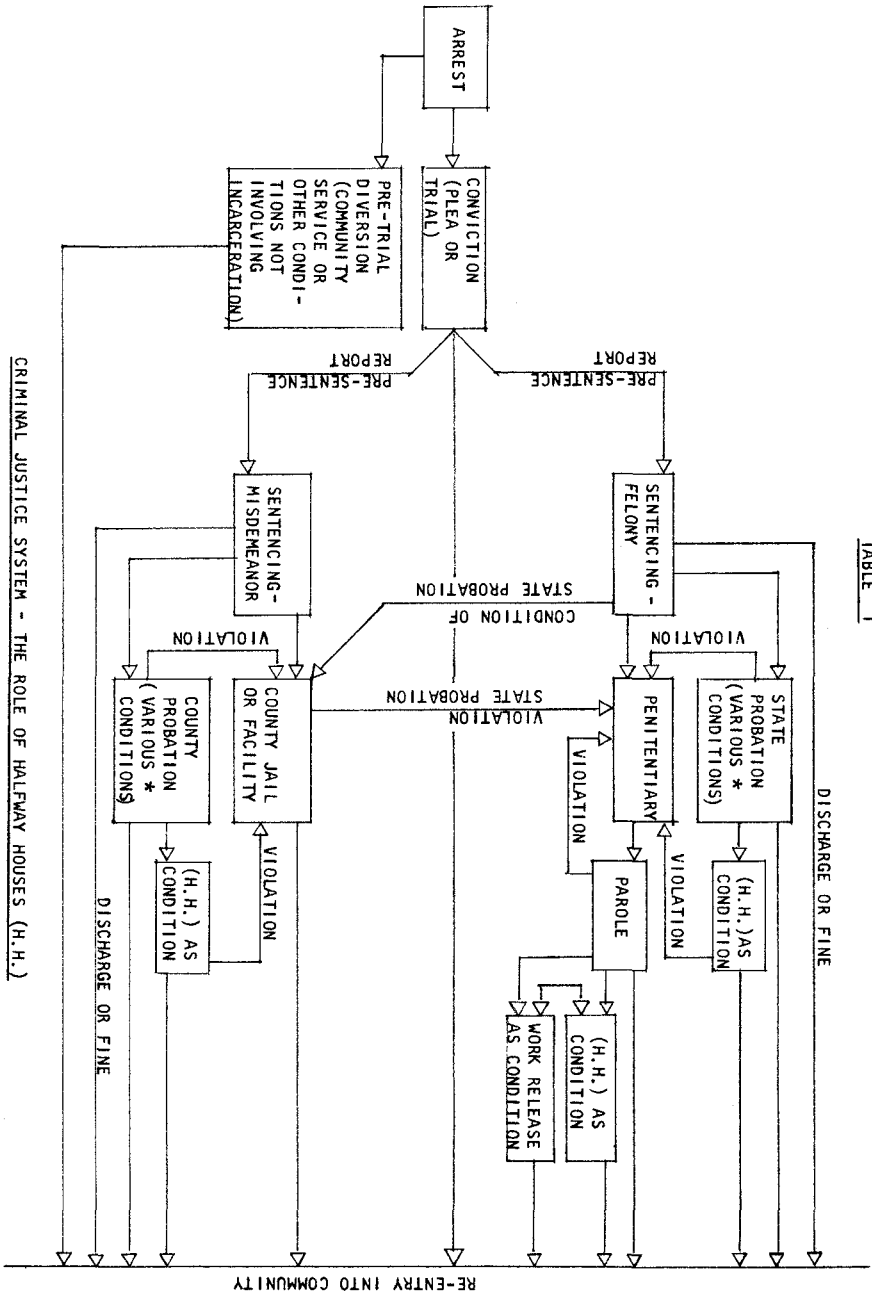
Multnomah County's Department of Justice Services, Corrections Division, is responsible for all pretrial detention and release, and for post conviction detention and release of misdemeanants and some felons. The State Department of Human Resources, Corrections Division, is responsible for post conviction detention and release of most felons. The county courts provide trials for those accused of misdemeanors (district court) and of felonies (circuit court).

The sentencing court cannot designate a particular correctional facility when it imposes a sentence of imprisonment. The court commits the offender to the legal and physical custody of the State or county corrections division. The division of corrections may transfer inmates from one correctional facility to another for the purpose of diagnosis, rehabilitation, and treatment.

The sentencing court may suspend the imposition or execution of sentence for any period of not more than five years. If the court suspends imposition of a sentence it may place the offender on probation for a definite or indefinite period of not less than one year, or more than five years. As a condition of probation, a judge may require that an offender reside for some period in a halfway house. Other conditions of probation may be imposed as well.

While sentencing decisions are made by the courts, release decisions for offenders committed to State prisons are made by the State Board of Parole. Those confined to county facilities may be released prior to serving a full sentence by the county's division of corrections. About 95 percent of all offenders that are incarcerated are eventually released. An offender's parole date is determined by the length of his sentence. The law requires that a sentence other than for murder automatically be reduced by one-third so that an offender does not have to serve more than two-thirds of the sentence. On the other hand, a person sentenced to life imprisonment for murder must serve a minimum of 25 years.

TABLE 1



\* CONDITIONS OF PROBATION, BOTH STATE AND COUNTY, INCLUDE, BUT ARE NOT LIMITED TO FINES, RESTITUTION, ALCOHOL PROGRAMS ( BOTH HALFWAY HOUSE AND DAY TREATMENT ), DRUG PROGRAMS ( BOTH HALFWAY HOUSE AND DAY TREATMENT ), AND IN THE CASE OF STATE PROBATION, A PERIOD OF INCARCERATION IN A COUNTY FACILITY, NOT TO EXCEED ONE YEAR PER CHARGE.

CRIMINAL JUSTICE SYSTEM - THE ROLE OF HALFWAY HOUSES (H.H.)



### 5. Multnomah County's Participation in Community Corrections

Multnomah County's election to receive Community Corrections Act funds resulted in a State contribution of almost \$6 million to the County's corrections budget for July 1, 1978 to June 30, 1980. \$3.1 million in 1978 to 1979 represented 39 percent of the total corrections budget for Multnomah County, and \$2.8 million in 1979 to 1980 represented 34 percent. Multnomah County's share of State funds for fiscal year July 1, 1980 to June 30, 1981 was \$2.5 million. Based on Governor Atiyeh's budget proposal for the 1981-1983 biennium, the County was expected to receive \$1.5 million for fiscal year ending June 30, 1982.

