

**Alternatives to Incarceration:  
Their Effectiveness in Improving Health, Wealth, and Recidivism**

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## Introduction:

Is the current U.S. incarceration system effective for offenders, families, or taxpayers? According to multiple studies, the answer could very well be no. At the end of 2023, the United States had the highest number of incarcerated individuals in the world with nearly two million people in prison. Additionally, the recidivism rates within the U.S. are also the highest in the world with nearly 44% of offenders returning to prison within their first year of being released. Furthermore, offenders being held in prisons for extended periods of time has proven to be harmful for the families and communities they leave behind. Moreover, the total expense to U.S. taxpayers is tremendous, totaling approximately \$80 billion in expenses every year. Essentially, mass incarceration has shown to be harmful and ineffective for offenders, their communities, and the American taxpayer. Though, are there alternative ways to rehabilitate inmates while also bettering their communities and saving taxpayers money? Within the last 30 years, the U.S. and multiple other countries have heavily explored the idea of alternatives to incarceration. This annotated bibliography explores the peer-reviewed data, first person accounts, and opinions of law and equality experts surrounding potential alternative sentencing options and the data testing their effectiveness.

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Wolff, K. T., Baber, L., Dozier, C. A., Cordeiro, R., & Muller, J. (2024). Recidivism in alternatives to incarceration programs across thirteen federal districts. *Federal Sentencing Reporter*, 36(3), 141–150. doi:10.1525/fsr.2024.36.3.14

<https://www.proquest.com/docview/2954918519/fulltextPDF/A84CA25361444742PQ/3?accountid=8360&sourcetype=Scholarly%20Journals>

In this analysis from the *Federal Sentencing Reporter* titled “Recidivism in Alternatives to Incarceration Programs across Thirteen Federal Districts” (February 2024), Kevin Wolff and colleagues argue the effectiveness of alternative to incarceration (ATI) programs in rehabilitating offenders and improving recidivism rates. By assessing the data produced from two studies conducted over five years and 13 Federal districts, the authors discern the overall impacts of ATI programs and argue their broad initiation into Federal use. In order to compel the use of ATI programs, Wolff and his colleagues reveal that ATI participants were re-arrested at significantly lower rates than those who did not. Moreover, it was uncovered that participants were more likely to appear in court, pass a drug test, and maintain a job. In all, Wolff and his colleagues present a persuasive argument to utilize ATI programs for legal professionals and policy makers.

Kevin T. Wolff, Ph.D., is an associate professor in the Department of Criminal Justice, and a member of the doctoral faculty for the Program of Doctor Studies in Criminal Justice at the John Jay College of Criminal Justice. Wolff has spent much of his career researching crime patterning, juvenile justice, and criminological theory. Laura Barber, of the Administrative Office, Probation and Pretrial Services Office, has dedicated much of her career to researching

incarceration alternatives and finding programs to help offenders become successful once leaving prison. Christine Dozier, Ph.D., served 30 years with the Federal Pretrial Services. Christine spent her last 15 years as Chief of the United States Pretrial Services Agency in the District of New Jersey and was a federal representative on the Board of the National Association of Pretrial Services Agencies. Roberto Cordeiro earned his master's degree in 1998 and currently serves as Chief U.S. Pretrial Services Officer in the Eastern District of New York. Lastly, Jonathan Muller earned his master's degree from St. Joseph's University and currently works as the Chief United States Pretrial Services Officer within New Jersey.

These authors combined their efforts to examine governmental and peer-reviewed data from across the United States and published them within this peer reviewed journal entry. Ultimately, the work that these authors compiled is extremely useful in answering how successful alternative to incarceration (ATI) programs truly can be. Wolff and his team's examination of data results from across 13 Federal Districts who utilized ATI programs is remarkable. As previously stated, Wolf and his team discovered that offenders who participated in ATI programs had a significantly higher likelihood of appearing in court, passing a drug test, and maintaining a job, when compared to those who did not participate. Even more importantly, Wolff's team found that ATI participants were far less likely to reoffend within their first three years. Additionally, the pass rate for offenders inside these programs averaged at an 81% success rate. In all, this study shows the potential these programs have in a real-world application and presents to readers the potential they bring to the table for the future of our rehabilitative system.

