



Note to Reader: Hawaii's Opportunity Probation with Enforcement (HOPE) is a new program developed by the Honorable Steven S. Alm in his court in Honolulu. The HOPE model includes frequent random drug testing of offenders on probation. Those who test positive are subject to immediate, brief incarceration. An independent evaluation of HOPE shows that it is effective in reducing drug abuse, crime and incarceration in the population of offenders in the community on probation. This program holds promise of wide application to the estimated more than three and one-half million offenders with substance abuse problems who are on parole and probation.

HOPE Probation: A Model that Can Be Implemented at Every Level of Government

Robert L. DuPont, M.D.

President, Institute for Behavior and Health, Inc.

HOPE (**H**awaii's **O**ppportunity **P**robation with **E**nforcement), a new program that has been implemented in Honolulu, successfully links the criminal justice system to substance abuse treatment when needed. This program has the potential to command strong bipartisan support and substantially extend the reach of drug courts. HOPE holds the promise of significantly reducing the demand for illegal drugs, crime, and prison populations across the US. This innovative program can be branded and promoted as a high-visibility, high impact upgrading of the nation's efforts to reduce illegal drug use and crime at the same time that it will reduce the nation's prison population

The drug abusers who use the most drugs and create the highest social costs frequently are also criminally active as drug dealers themselves and as property and violent offenders. They are also the most reliable customers of other drug dealers. It is their money that keeps the illegal drug markets in business, thereby damaging the neighborhoods where open dealing takes place. Their recidivism contributes greatly both to the crime rate and to the unconscionably large prison population.

Most of the drug using offenders are on probation, parole, or out on bail. Drug courts harness the leverage of the criminal justice system and the nation's treatment system to reduce drug use and recidivism in this group, but drug courts are expensive and limited in scope. For example, most drug courts will not accept offenders with a history of violent crime. HOPE, however, extends the best features of drug courts to far larger populations at much lower costs.

Four years ago Project HOPE was started by Judge Steven S. Alm, a dedicated and creative judge in Honolulu, Hawaii. Alm's vision was related to that of the founders of the drug court movement, but used a different approach, one with the promise of eventually encompassing every active drug user under criminal justice supervision in the community.

HOPE is based on the idea that the most effective way to reduce drug use and crime among drug-using offenders is to lay out clear expectations for drug-free behavior and then to back up those expectations with tight monitoring linked to swift and certain but relatively mild punishments. Typical community-based corrections, including most drug-diversion programs such as TASC (Treatment Accountability for Safer Communities) and California's Proposition 36, have little monitoring for drug use. Worse yet, when drug use is detected, the responses are unpredictable and long delayed. Most detections of drug use draw no sanctions at all, but after a string of such violations a probationer may be sent to prison to serve his long original sentence. Or he may simply continue to use drugs and commit crimes to buy them until he is caught and imprisoned for a new offense. As a result, too many drug using offenders wind up doing "life in prison on the installment plan."

In the HOPE program, probationers begin with a new court procedure, dubbed a "warning hearing," at which they are formally put on notice that each and every missed appointment or positive drug test will lead to an immediate jail stay ranging from two days to a few weeks.

The current system for handling drug use by criminal offenders under community supervision is akin to ignoring a child's misbehavior for years and then, at some unpredictable moment, disowning or kicking the child out of the house. That strategy does not work for children and works even less well for criminal offenders released under supervision into the community. In contrast, the HOPE model includes quick, predictable, but relatively mild punishments for continued drug use. HOPE's results, both in reduced drug use and less time behind bars, are striking.

As a further important innovation, the HOPE program does not require that all offenders receive specific substance abuse treatment. Treatment is provided for offenders who want treatment and for those who show that they need treatment by repeatedly testing positive in the face of sanctions. Professor Angela Hawken calls this approach "behavioral triage." It greatly economizes on the use of treatment resources, thus freeing scarce and expensive treatment slots for the substance abusers who most need and who are most likely to benefit from those services. At a cost of about \$1,000 per offender each year above the cost of routine probation supervision, this effective innovation is far less expensive than the average cost of about \$4,000 a year per for offenders in drug courts.

Compared to routine probation, HOPE has been shown in a careful, independent evaluation to reduce drug use by more than 90%¹ and new crimes by more than 50% while shrinking the average number of days a probationer spends behind bars. In contrast, violation rates for non-HOPE probationers grew steadily worse over time, with 37% eventually having their probation revoked, compared with fewer than 5% for participants in HOPE.

The original HOPE population consisted of persistently non-compliant probationers, those who would otherwise have faced revocation. Most of them were dependent on methamphetamine, which is notoriously difficult to treat. Yet, once they had received a formal warning in court, almost half the group stopped using drugs at once, without ever suffering a

¹ Hawken, A. & Kleiman, M. (July, 2008). Research brief: Evaluation of HOPE probation. Retrieved November 17, 2008, from http://www.pewcenteronthestates.org/uploadedFiles/HOPE_Research_Brief.pdf

night in jail, and more than half of the remainder cleaned up their act after a single sanction. Fewer than one quarter of the group needed residential substance abuse treatment; fewer than 10% faced revocation hearings. Even that small number of revocations might be reduced by referring unsuccessful HOPE clients to a drug court, with more intensive supervision and a mandate to go to treatment. This way of linking HOPE to drug courts maximizes the advantage of these two important and complementary innovations.

HOPE is operating on a large scale in Honolulu, with more 1,200 clients representing more than one-seventh of all felony probationers. The challenge today is to spread the model to other jurisdictions, and to include parole (and perhaps bail) populations along with probationers. The success of this effort will reduce the use of illegal drugs more than any feasible supply-side policy, while also reducing crime and the prison population.

The initial step is to implement a series of state-wide pilot programs using this model for probation, parole and bail linked to careful evaluation as a prelude to universal application of this model in community corrections throughout the US.