Multnomah County's first community corrections plan, formulated by the Community Corrections Advisory Committee, was adopted by the Board of County Commissioners in July of 1978. The Plan concludes: "In the past, there have been two main sentencing options for non-dangerous Class C felons and misdemeanants: either jail or probation." The Plan goes on to state that "these limited choices have proved inadequate to stem the rising recidivism rates or to give these people a new lease on life."

The Plan suggests various uses for Community Corrections Act monies including victim restitution, community service programs, employment opportunities, supervision during the day at a treatment center (day treatment), alcohol and drug abuse treatment, educational programs and alternative residential care facilities (halfway houses).

To assist in placement of halfway houses, the Plan recommended creation of a "community developer" position. This individual was to lay the groundwork for halfway houses and act as a liaison with neighborhoods where halfway houses were to be located.

The halfway houses contemplated by the Plan were each to serve about 15 non-dangerous Class C felons, including but not limited to drug and alcohol abusers, on a halfway-in basis. It was intended that residents would work or go to school while receiving individualized treatment and supervision. Each halfway house was to seek outside services to fill medical, vocational, recreational, educational, and mental health needs.

The Plan contemplated that each offender to be considered for halfway house living be interviewed and evaluated by County Corrections staff during the interim leading to trial. The staff was to function in a placement capacity if the person was ultimately convicted.

The halfway houses were to be governed by a board of directors, with 30 percent of the membership coming from the neighborhood. In making policy decisions respecting a given halfway house, the board was to give special consideration to neighborhood livability.

In July 1978, the Community Corrections Advisory Committee recommended an allocation of \$220,000 from Community Corrections Act funds for "purchase of residential care in five existing facilities" through June 30, 1979. This program was intended to financially support care on an individual assignment and acceptance basis for about 30 persons. Additionally, \$30,000 was recommended as seed money to initially fund one new house program.

The County, which was not bound by the Committee's recommendation, adopted a total budget of about \$50,000 for residential care. However, of the \$3.1 million in Community Corrections Act funds received by the County for fiscal year ending June 30, 1979, the County spent only about \$8,500 for halfway house care in existing facilities.<sup>11</sup>

In June 1979, the Community Corrections Advisory Committee adopted recommendations for Community Corrections Act expenditures for the 1979 through 1981 biennium. It was estimated that the County should spend \$125,500 on halfway house care in existing facilities and \$23,000 on halfway house development through fiscal year ending June 30, 1980. Expenditures for these programs were estimated to be \$136,000 and \$25,000 respectively, for fiscal year ending June 30, 1981.

Of the \$2.8 million of Community Corrections Act funds received by the County for fiscal year ending June 30, 1980, \$45,000 was spent for contracts with existing facilities and \$4,500 for halfway house development. However, through May 31, 1981, \$226,500 out of the \$2.5 million received by the County for fiscal year ending June 30, 1981 was expended for halfway house care. Of this sum, \$5,000 was used to purchase residential care in existing facilities and \$221,500 for halfway house development.

Table 2 (compiled by this Committee) details these recommendations and the actual expenditures on halfway house care.

Table 2

<u>Fiscal Year</u>	<u>Community Corrections Advisory Committee Recommended Expenditures</u>	<u>County Expenditures</u>
1979	\$250,000	\$ 8,500
1980	148,500	49,500
1981	161,000	226,500*
Total	\$559,500	\$283,500

\* Through May 31, 1981.

#### 6. Halfway Houses Operating in Multnomah County

In 1980, Multnomah County opened its first halfway house with Community Corrections Act monies. That house, located at 930 NW 20th Avenue and Lovejoy in Portland, operated until June 1981, when it was closed for lack of funds. During the time of operation, the County expended over \$225,000 to fund the house.

11. During the period of July 1, 1978 to June 30, 1981, the County expended community corrections funds for other purposes including jail recreation and counseling, restitution programs, probation services, mental health programs, job development, and educational programs. A compilation of County financial statements detailing these expenditures is on file at the City Club offices.

The house was intended as a halfway-in alternative to incarceration for 17 "low-risk" male offenders. No one who had committed offenses against property which involved breaking or entering, or the use of threat or force against people, was accepted into the program. No resident was considered if he had a long history of institutionalization. The house did not begin to screen or accept residents until the early fall of 1980. The house procured most of its residents from Multnomah County Correctional Facility (MCCF), a medium-security work release center in Troutdale, Oregon.

This program did not create additional halfway house bed space in the County because it replaced a similar program for sentenced women offenders at the same location. The women were to be lodged in a new facility, but it never materialized. Some of the women were incarcerated and others placed on supervised probation.

There are about ten privately-sponsored halfway houses in the County assisting adult drug or alcohol abusers on a halfway-in basis. However, none of these houses serves criminal offenders exclusively. In total, they currently house about 180 residents, including about 60 who are court-mandated criminal offenders. There are two other houses in Multnomah County providing halfway-out services to offenders who have been convicted of and incarcerated for federal crimes. Each of these, however, has capacity for 12 residents. In addition, there is a third house which serves a mixture of State and federal offenders on a halfway-out basis. This house has capacity for ten residents.<sup>12</sup>

We were told that there are many offenders with drug and alcohol addictions. Several Portland houses serving these types of offenders have waiting lists and simply do not have the space to accommodate all who need treatment.

No one we talked with opposed combining halfway-in and halfway-out residents under one roof. Program goals and treatment modes are identical. One halfway-out resident told us that halfway-in residents would benefit by combining the two programs since halfway-out residents could relate prison experiences to halfway-in residents, thereby encouraging them to avoid incarceration altogether.

#### a. Recidivism

One house reported that, of 39 adult males who had participated in its halfway-out program, 35 successfully completed it. Thirty-four of the 35 had jobs and one resident was attending school at the end of the program. Three residents were sent back to prison because of disciplinary and adjustment problems and a fourth individual was placed on parole by the court. No information was available to show how residents did after leaving the halfway house program.

Those interviewed told us that halfway houses are more effective than incarceration in rehabilitating offenders. They said that prisons and jails are not intended to, nor do they, rehabilitate. No one spoke negatively about the ability of halfway houses to rehabilitate.

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<sup>12</sup>. Appendix D lists facilities in Multnomah County, and the number of people served at the time of the committee interview.