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Patchin, J. W., & Keveles, G. N. (2004). Northwest Wisconsin Criminal Justice Management Conference. In *University of Wisconsin-Eau Claire*. Madison. Retrieved from <https://people.uwec.edu/patchinj/crmj103/Alternatives%20to%20Jails%20Research%20Review%20-%20Executive%20Summary.pdf>

<https://people.uwec.edu/patchinj/crmj103/Alternatives%20to%20Jails%20Research%20Review%20-%20Executive%20Summary.pdf>

At the Northwest Wisconsin Criminal Justice Management Conference, Justin Patchin and Gary Keveles presented "Alternatives to Incarceration: An Evidence-Based Research Review" (November 2004), in which they scrutinized multiple alternative programs in vice of incarceration. Throughout their work, Patchin and Keveles examine 10 various programs by investigating and analyzing a multitude of peer-reviewed data and evidence. Patchin and Keveles's evaluation was completed in order to uncover the efficacy of alternative sentencing programs, and to assess the information and data collection gaps remaining. All told, Patchin and Keveles express their hopes that this review will be used to equip criminal justice practitioners and policymakers with the appropriate tools to make rational policy decisions within their jurisdictions.

Justin Patchin is a professor at the University of Wisconsin-Eau Claire. Patchin earned his Ph.D in criminal justice in 2004 from Michigan State University. In his career, he has spent

much of his career researching cyberbullying, the negative impacts of social media, and sexting. Patchin is also the Cyberbullying Research Center co-founder. Gary Keveles is a professor at the University of Wisconsin-Madison that has focused his career heavily on human behavior, justice, diversity, violence prevention and crime prevention. In 2004, while Keveles was teaching at the University of Wisconsin-Superior, Patchin and Keveles presented a summary of their findings during the Northwest Wisconsin Criminal Justice Management Conference.

Their work consisted of compiling the most current peer-reviewed data which their field had collected and interpreting it to find what alternative sentencing programs existed, how effective each program was, and which programs required more research. The duo reviewed various programs such as community justice and service, day reporting, drug courts, electronic monitoring, forfeiture programs, home detention, supervision probation, work release, and substance abuse treatments. It was uncovered that certain programs worked better than others with drug courts appearing to work the best. Though, Patchin and Keveles do note that little experimentation has been done in combing multiple programs. Ultimately, Patchin and Keveles aimed to supply criminal justice specialists and policymakers with enough information to make informed decisions about policies within their respective jurisdictions. In all, Patchin and Keveles' work serves as a way for those new to the topic of alternative sentencing to become aware of what options are currently available, the research that has been completed thus far, and a glance at ATI program effectiveness.

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Western, B. (2013). Incarceration, inequality, and imagining alternatives. *The Annals of the American Academy of Political and Social Science*, 651(1), 302–306.  
doi:10.1177/0002716213503107

[https://scholar.harvard.edu/sites/scholar.harvard.edu/files/brucewestern/files/incarceration\\_inequality\\_and\\_imagining\\_alternatives.pdf](https://scholar.harvard.edu/sites/scholar.harvard.edu/files/brucewestern/files/incarceration_inequality_and_imagining_alternatives.pdf)

In this edition of *The Annals of the American Academy of Political and Social Science*, the article “Incarceration, Inequality, and Imagining Alternatives” (2013), by Bruce Western illustrates the flaws with mass incarceration and its tendency to promote race and income inequality. By utilizing current data and examining the day-to-day life of reformed offenders, Western magnifies what he calls incarcerations, “Three main elements.” Western’s evaluation of incarceration is done to highlight the shortcomings in the United States prison system, particularly its inability to address root causes of crime, the social and economic inequality it promotes, and the seemingly unwinnable uphill battle it leaves released offenders facing. Overall, Western’s assessment does less in terms of promoting solutions than it does highlighting issues which must be remedied and aims to garner support for prison reform from political bodies, social groups, or citizen who vote.

Bruce Western is a Professor of Sociology at Harvard University, and is a visiting professor at Columbia University, and the University of Queensland. Moreover, Western has served as the

vice chair to the National Academy of Sciences Committee on the Causes and Consequences of High Incarceration Rates in the United States. Lastly, Western is the principal investigator for the Harvard Executive Session on Community Corrections as well as the Boston Reentry Study. In 2013, Western wrote in the peer reviewed journal, *The Annals of the American Academy of Political and Social Science*, about the negative impacts which mass incarceration has not only had for offenders, but also the communities from which they come from. Ultimately, Western detailed through data and real-world examples the vicious cycle of mass incarceration and its propensity to disproportionately foster race and income inequality. Moreover, Western details the lived experience of Peter, a reformed offender, to describe the hardships which released convicts face every day and the seemingly insurmountable hill which awaits them once free. In all, Western's work provides little in producing viable solutions, rather it brings to light the flaws in the current U.S. rehabilitative system and serves as a call to action to find feasible resolutions. Western's work also serves as an excellent reference point for those who have no foundational knowledge of the current U.S. rehabilitation system and its consequences.

