Rehabilitation Works  
Opposition Brief by Drew magness



As you’re preparing for regionals and (hopefully!) nationals, you might be needing some examples to back up your affirmative case. It’s easy for the negative to cite random examples of rehab not working and the criminal going back out and killing. It’s also easy for them to cite scientific studies saying rehab might not work. You need to be able to combat that.

What I’ve done in this brief is compiled a directory of different forms of rehabilitation and their effectiveness. You can use each of them to illustrate the guiding principles behind rehabilitation: transforming criminals for the better.

The reason I included the first part (Principles of Effective Rehabilitation) in this brief is that you can use these principles to show what rehab looks like at its best. Compare this rehabilitation at its best to retribution at its best and you’ll find that rehab comes out on top. Use this if your strategy involves a truthful comparison of rehabilitation and retribution. If you’re relying on a strategy that solely paints retribution in a horrible light, (which you probably shouldn’t do) then you shouldn’t use this evidence.

The best part of the brief is on the bottom page. Check that card out.

Opposition Brief: Rehabilitation Works

# Principles of Effective Rehabilitation:

The Need Principle and the Risk Principle

James Bonta Ph.D. 1997 “Offender Rehabilitation: From Research to Practice.” James Bonta received his doctorate degree in Clinical Psychology from the University of Ottawa in 1979. <http://www.pbpp.pa.gov/research_statistics/Documents/26%20What%20Works%20Offender%20Rehab%20Bonta.pdf>

In recent years there have been considerable advances in our knowledge about the characteristics of effective treatment programs. Two important principles of effective treatment are the Risk Principle and the Need Principle. The Risk Principle states that the level of treatment should match the risk level of the offender. That is, higher risk offenders require intensive levels of treatment services while low risk offenders require minimal levels of treatment. The Need Principle identifies two type of offender needs: 1) criminogenic and 2) noncriminogenic. Criminogenic needs are offender risk factors that when changed are associated with changes in recidivism. Effective offender treatment programs are those that target criminogenic needs.

Responsivity Principle

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The third principle is the Responsivity Principle. There are certain personality and cognitive-behavioural characteristics of the offender that influence how responsive he/she is to types of treatment and how that treatment is delivered. In general, cognitive-behavioural treatments are more effective than other forms of treatment (e.g., psychodynamic, client-centred). But, a cognitive-behavioural treatment program, in and of itself, may not reduce offender recidivism. If the program fails to target criminogenic needs (Need Principle) and with the appropriate intensity (Risk Principle), there may be little effect.

Professional Discretion Principle

James Bonta Ph.D. 1997 “Offender Rehabilitation: From Research to Practice.”James Bonta received his doctorate degree in Clinical Psychology from the University of Ottawa in 1979. <http://www.pbpp.pa.gov/research_statistics/Documents/26%20What%20Works%20Offender%20Rehab%20Bonta.pdf>

Professional Discretion is the fourth principle. Some offenders may present unique characteristics and situations that are not adequately considered by the other three principles. For example, some sex offenders score low risk on many objective risk instruments but other factors known to the professional may suggest otherwise. As an example, a child molester who is in a position of caring for children may present a special risk not considered by a general offender assessment instrument.

Program Integrity Principle

James Bonta Ph.D. 1997 “Offender Rehabilitation: From Research to Practice.”James Bonta received his doctorate degree in Clinical Psychology from the University of Ottawa in 1979. <http://www.pbpp.pa.gov/research_statistics/Documents/26%20What%20Works%20Offender%20Rehab%20Bonta.pdf>

Recently, Andrews has added a fifth principle, Program Integrity. Conducting the treatment in a structured manner, according to the principles outlined and with enthusiastic and dedicated staff are the features of this principle.

These principles are key to effective rehab:

Mark Lipsey December 2007 “The Effectiveness of Correctional Rehabilitation: A Review of Systematic Reviews.” Research Professor, Dept. of Human & Organizational Development, Research Professor, Peabody Research Institute. Mark Lipsey's professional interests are in the areas of public policy, program evaluation research, social intervention, field research methodology, and research synthesis (meta-analysis). The topics of his recent research have been risk and intervention for juvenile delinquency and substance use, early childhood education programs, issues of methodological quality in program evaluation research, and ways to help practitioners and policymakers make better use of research to improve the outcomes of programs for children and youth. <https://www.researchgate.net/publication/228187332_The_Effectiveness_of_Correctional_Rehabilitation_A_Review_of_Systematic_Reviews>

In a series of meta-analyses, Andrews et al. have shown that studies of interventions they judge as conforming to their need and responsivity principles do indeed show considerably larger effects on recidivism than those that do not (Andrews et al. 1990, Andrews & Bonta 2006, Gendreau et al. 2006). In one recent meta-analysis, for instance, they showed that programs that departed from the need, responsivity, and risk principles had a mean effect size in the vicinity of zero, whereas those that embodied those principles achieved an effect size of phi = 0.26, equivalent to a recidivism reduction of approximately 50% (Andrews & Bonta 2006, p. 335). Few other primary researchers or meta-analysts have explored these treatment principles or proposed any alternatives [Cleland et al. (1997) are an exception among the meta-analysts]. The general notion that rehabilitation treatment is effective to the extent that it targets malleable risk factors for recidivism and uses techniques that, in fact, induce positive change in those risk factors is plausible and consistent with the evidence on effective treatments. It has many testable implications for the variables that should mediate recidivism reductions (criminogenic risk factors), the matching of treatment with offender characteristics according to their particular risk factors, and the differential effectiveness of different approaches.