Halfway house residents said they favor halfway houses over incarceration. They believe that prison rehabilitation does not work even where counseling, vocational training, or educational opportunities are provided. They said that most prisoners ignore these programs mainly because of a "we-against-them" attitude that divides prisoners and correctional staff.

Offenders reported that halfway houses staffed by persons outside the correctional process provide an atmosphere more conducive to trust and communication. They said that a feeling of belonging to society, rather than being rejected by it, motivates them to change. Halfway house managers and staff said they agree.

Proponents of halfway houses said that house programs have a rehabilitative advantage over probation and parole because they have a greater degree of contact with and control over the offender. House managers and staff said they feel that more supervision is required to rehabilitate drug or alcohol abusers than that afforded by probation.

#### b. Neighborhood Concerns

We interviewed property owners and neighbors of halfway houses for criminal offenders in the Portland area to determine what impact, if any, the houses had upon their neighborhoods.

The people reported no negative neighborhood impact and, in most cases, indicated that the condition of the house had improved since the halfway house program began. Quite interestingly, some of the staunchest opponents of the houses in the beginning are now halfway house supporters.

Despite these encouraging reactions, there is always neighborhood opposition when a halfway house is proposed. Hearings conducted by the City of Portland for the purpose of licensing these facilities verify this fact. Opponents of house programs voice concerns such as increase in the crime rate, decrease in property values, or creation of noise and parking problems.

Although all of the halfway house neighbors we talked with were aware that criminal offenders reside at the house located in their neighborhood, no one reported that neighborhood crime had increased or that they perceived the neighborhood to be less safe. Increased traffic or noise attributable to the house was not perceived to be a problem. House residents customarily use public transportation and as one neighbor put it, "come and go unnoticed."

One halfway house manager told us that house residents are allowed to perform "good will" projects for neighbors such as painting, mowing lawns, and removing debris.

House residents told us that if crimes are committed, it would be unlikely that residents would commit them in their own neighborhood. House residents said that they take an interest in the neighborhood and would, if possible, attempt to discourage outsiders from committing criminal acts in the area.

Witnesses told us that halfway houses should be located in areas already accommodating multi-family living units rather than in predominantly single-family residential neighborhoods. We were told that placement of halfway house programs in single-family neighborhoods will lower property values of surrounding homes. We were advised that if halfway houses are placed proximate to multi-family living units or commercial establishments, property values will not be adversely affected.

Offenders participating in house programs said that the quality of the physical structure and the surrounding neighborhood is not particularly important. They said they want the house to be close to public transportation and job opportunities and that a friendly, rather than a hostile, neighborhood is essential to the success of the house program.

### c. Costs

Progress House, a privately-operated halfway house in Portland accommodating 12 federal parolees, reported a 1980 per diem cost per resident of \$33. Alpha House, another Portland halfway house serving drug abusers, reported a 1980 per diem cost per resident of \$19.50. Multnomah County expended about \$40 per diem per resident at the 930 NW 20th and Lovejoy House. These figures do not take into account resident reimbursements to the house, rent payments or mortgage fees.

By comparison, the Committee learned that 1980 per day cost figures for each inmate at institutions in Oregon are: Oregon State Prison - \$22.31; Oregon State Correctional Institute - \$27.51; Rocky Butte jail (men only) - \$28.86; Multnomah County Correctional Facility (work release) - \$13.07; Claire Argow (women only) - \$52.62; and Multnomah County Courthouse Jail - \$28.28.

We were advised that new cell space for one prisoner costs \$60,000 to \$80,000. By 1985, this cost will exceed \$160,000.

The salary range for a probation/parole officer is \$1334 to \$1700 per month. Caseloads average about 65 offenders per officer.

A comparison of the average cost per offender per day in the facilities and programs mentioned above follows:

Supervised Probation or Parole	\$ .75
County Work Release	13.00
State Prison (existing cell space)	25.00
County Jail (men only)	28.50
Halfway Houses	31.00
State Prison (new cell space at 1985 dollars)	35.00
County Jail (women only)	52.50.

## 7. City of Portland Zoning and Licensing Requirements

The City of Portland has established siting criteria for any house serving people who require care and 24-hour supervision. "Care" is defined as room and board and provision of a planned treatment program - counseling and therapy. Under the ordinance, any residential care facility that began operations before November 9, 1974, or which was licensed by the City's licensing board before July 20, 1976, is exempt from the ordinance, although the City reviews every license yearly.

Those houses that are not exempt must apply to the City's residential care facility licensing board which has responsibility for determining whether a program is adequately financed and administered. The board consists of four members from the community and five who represent social agencies. Currently, Portland is the only city in Oregon with licensing requirements of this kind.

The second step in the licensing process is to obtain a conditional use permit to meet city zoning requirements. Each facility must meet City neighborhood and block density guidelines to be acceptable. After a public hearing, attended by the applicant and concerned members of the public, a City hearings officer makes a decision based upon whether the permit is in the "public good." The decision of a hearings officer can be reviewed by the Portland Planning Commission at the Commission's request. It can also be appealed to the City Council.

Since 1976, the City has received only six applications for residential care facility conditional use permits. Out of the six, only one application was made for a halfway house serving criminal offenders. That application resulted in the opening of Multnomah County's NW 20th Avenue and Lovejoy facility.

#### 8. State Requirement - Citizens Advisory Committee

Before the Corrections Division or any city, county, or other public agency establishes any halfway house, the city, county, or other public agency must designate a Citizens Advisory Committee in the proposed affected geographic area.<sup>13</sup> If there is an established citizens group or neighborhood organization in the affected geographic area, it is asked to nominate a committee. If there is none, the local government body having jurisdiction over the affected area must appoint a Citizens Advisory Committee.

For each proposed house, the agency responsible for establishing the house informs the Citizens Advisory Committee of the proposed location, estimated population, size, and use of the facility, as well as the numbers and qualifications of the professional staff and the proposed rules of conduct and discipline to be imposed on residents. The Citizens Advisory Committee advises the agency responsible for establishing the house as to the suitability of the proposed house and may suggest changes in the proposal submitted by the agency. If the agency responsible for establishing the house rejects any of the advice of the committee, it must let the committee know its reasons in writing.