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Hanlon, J. P., Hecker, S., & Gopstein, D. (2010). Expanding the zones: A modest proposal to increase the use of alternatives to incarceration in federal sentencing. *Criminal Justice; Chicago*, 24(4), 26–33. Retrieved from <https://www.proquest.com/docview/222874292/fulltext/A52C908EA8F44519PQ/1?accountid=8360&sourcetype=Trade%20Journals>

<https://www.proquest.com/docview/222874292?accountid=8360&parentSessionId=MY4J5N6aFp4U5hdQ9DlyqEsB5FCybRsqnoRXJwMplvE%3D&sourcetype=Trade%20Journals>

Within the Winter 2010 edition of *Criminal Justice; Chicago*, J.P. Hanlon and colleagues argue in “Expanding the Zones: A Modest Proposal to Increase the Use of Alternatives to Incarceration in Federal Sentencing” (2010), that the Federal government should expand the use of alternative incarceration programs in vice of traditional methods given their effectiveness in costs and results. By examining key elements of data, specific program types, and the current ‘zones’ in which alternate programs are allowed, the authors provide relevant recommendations to a multitude of organizations and people. The authors evaluation and recommendations are made in order to strike a balance between protecting the public, respecting the law, providing defendants with appropriate medical care or vocational training, and delivering fiscally viable options to decisionmakers. Ultimately, Hanlon and his colleagues direct their messaging towards an array of audiences to include federal judges, law professionals, and the Federal Sentencing Commission.

J.P. Hanlon earned his Juris Doctor from the Valparaiso University School of Law. From here, Hanlon began an illustrious legal career where he specialized in White-Collar Defense and Investigations practices. Moreover, Hanlon has offered pro bono services to refugees seeking asylum, victims of domestic violence, and defendants charged in criminal proceedings. Hanlon's work eventually earned him a spot in the United States Senate and a job as the United States

District Judge for the Southern District of Indiana. Sean Hecker is an established law professional who earned his Juris Doctor from Stanford and has worked heavily in White Collar Crime, Crypto-Asset disputes, and government and internal investigations. Hecker currently sits as a partner at Kaplan Hecker & Fink LLP. David Gopstein is also a partner at Kaplan Hecker & Fink LLP. Gopstein earned his Juris Doctor from Yale University and currently represents senior executives, companies, and Boards of Directors in high-stakes criminal and civil enforcement matters involving the DOJ, SEC, CFTC, and other federal, state, and local authorities.

The three of these law professionals united to present an article within the peer reviewed journal *Criminal Justice; Chicago* in 2010. Within their work, the three lawyers describe specific ATI programs which have shown success throughout the United States and present a compelling case for their uses. Moreover, the lawyers provided recommendations to an array of audiences. For example, the three offered a recommendation to federal judges to utilize ATI programs more heavily. Additionally, they suggested that law professionals should pursue these programs while working with their clients. Lastly, the lawyers urged the Federal Sentencing Committee to broaden the ‘zone’ of crimes for which these programs can be utilized. Ultimately, their evaluations and recommendations are aimed to keep the public safe, while also rehabilitating offenders in the most effective and fiscally feasible ways. In all, this source does an excellent job of presenting and describing ATI programs, the ways in which they are currently being used, and their actual effectiveness. This article would be an excellent starting point for someone who is curious about ATI options, their effectiveness, and potential secondhand benefits.

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Corbett, H. (2023). Why alternatives to incarceration are good for communities, workplaces and the economy. Retrieved from <https://www.forbes.com/sites/hollycorbett/2023/02/24/why-alternatives-to-incarceration-are-good-for-communities-workplaces-and-the-economy/?sh=181735d0340c>

<https://www.forbes.com/sites/hollycorbett/2023/02/24/why-alternatives-to-incarceration-are-good-for-communities-workplaces-and-the-economy/?sh=181735d0340c>

Writing for Forbes, Holly Corbett asserts in “Why Alternatives To Incarceration Are Good For Communities, Workplaces And The Economy” (2023), that mass incarceration is harmful for those being imprisoned, the communities they come from, and the economy we operate in. By referencing data surrounding incarceration, promoting alternative incarceration organizations, and quoting those with lived experiences with mass incarceration, Corbett presents a compelling case to support alternative incarceration programs. Corbett’s examination and interviews are conducted in order to illustrate that mass incarceration is ineffective for not only those inside of prison walls, but those who are outside of them as well. Ultimately, Corbett’s messaging is aimed at a broad audience such as voters within crime impacted communities, those concerned with federal spending, and potentially some law professionals.