# Education:

Prisoners lack education

Lois Davis Senior Policy Researcher with the Rand Corporation July 21st 2015 from an interview with the National Public Radio. <http://www.npr.org/sections/ed/2015/07/31/427741914/measuring-the-power-of-a-prison-education>

Sixteen percent of state prisoners have a high school diploma. Education can have a huge effect in really helping them to gain the skills they need and prepare them to be employed. So as we look at the larger picture of how we reduce mass incarceration and investments in correctional budgets, part of that discussion needs to be what programs have the potential to really help us reduce those high costs we are currently paying as a society.

Education keeps criminals out of prison

Lois Davis Senior Policy Researcher with the Rand Corporation July 21st 2015 from an interview with the National Public Radio.

We looked at 30 years of research, to look at what we know about the effectiveness of prison education for inmates. What we found was that, if an individual participates in any type of correctional education program — whether it be adult basic ed, GED preparation, college education or vocational training — they had a 13 percentage point reduction in their risk of being re-incarcerated. That's an enormous reduction in the risk. And for those that participated in post-secondary education programs — college programs — their reduction in risk of reincarceration was 16 percentage points. A substantial reduction.

Educational Rehabilitation Saves Money

Lois Davis Senior Policy Researcher with the Rand Corporation July 21st 2015 from an interview with the National Public Radio. <http://www.npr.org/sections/ed/2015/07/31/427741914/measuring-the-power-of-a-prison-education>

Education is a relatively low-cost program you can provide to inmates. But, when you look simply at direct costs, we find that for every dollar invested in a prison education program it will ultimately save taxpayers between $4 and $5 in reincarceration costs. That's an enormous savings. Just to break even, you'd only have to reduce the risk of reincarceration by one to two percentage points. But, the fact that there is a 13-point reduction in risk means you really are achieving substantial cost savings. And this is a conservative estimate of savings because we are not taking into account the indirect costs both to crime victims and the criminal justice system.

Education works for offenders

Vivian Nixon December 18th 2012 The Rev. Vivian Nixon, the executive director of the [College and Community Fellowship](http://www.collegeandcommunity.org/), is a co-founder of the [Education From the Inside/Out Coalition](http://www.eiocoalition.org/). <https://www.nytimes.com/roomfordebate/2012/12/18/prison-could-be-productive/during-and-after-incarceration-education-changes-lives>

In New York State, the overall recidivism rate within three years of release is 39.9 percent. Education is one of the most effective ways to reduce this. For example, the [Open Society Institute noted](http://www.prisonpolicy.org/scans/research_brief__2.pdf) that participation in higher education lowers recidivism to 15 percent, 13.7 percent and under 1 percent for people who earned an associate’s, bachelor’s or master’s degree while in prison. Furthermore, the [Correctional Education Association found](http://www.ceanational.org/PDFs/EdReducesCrime.pdf) that 1,373 inmates who had participated in college programs while incarcerated had significantly lower levels of rearrest, reconviction and reincarceration.

# Victim-Offender Mediation (VOM):

What is Victim-Offender Mediation?

The Centre for Justice & Reconciliation No Date Given <http://restorativejustice.org/restorative-justice/about-restorative-justice/tutorial-intro-to-restorative-justice/lesson-3-programs/victim-offender-mediation/> The Centre for Justice & Reconciliation is a program of Prison Fellowship International. Its mission is to develop and promote restorative justice in criminal justice systems around the world.

In essence, VOMs involve a meeting between the victim and offender facilitated by a trained mediator. With the assistance of the mediator, the victim and offender begin to resolve the conflict and to construct their own approach to achieving justice in the face of their particular crime. Both are given the opportunity to express their feelings and perceptions of the offence (which often dispels misconceptions they may have had of one another before entering mediation). The meetings conclude with an attempt to reach agreement on steps the offender will take to repair the harm suffered by the victim and in other ways to "make things right".