#### C. Conviction and Sentencing Trends in Oregon and Multnomah County

##### 1. State of Oregon

As of January 1, 1980, there were 3,120 inmates incarcerated in Oregon State Corrections Division facilities. The facilities then had a single cell space capacity of 2,363. This resulted in a shortage of 757 single cell beds. On October 12, 1981, 2,805 inmates occupied beds in State facilities. Single cell capacity had dropped to 2,320 beds, leaving

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13. Oregon Revised Statutes. 169.690.

an average shortage of 400 beds. Corrections Division officials expect the 400-bed shortage to continue for the next several years.

In 1979, new commitments to State Corrections Division institutions were at an all-time high of 1,786, up 30.4 percent from 1975. Not unexpectedly, total inmates paroled in 1979 were also at an all-time high of 1,737, up 132 percent over 1975. From 1975 to 1979, parole revocations increased 450 percent. In 1975, 1,269 persons were on parole from state institutions, resulting in 40 parole revocation admissions, or 3.2 percent. In 1979, 2,391 persons were on parole and 183, or 7.7 percent, needed to be reconfined following parole violations.

We were advised by parole authorities that the great majority of offenders who are paroled from State institutions lack job skills, are undereducated and have no family or friends to provide financial assistance. They said that parole planning involving job placement services and counseling is inadequate. Parolees receive \$100 in "gate money" when they leave Oregon institutions.

In 1979, on an average sentence of 9.9 years, inmates were serving an average of 17 months at State correctional facilities. Of those serving time, 45 percent had prior adult confinement and 55 percent had been confined for violent crimes against persons. About 37 percent of the population consisted of property offenders who had committed crimes such as arson, burglary, forgery, and theft. The balance of the inmate population, 8 percent, had committed statutory offenses such as possession of weapons, perjury, escape, conspiracy, and bribery. Table 3 shows the breakdown of incarcerated offenders by crime classification.<sup>14</sup>

Table 3

POPULATION AT OREGON INSTITUTIONS BY CLASSIFICATION OF CRIME

	<u>1978</u>	<u>1979</u>	<u>% Increase Since 1978</u>
A-Felons	1182	1305	+10%
B-Felons	328	387	+12%
C-Felons	<u>1097</u>	<u>1192</u>	+ 8%
	2607*	2884*	(+10%)

\*Note: These totals account for 85% of total population as of 12-31-78 and 12-31-79. The remaining 15% uncounted include 1) unclassified crimes or undetermined sentences, 2) "A"-misdemeanants, and 3) those included under old criminal code.

From 1975 to 1979, judges dramatically increased their use of probation as a sentencing alternative. In 1975, 4,521 persons were placed on probation as compared with 8,400 for 1979, an 85 percent increase. Probation revocation rates remained in the 8 to 10 percent range during this period.

14. Final Report of Subcommittee on Space Needs. Governor's Task Force on Regional Correctional Facilities. February, 1980.

As of March 1981, 211 probation/parole officers in the State were responsible for supervision of 13,884 persons, or an average of over 65 offenders per officer. 10,721 offenders were on probation and 2,340 were parolees.

## 2. Multnomah County

Multnomah County's correctional facilities include Claire Argow Women's Center (capacity 40), Multnomah County Corrections Facility (125), Courthouse Jail (156), and Rocky Butte Jail (442). These facilities are operating at or near capacity.

Of the inmates detained in those facilities, typically 63 percent are awaiting trial; a portion are sentenced felons (20 percent) and misdemeanants (10 percent). The remaining seven percent are those who have been tried and convicted but are awaiting sentencing.

Between 1977 and 1979, with the inception of community corrections, the number of offenders sentenced to prison from Multnomah County dropped from 720 to 465. Tables 4 through 7 show the change in sentencing patterns and convictions by offense classification, disposition severity and sentence severity for selected conviction classes over these years.<sup>15</sup>

These tables indicate that despite an increase in overall caseload for the Multnomah County Circuit Court, there was a reduction in the use of the State penitentiary as a sentencing alternative. Although the number of jail days did not decrease, the number of offenders sentenced to jail decreased from 1977 to 1979.

The overall population decrease of A and B felons probably accounted for the reduction in total jail and penitentiary assignments. Yet, probation caseloads remained stable while the number of C felony convictions increased. This was accomplished primarily with the increased use of monetary fines and bench probation. There was an increase of 456 Class C felony convictions and an increase of only 159 in the supervised probation caseload.

Table 4

### CONVICTIONS BY OFFENSE CLASS MULTNOMAH COUNTY CIRCUIT COURT

<u>Offense Class</u>	<u>1977</u>	<u>1979</u>
A Misdemeanor	9.8%	14.2%
C Felony	55.4%	63.3%
A, B Felony	34.8%	22.5%
<u>Number</u>	<u>2208</u>	<u>2535</u>

15. Ibid.



Table 5

CHANGE IN THE DISTRIBUTIONS OF THE CONVICTED POPULATION OVER TIME  
MULTNOMAH COUNTY CIRCUIT COURT

	1977		1979	
	Percent	Number(4)	Percent	Number(4)
Unsupervised (1)	9.4%	252	22.2%	630
Supervised Probation (2)	33.0%	888	38.1%	1080
Jail (3)	8.5%	228	9.5%	270
Jail & Supervised Probation (2)	22.3%	600	13.8%	390
Penitentiary	26.8%	720	16.4%	465
Total	100%	2688	100%	2835

1. Any disposition mix of monetary penalties, community service, and/or bench probation<sup>16</sup>; excludes supervised probation and incarceration.
2. May include monetary penalties and/or community service
3. May include monetary penalties
4. Offender may receive more than one disposition.

Table 6

CHANGE IN DISPOSITION SEVERITY OVER TIME\*  
MULTNOMAH COUNTY CIRCUIT COURT

	1977		1979	
	Mean	Number	Mean	Number
Bench Probation (months)	29.3	204	25.7	375
Community Service (hours)	71.2	120	71.4	105
Monetary Penalties (\$)	580.7	864	776.2	1500
Supervised Probation (months)	46.1	1512	45.6	1485
Jail (days)	177.0	828	237.0	660
Penitentiary (years)	6.4	720	6.7	465

\* Offenders may receive more than one disposition.