Holly Corbett is a trained journalist who earned her master's degree from the University of Syracuse. Corbett previously held the title of Vice President of Content at Consciously Unbiased, one of the top workplace diversity, equity, and inclusion training organizations. Corbett was in charge of building the corporate curriculum and developing Consciously Unbiased's revenue model. Corbett's written and multimedia work has been featured on USA Today, Men's Fitness, The Travel Channel, Shape, and Redbook, among others. Ultimately, Corbett's work in *Why Alternatives to Incarceration Are Good for Communities, Workplaces and the Economy*, provides readers with a glimpse of how the current U.S. rehabilitative system operates and its shortcomings. Moreover, Corbett examines the potential savings of implementing alternate to incarceration programs and presents some compelling data which would suggest that these programs are even more effective in reducing recidivism. Lastly, Corbett also highlights some of the key groups and organizations who are seeking change within the criminal justice system.

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Clark, N., Dolan, K., & Farabee, D. (2017). Public health alternatives to incarceration for drug offenders. *Eastern Mediterranean Health Journal*, 23(3), 222–230.  
doi:10.26719/2017.23.3.222

<https://www.proquest.com/docview/1912916907?accountid=8360&parentSessionId=rdvCwJFr%2FFUQNYDQriw9MV4tLGgZBAUGsZePF0kAcTQ%3D&sourcetype=Scholarly%20Journals>

Within volume 23, issue 3 of the *Eastern Mediterranean Health Journal*, Nicholas Clark and his colleagues emphasize the effectiveness and need for alternative programs in vice of imprisonment for drug offenders within their article, “Public Health Alternatives to Incarceration for Drug Offenders” (2017). Within their analysis, the authors utilize the findings from multiple studies throughout five various continents as a framework for their claim. Largely, the author's evaluation is completed in order to show the ineffectiveness of current drug programs in reducing recidivism, keeping offenders healthy, and promoting safer communities. Moreover, the analysis also shows the promising upside of alternatives such as decriminalization, drug courts, or community supervision. In all, Clark and his colleagues aimed to promote these policies to decisionmakers throughout various countries, law professionals, and governmental bodies.

Nicolas Clark is a member of Monash University's Faculty of Medicine, Nursing, and Health Sciences. Clark has dedicated much of his career to studying drug addiction, substance abuse, and paths toward recovery. Kate Dolan is a professor at Yale University and has been entrusted with over \$23 million to conduct over 90 research projects which examined prisons and scrutinized various other research projects. Dolan is also a member of the Programme of International Research and Training, as well as the National Drug and Alcohol Research Centre. Lastly, David Farabee, Ph.D., is a professor-in-residence at the University of California, Los Angeles. Moreover, Farabee currently serves as the Director of the Integrated Substance Abuse Programs Juvenile Research Group. Overall, Farabee's career has revolved heavily around drug

and alcohol abuse prevention and rehabilitation, HIV/AIDS, as well as treating drug addicted criminal offenders.

These three experts collaborated to examine and highlight the overall futility of incarceration drug treatment programs, point out the dangers to drug related offenders within prison, and to recommend policies which may be more impactful in helping offenders get healthy and stay out of prison. Ultimately, their findings and recommendations were published in the peer-reviewed journal, *Eastern Mediterranean Health Journal*. Their work details data from across the world which convincingly shows that putting drug offenders into a cell is ineffective in helping them get clean. In fact, it has shown to be significantly more dangerous as the root causes of offender's behaviors is not being addressed, and the same drugs which put offenders into prison are still available within the walls which they are now trapped. Ultimately, the authors champion policies such as decriminalization, treatment in vice of imprisonment, drug courts, and community supervision to combat drug addiction and high recidivism rates. Moreover, the authors include a segment of how these policies would greatly help women as they are twice as likely to become addicted to drugs once incarcerated. In all, this work serves as a detailed and thorough evaluation of new programs which could be implemented, highlights real world success stories of these programs, and further specifies the shortcomings of current incarceration systems.

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## **Conclusion:**

While potentially imposing upon first sight, alternative to incarceration (ATI) programs offer a multitude of benefits to not only the rehabilitation of offenders, but also to their communities, and the American taxpayer. With options such as community and restorative justice, community service, drug courts, electronic monitoring, substance abuse treatment, work release, and others, Federal courts have an arsenal of tools at their disposal. Tools which have been shown to significantly reduce the recidivism rates of offenders and offer them and their families a feasible way forward. Additionally, these programs have been shown to keep neighborhoods safe and ultimately will cost taxpayers much less due to reduced recidivism. While more research is likely still needed, the evidence presented from the last 20 years offers substantial hope. That is, hope in finding rehabilitative methods which will restore and prepare offenders, support and protect their communities, and offer fiscally responsible options for policymakers and taxpayers.