Table 7

SENTENCE SEVERITY FOR SELECTED CONVICTION CLASSES  
MULTNOMAH COUNTY CIRCUIT COURT

	Class C Felonies				Class A Misdemeanors			
	1977 Sentence	1977 Number	1979 Sentence	1979 Number	1977 Sentence	1977 Number	1979 Sentence	1979 Number
Bench Prob.(Mos)....	24.8	96	23.2	225	28.0	36	22.0	45
Community Service (Hrs).	70.0	48	95.0	60	0	0	40.0	5
Monetary Penalties(\$)..	657.0	456	792.0	885	772.0	36	416.0	240
Supervised Prob.(Mos)....	44.7	756	45.1	915	40.0	108	44.0	180
Jail (Days)....	170.7	432	254.5	435	167.0	72	121.0	60
Penitentiary (Years).....	4.3	240	4.0	255			0	0

16. An offender given bench probation is not supervised by a parole/probation officer. Bench probation is often combined with a requirement of restitution to the victim, and the court typically monitors compliance.

#### IV. DISCUSSION

##### A. Rehabilitative Impact of Halfway Houses on the Criminal Offender

In our study, we were unable to find hard data to help us evaluate the success rate of halfway house programs in rehabilitating offenders, whether operated in either the halfway-in or halfway-out mode. The following discussion applies to both modes.

Because halfway houses tend to accept those who have the best chance of successfully completing the program, it is difficult to determine the effectiveness of halfway houses. Only two studies have been completed on halfway houses in which halfway house participants were selected at random. Neither of these found a meaningful difference in recidivism rates between halfway-out participants and parolees who had not participated in a halfway house program.

We are left with some speculative observations from our witnesses about the effectiveness of halfway houses. Those interviewed said that halfway houses must be more effective than incarceration in rehabilitating offenders for the simple reason that prisons and jails are not intended to, nor do they, rehabilitate. But few had enough first-hand experience with halfway house programs to speak for or against them.

Our interviews with participants in halfway house programs told us little. These offenders told us exactly what we would expect them to say. Given the option of confinement or a halfway house, the latter would be chosen.

Not surprisingly, halfway house managers and staff who we interviewed said they feel that their programs are worthwhile. They could not provide evidence of the post-program success of residents in avoiding criminal activity, but were quick to point out that the great majority of residents successfully complete the program. These witnesses defined success as finding and maintaining a job and avoiding criminal activity while participating in the program.

No one interviewed said halfway houses do not rehabilitate offenders. They stressed the positive aspects of the community living experience which are to maintain family ties, find and maintain a job, and become socially and financially responsible.

Other forms of community supervision such as probation, parole and work release centers provide these opportunities, too. For example, an offender can maintain family ties, work, and become a law-abiding citizen while on probation or parole. The offender knows it is likely that further criminal acts will terminate the offender's probation or parole status. However, a probation or parole officer has limited time for supervision and counseling of offenders.

Work release centers provide the offender with similar freedoms. The offender is allowed to be at work or in school in the community for a portion of the day but must return to the facility for the balance of the day. From the offender's viewpoint, work release centers have certain disadvantages. They provide little, if any, individual counseling and attention. Offenders who need positive direction may not get it.

In spite of the greater expense of halfway house programs in comparison to supervised probation or parole, society may benefit by the closer contact with and supervision of the offender. There is less chance for an offender to commit additional crimes, abuse alcohol or drugs, or lose a job while in a halfway house program.

#### B. Neighborhood Impact

We found no concrete evidence to determine whether halfway houses positively or negatively impact neighborhoods in which they are located. The concerns that have been raised may be unsupported.

The houses we saw fit nicely with surrounding properties and were well-kept. No one driving down the street would have any reason to believe that the house was different from others in the neighborhood.

Yet, mismanaged house programs may breed excessive noise, traffic congestion, and ill-kept premises. These problems are not confined to halfway houses, as all neighborhoods experience them.

No one we interviewed reported that neighborhood crime had increased. It is questionable whether halfway house residents would commit crimes in neighborhoods other than the one in which the house is located. If residents treat the house and surrounding properties as their neighborhood, a house program could provide a protective influence for the neighborhood. However, we were unable to verify that house residents could or would deter "outsiders" from committing crimes in the neighborhood.

We did not find house residents or staff to be concerned with the quality of the neighborhood setting. Friendly (or at least not hostile) neighbors, proximity to public transportation, and job opportunities are important considerations. These requirements do not conflict with the recommendation that houses be placed in multi-use areas, as opposed to single-family neighborhoods.

We found no evidence to indicate that existing halfway house programs have had a positive or negative impact upon the value of surrounding properties. Yet, halfway houses, like nursing homes, apartment houses, and other facilities accommodating multi-family living, should be sited with consideration given to the livability and value of surrounding properties.

#### C. Other Considerations

In attempting to analyze the ultimate worth of any correctional program, a number of other factors should probably be considered, including the following: cost, societal protection afforded, punishment of the offender, victim restitution, and effect on the offender's dependents.

##### 1. Cost

Daily expenses to keep a resident in a halfway house are comparable to those to maintain a prisoner. However, unlike prisoners, halfway house residents can be required to contribute to the house from wages earned.

Cost of the physical structures of halfway houses and prisons vary. New cell space for one prisoner costs \$60,000 to \$80,000. We know that a house or commercial establishment with several rooms can be purchased to accommodate a number of people for far less money. For example, it would cost about \$700,000 to construct cell space to house ten prisoners. Several houses, each suitable for more than ten people, could be purchased for that sum.

On the other hand, halfway houses cost more than supervised probation or parole. Notwithstanding all other expenses to maintain a halfway house, the house manager would normally be expected to earn a salary similar to that of a probation or parole officer. Yet, probation or parole officers customarily have caseloads of 65 offenders or more.

Other cost considerations come into play as well. Presumably, while probationers, parolees, and halfway house residents can earn money, prisoners do not. Tax revenue is generated from wages earned. Family members may be kept off welfare roles or receive less public support.

## 2. Societal Protection

A second consideration is public safety. If offenders are incarcerated, rather than allowed to be present in the community, they cannot commit additional criminal acts, barring escape from custody.

Halfway houses afford more protection to society than probation or parole supervision because greater accountability is required from the offender. However, offenders on parole and probation are dispersed evenly throughout the community. Halfway houses tend to concentrate offenders.

## 3. Punishment

We were told that some offenders have been confined for such a great extent of their lives that they would balk at release. They like the security of the prison environment - they are fed, clothed, have a place to sleep and medical care. We believe that these offenders are in the minority because most people would perceive any infringement upon their freedom by the criminal justice system as punishment. Consequently, prison (jails), halfway houses, and supervised probation represent a descending scale of punishment.

## 4. Victim Restitution

Another consideration of the effectiveness of any correctional tool is its impact on the victim. Oregon law authorizes the court to order restitution. In determining whether to order restitution the court must take into account the offender's financial resources, ability to pay on an installment basis, and the rehabilitative impact on the offender. If the court orders that monetary payments be made to the victim it is doubtful they will be made if the offender is incarcerated. Consequently, an order of restitution would appear to be unlikely when a lengthy sentence is involved.

A halfway house program geared to finding an offender suitable work should enable the offender to make restitution payments. Likewise, an

offender on supervised probation, if employment is found and maintained, could also make restitution to the victim.

### 5. Effect on Dependents

Finally, the offender's dependents are a consideration in assessing the worth of a correctional tool. Prisons and jails for all practical purposes separate offenders from their dependents. In some instances, the family may then qualify for public assistance. Society is not only paying for incarceration of the offender, but is supporting the offender's dependents as well.

During a halfway house stay an offender can be required to make financial contributions to dependents. The house staff is available to assure that an appropriate allocation is made from the resident's paychecks for this purpose. Also, halfway house living will afford opportunity for weekend passes and regular communication with dependents - a middle ground between prison and supervised probation.

## V. CONCLUSIONS

### A. Rehabilitative Impact

We were unable to determine whether halfway houses rehabilitate offenders. We believe that an assessment of any program's or institution's ability to rehabilitate initially requires some statistics to show what crimes, if any, were committed after program termination. As stated, we were unable to locate any statistics from Portland halfway houses on ex-offender recidivism rates.

The national studies that we reviewed were of little help. Only two studies selected offenders for halfway houses participation in a random fashion and compared them with parolees also randomly selected. There was no statistically significant difference in recidivism rates between the two groups.

We believe random selection of house and control group population is essential to establish meaningful recidivism data. Houses have the ability to screen and select participants and often do so by choosing those most likely to succeed. This bias should be eliminated before proper comparison can be accomplished.

The Oregon Constitution requires that correctional programs reform offenders. Therefore, the key is not what the offender does while in a house program, but whether good conduct is continued beyond graduation.

Even if we had found data on recidivism rates of ex-house residents who had been randomly selected, that would not be enough to make a reasonable judgment on the ability of halfway houses to rehabilitate. To determine the rehabilitative quality of a program requires a comparison with all other programs. Ex-house residents would need to be compared with ex-parolees, ex-probationers, those who had been assessed monetary penalties and those who had performed community service work.

We were not charged with a study of the rehabilitative impact of these other sentencing options. A bank of meaningful data would need to be developed on post-program success of the other community-oriented

sentencing options and institutional programs as well. Such information would be helpful to assess the upcoming corrections bond measure. Without adequate evaluation, it is anyone's guess which correctional facility, program, or combination of alternatives produces the best result in general, or more importantly, for a given offender within the system.

### B. Neighborhood Impact

We are not convinced that the neighborhood would be as safe or as pleasant with the addition of a halfway house. We base this conclusion on the fact that unless incarcerated, offenders have the opportunity to commit further criminal acts. Whether crimes will be committed in the neighborhood in which the house is located or elsewhere is unclear.

Finally, we conclude that property values would be adversely affected if halfway houses are placed in certain neighborhoods. However, there are many locations in Multnomah County where halfway houses can be placed with little or no disruption of neighborhood patterns. Houses of reasonable size (10-15 residents) can be absorbed into multi-use city areas without adversely affecting property values and with minimal neighborhood resistance.

We believe that existing City zoning and licensing requirements afford neighborhood residents appropriate protection against ill-conceived halfway house programs. Through this forum, both proponents and opponents of house programs can exchange views in an orderly manner. Additional consideration is afforded through citizen advisory committees.

In summary, we believe halfway houses will not adversely affect commercial or multi-use neighborhoods in terms of noise, auto traffic, or property values. However, the threat to public safety and the livability of neighborhoods is a concern we share.

### C. Uses of Halfway Houses in the Corrections System

Ultimately we were unable to establish that halfway houses rehabilitate more effectively than prisons. Yet, we found that halfway houses provide opportunities for individual attention, employment, victim restitution, contact with families, and treatment for special problems such as drug and alcohol abuse. Thus, they display considerable potential for rehabilitation of some offenders.

#### 1. Use as a Sentencing Alternative (Halfway-In)

Felony offenders who are deemed by the court to be non-violent and suited for treatment within the community can benefit through halfway-in living. Those who have committed violent crimes and are dangerous to society should not be considered. These persons need to be removed from society despite the problems encountered in a prison environment.

We were advised that there are a number of offenders with drug and alcohol addictions. It is our belief that these people, if they are non-violent, would do well in a halfway house setting. Offenders with drug or alcohol dependencies need individualized attention and treatment. We were told that these people do not receive, or refuse to accept, the appropriate treatment in a prison environment. Halfway houses currently providing these services in Portland are at capacity.

## 2. Use as Post-Confinement Transition (Halfway-Out)

A second use of halfway houses would alleviate to some extent the problem of overcrowding in our prisons. This would entail use of halfway-out programs for offenders who have been confined for several years and need a transitional environment prior to release.

If an offender could be released by the parole board three to four months before the offender's designated parole date, subject to successful completion of a halfway house program, at least two important purposes would be served. First, the offender would have the resources to make a productive transition. Second, this process would free-up cell space for use by other offenders. This use of halfway houses would give the parole board a much-needed correctional tool between confinement and parole. And treatment in a halfway house during the last months of the offenders sentence would cost about the same as keeping the offender confined in existing prison space. If new cell space is constructed, halfway house treatment would cost less.

As long as the offender is scheduled for parole on a given date, we believe that the crime should not be used to judge the offender's suitability for a halfway-out program. For these offenders the parole board may determine that halfway-out participation is appropriate. However, the Community Corrections Act does not authorize expenditures for offenders who have been convicted of murder, treason or Class A felonies. Yet, these types of offenders customarily serve longer sentences than other offenders and are most in need of a transitional environment.

Another problem with the Community Corrections Act is that it affords no incentive to participating counties to establish halfway-out programs. The state charges a penalty to participating counties for each Class C felon sent to the State Penitentiary. Thus, counties are encouraged to establish sentencing alternatives for these offenders. We believe that a similar incentive is needed to encourage counties to help those offenders who have served their sentences.

If funds for separate facilities are lacking, the possibility of housing halfway-in and halfway-out residents in the same facility could be explored. It is possible that halfway-in and halfway-out residents could be placed in the same house without adverse consequences to house residents, staff or neighbors. In fact, halfway-in residents may even benefit by living with those who have experienced the prison environment.

## D. Summary

It is time to stop the "revolving door" approach to corrections. In the great majority of cases, the police make an arrest, the person is convicted, the court sentences the offender to confinement for several years, the offender serves a few months and then, because of overcrowded conditions, the offender is released. There need to be more medium security facilities like halfway houses to bridge the gap for those offenders who do not need to be confined but require more supervision than probation or parole affords.

The cornerstone of community corrections will continue to be probation and parole services. These services are relatively inexpensive and provide offenders with a community living experience. Presumably, if

more community corrections money is allocated to the probation and parole arm, caseloads can be reduced, thereby increasing the quantity and quality of client contact.

However, there is a middle ground between probation or parole and confinement. We believe that halfway houses have the potential to rehabilitate some offenders more effectively than either confinement or probation/parole. While some offenders may benefit from work release, others need more individual attention which is afforded by halfway house living.

We conclude that halfway house programs cost about the same as institutional confinement in existing cell space and less than confinement in new cell space. Since Oregon's prisons and the County's jails are at capacity, the only option is to build new facilities or find some alternatives. We cannot continue to use probation and parole services for offenders who need more supervision.

The Community Corrections Act provides a means to accomplish the mandate of the Oregon Constitution which provides that punishment for crimes shall be based upon "principles of reformation." The 1981 legislature reaffirmed its belief in community corrections by referring to the voters a bond measure emphasizing less expensive alternatives to incarceration. Even if the measure passes in May 1982, it will be years before new jails can be built or alternative programs are in full operation. We believe no time should be lost in opening or expanding existing halfway house programs in Multnomah County. If close monitoring proves their effectiveness, future community corrections funds should be used to expand their number.

## VI. RECOMMENDATIONS

1. Multnomah County should immediately reestablish the NW 20th and Lovejoy house as a halfway-in program for a sufficient period to determine its effectiveness. If it proves successful in terms of rehabilitation and reduced recidivism, the County should expand the number of halfway-in programs; if not, the program should be discontinued. The house should serve non-violent Class C felony offenders who would otherwise be sentenced to confinement.
2. Multnomah County should provide halfway-in programs for criminal offenders who are drug and alcohol abusers to meet the existing demand.
3. The Community Corrections Act should be amended to encourage participating counties to implement halfway-out programs. For each offender admitted into a county's halfway-out program prior to the offender's designated parole date, the county should receive a credit to offset the penalty incurred for sending one Class C felon to the State Penitentiary.
4. As further encouragement for the use of halfway-out programs, the Community Corrections Act should be amended to allow counties to spend Community Corrections funds for all types of offenders scheduled for parole, including those who have committed murder, treason or Class A felonies.



5. Upon amendment of the Community Corrections Act, a halfway-out program should be established by Multnomah County to provide for selective early release of prisoners.

6. The possibility of mixing halfway-in and halfway-out residents in the same facility should be explored as a means of economizing and of benefiting each type of offender from the experiences of the other.

7. In light of the paucity of data on the ability of halfway houses to rehabilitate, halfway houses which Multnomah County operates or contracts with should be required to keep records on standardized forms of:

- the demographic background of each resident served;
- the length of stay;
- the type and geographic location of offense(s) committed before, during and after program participation;
- the counseling and treatment offered;
- the resident's evaluation of the program on discharge; and
- a follow-up at regular intervals after program completion.

Evaluation of the overall effectiveness of halfway house programs on rehabilitation and reintegration should be required and accomplished periodically by Multnomah County Corrections Division. Program modifications should be made as indicated.

8. We were charged with the study of only one element of the many inter-related parts of the criminal justice system. The Board of Governors of the City Club should consider a multi-committee study of the effectiveness of the entire criminal justice system.

Respectfully submitted,\*

Donald P. Bourgeois  
Doris C. Carlsen  
Ronald Iverson  
Janet Kneeland •  
Helen Lee  
Allan Oliver  
Katherine Runnion  
Milan Stoyanov  
William H. Replogle, Chairman

\*Your Committee also benefited from the contributions of Agnes A. Gallagher and Kay Stepp.

Approved by the Research Board on September 10, 1981 for transmittal to the Board of Governors. Received by the Board of Governors on September 28, 1981 and ordered published and distributed to the membership for consideration and action on November 13, 1981.

APPENDIX A  
PERSONS INTERVIEWED

Beatty, Hon. John C. Jr., Multnomah County Circuit Court Judge  
Brown, Betty, Chairperson, Oregon State Board of Parole  
Chambers, Niel, Oregon Corrections Division  
Cochrane, W.R., Halfway House Neighbor  
Crookham, Hon. Charles S., Presiding Judge, Multnomah County Circuit Court  
Drew, John, Halfway House Neighbor  
Duffy, Charles, Attorney and member, Northwest District Association  
Dunbar, John, Intake Coordinator, St. Vincent de Paul Alcoholic Rehabilitation Center  
Ethan, Geri, Neighborhood Coordinator, Northwest District Association  
Fleerlage, George, City of Portland Hearings Officer  
Frost, Frank, City of Portland Director of Planning  
Hatrack, Robert, Administrator, Multnomah County Corrections Division  
Hayes, Hazel G., Member, Oregon State Board of Parole  
Hennings, James, Director, Metropolitan Public Defender  
Hunt, Mark, Job Developer, St. Vincent de Paul Alcoholic Rehabilitation Center  
Jamison, Al, Residential Care Facility Coordinator, City of Portland  
Jeffreys, Victoria, Halfway House Neighbor  
Jeffreys, William, Halfway House Neighbor  
Johnson, Yvonne, Halfway House Neighbor  
LaBarre, Jerry, Attorney and former member, Multnomah County Community Corrections Advisory Committee  
Landers, Celia, Administrative Assistant, Progress House  
Lyons, Cher, Resident Assistant, Native American Rehabilitation Association  
Marsh, Terry, Head Counselor, House of Exodus  
Martin, Jeffrey R., Contract Program Supervisor, Minnesota Department of Corrections  
Mason, Carl, former Director of Corrections, Multnomah County  
Mason, Tom, State Representative (Dist. 9) and Chairman, House Judiciary Committee  
Miller, Joel, Program Manger, Alpha House  
Morrow, Vicki, Acting Program Manager, Alpha House  
Mowry, Richard, Facility Manger, NW 20th and Lovejoy House  
Olmsted, Richard, Director, Washington County Community Corrections  
Person, Jimmy Lee, Halfway House Resident  
Phelan, Judith H., Multnomah County Community Services Manager  
Rumpakis, John, Realtor, Broker and Vice President, Oregon Association of Realtors  
Ryan, Pat, Multnomah County Community Development Specialist  
Sloan, Helen, House Manager, Freedom House  
Steinback, Dave, Director, Harmony House  
Sullivan, Edward, Attorney and Chairman, 1976 Governor's Taskforce on Corrections  
Tanner, Jean B., Director, Alcoholic Rehabilitation Association  
Walker, Gary, Multnomah County Corrections Sargeant  
Ward, Kathy, Program Coordinator, Rita Owens Group Home  
Watson, Robert J., Administrator, Oregon Corrections Division  
Watts, Steven, Multnomah County Corrections Division  
Wellhauser, Martha, Halfway House Neighbor  
Williams, James, Halfway House Resident  
Wolfe, Wayne, Oregon State Budget Division  
Wood, William, Multnomah County Corrections Division

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APPENDIX C  
GLOSSARY

CLIENT...a person receiving attention, supervision, or services from agencies or individuals in the criminal justice system.

COMMUNITY-BASED CORRECTIONS...the provision of correctional services and supervision to offenders in their general area of residence, rather than in a centralized State facility. A community-based corrections system utilizes local rehabilitative and custody resources.

COMMUNITY RESOURCES...the supply of public and private rehabilitative services available to corrections clients within their area of residence.

CORRECTIONS...federal, state and local programs for the custody and supervision of accused and sentenced offenders, which promote public safety and offender rehabilitation.

CRIME AGAINST PERSON...a criminal offense involving physical injury or imminent threat of injury to another human being. Crimes against persons include murder, assault, rape, robbery, arson, and kidnapping.

CRIME AGAINST PROPERTY...a criminal offense involving damage to, loss of, or unauthorized use of property or other objects of value. Crimes against property include theft, larceny, burglary, unauthorized use of a motor vehicle, forgery, issuing bad checks, and possession of stolen property.

CRIME AGAINST STATUTE...a criminal offense involving activity prohibited by law, but without direct injury or threat to persons or property. Crimes against statute include perjury, bribery, criminal activity in drugs, and escape from custody.

CRIMINAL JUSTICE SYSTEM...all agencies and individuals that participate in processing and supervising persons accused of or convicted of violations of the criminal laws. The "system" includes, but is not limited to, law enforcement and police agencies, prosecutors and defense attorneys, courts, victims and witnesses, correction agencies, public and private rehabilitative agencies and defendants, clients, and offenders. These elements of the "system" often operate very independently, without mechanisms for assessing the effects of their actions upon other parts of the "system."

FELON...a person convicted of committing a felony offense.

FELONY...a serious criminal offense punishable by imprisonment of longer than one year usually in a State correctional institution, or by probation.

HALFWAY HOUSE...a residential facility intended to provide an alternative to confinement for offenders not suitable for probation or for those needing a period of readjustment to the community after confinement.

JAIL...a local governmental facility for the confinement of persons awaiting trial, awaiting sentencing or for offenders convicted of misdemeanors and minor felonies.

MISDEMEANANT...a person convicted of committing a misdemeanor offense.

MISDEMEANOR...a criminal offense punishable by a maximum confinement of one year in a county jail, or by probation.

OFFENDER...a person convicted of a crime.

PAROLE...a conditional and revocable release of a prisoner serving an indeterminate or unexpired sentence in a penal or correctional institution.

PRISON (PENITENTIARY)...a state or federal institution for the confinement of persons convicted of major crimes or felonies.

PROBATION...the conditional freedom granted by a judicial officer to an offender as long as the person meets certain conditions of behavior.

RECIDIVISM...repeated relapse into criminal behavior.

REHABILITATION...the process of restoring an offender to a useful and constructive place in society through some form of vocational, correctional, or therapeutic retraining.

RESTITUTION...the act of requiring an offender to repay to the crime victim(s) all or a portion of out-of-pocket losses incurred by the victim(s) as a result of the criminal act.

REVOCATION...in response to a person's unacceptable behavior, the action of the parole board or court to rescind parole or probation status and to commit the person to a confinement facility.

WORK RELEASE CENTER...a minimum security detention facility for offenders who are encouraged or required to pursue vocational and/or educational opportunities within the community.

## APPENDIX D

## HALFWAY HOUSES SERVING CRIMINAL OFFENDERS IN MULTNOMAH COUNTY

	<u>TYPE OF PROGRAM</u>	<u>NUMBER OF PERSONS SERVED</u>
ALPHA HOUSE, 1325 SW Gibbs	Drug	28 residents; 19 court-mandated
ALCOHOLIC REHABILITATION ASSN. HOUSE NO. 1, 1831 SW 14th	Alcohol	10 residents; 0 court-mandated
ALCOHOLIC REHABILITATION ASSN. HOUSES NO. 2, 2712 SE Salmon, and NO. 3, 807 SE 28th	Alcohol	15 residents; 1 court-mandated
FREEDOM HOUSE, 1531 NE 21st	Drug	12 residents; all court-mandated
HARMONY HOUSE, 2270 SE 39th	Alcohol	14 residents; 4 court-mandated
HOUSE OF EXODUS, 1223 NE Alberta	Alcohol	15 residents; 8 court-mandated
NATIVE AMERICAN REHABILITATION ASSN., 1438 SE Division	Alcohol	10 residents; 4 court-mandated
OREGON HALFWAY HOUSE, 1413 SE 15th	Federal parolees	10 residents
OREGON HALFWAY HOUSE ANNEX, 1111 SW 10th	Federal parolees	2 residents
OREGON HALFWAY HOUSE No. 2, 1428 SE Madison	Federal and state parolees	10 residents
PROGRESS HOUSE, 5709 N. Vancouver	Federal parolees	12 residents
St. VINCENT de PAUL ALCOHOLIC REHABILITATION CENTER, 1320 SW Washington	Alcohol	62 residents; 11 court-mandated

Source: Committee survey conducted February, 1980.



**NOTES**