VOM is voluntary *(True Rehabilitation)*

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Participation by the victim is voluntary. The offender's participation is usually characterized as voluntary as well, although it should be recognized that offenders may "volunteer" in order to avoid more onerous outcomes that would otherwise be imposed. Unlike binding arbitration, no specific outcome is imposed by the mediator. Instead, the mediator's role is to facilitate interaction between the victim and offender in which each assumes a proactive role in achieving an outcome that is perceived as fair by both. VOMs involve active involvement by the victim and the offender, giving them the opportunity to mutually rectify the harm done to the victim in a process that promotes dialogue between them.

VOM improves outcomes for all parties

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Studies have concluded that these programmes have high client satisfaction rates, victim participation rates, restitution completion rates, and result in reduced fear among victims and reduced criminal behaviour by offenders.

VOM provides justice for victims

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Mediation had a significant impact on victim satisfaction with the juvenile justice system. Eighty-five percent of mediation victims expressed satisfaction with how their case was handled, compared with 64 percent of victims in the referral/no mediation comparison group and 61 percent in the non-referred comparison group (all differences were statistically significant).

# The Honor Program:

What is The Honor Program?

The Steering Committee for the Honor Program Kenneth E. Hartman, Chairman California State Prison – Los Angeles County January 2007 <http://www.prisonhonorprogram.org/HONOR%20PPT/manual.pdf>

Prisoners must apply to participate in the program. They are screened, must have a clean record, and must state a desire to commit to more demanding criteria, including abstaining from violence, racism, gang involvement, and drug use. (Random drug testing is part of the program.) The Honor Program requires each prisoner to create an “Individual Development Plan” to achieve self-improvement goals. Prisoners agree to take responsibility for their own personal growth and transformation, and are involved in programs or activities that address emotional, psychological, social and/or vocational health. The Honor Program allows prisoners to have a choice between the negative group punishment model or personal responsibility and individual accountability. It clearly separates those who really want to change and improve. The Honor Program has demonstrated the desire of prisoners to help others, to give back to the community, and to make amends for past wrongdoings. Tens of thousands of dollars has been raised for, and thousands of contributions have been made by, Honor Program prisoners to nonprofit organizations, Toys for Tots and similar groups, the poor around the world by eyeglasses refurbishing programs, and many other areas of help for the needy.

Effectiveness of The Honor Program

The Steering Committee for the Honor Program Kenneth E. Hartman, Chairman California State Prison – Los Angeles County January 2007 <http://www.prisonhonorprogram.org/HONOR%20PPT/manual.pdf>

In its first year of operation The Honor Program at CSP-LAC: - Saved the taxpayers of California over $200,000 - Reduced weapons offenses by 88% and violence by 85% - In its six years of operation, the Honor Program has functioned without a single major violent incident, with savings of millions of dollars to the state of California.

Rehabilitation lowers violence

The Steering Committee for the Honor Program Kenneth E. Hartman, Chairman California State Prison – Los Angeles County January 2007 <http://www.prisonhonorprogram.org/HONOR%20PPT/manual.pdf>

The Honor Program has compiled a remarkable record of success over the past six years, even in the face of official indifference, at least, and for the past several years, outright hostility. During that time there have been no riots, no mass actions (work stoppages, sit-down strikes, etc.), and no staff seriously injured; overall levels of violence have decreased dramatically. All of this is particularly noteworthy in light of the distressing facts of California prisons over the same time frame. Every Level-IV and most of the Level-III's have experienced vastly greater levels of violence and unrest, and this includes the Sensitive Needs Yards. The reality of the prison experience in this state is one of horrific violence and fear, which renders everyone associated with the prisons victims of acute and chronic trauma.

The Honor Program reduces criminal behavior

The Steering Committee for the Honor Program Kenneth E. Hartman, Chairman California State Prison – Los Angeles County January 2007 <http://www.prisonhonorprogram.org/HONOR%20PPT/manual.pdf>

It should be noted that the following categories, totaled for the pre-Honor Yard period compared to the post-implementation period showed the noted decreases:

• Weapons Offenses 88% decrease

• Violence / Threatening 85% decrease

• Work-Related Offenses 84% decrease

• Drug-Related / Trafficking 43% decrease

• Alcohol 41% decrease

# Theater Programs:

Benefits of theater for prisoners

Agnes Wilcox December18th 2012 Agnes Wilcox is the artistic director of [Prison Performing Arts](http://www.prisonartsstl.org/) in St. Louis, Mo. <https://www.nytimes.com/roomfordebate/2012/12/18/prison-could-be-productive/prison-theater-transforms-inmates?module=ArrowsNav&contentCollection=undefined&action=keypress&region=FixedLeft&pgtype=undefined>

Over the past 20 years, I have seen how theatrical productions provide an excellent environment in which to learn and practice skills that prepare people for success in life and work – among them commitment, self-control, discipline, self-worth and teamwork. In Missouri, the recidivism rate for men and women who have been involved in prison theater programs is less than one-third of the state’s overall rate.

Theater teaches life-lessons for prisoners

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Inmate actors develop empathy. They learn to embody, articulate and understand the perspectives and experiences of others, often very different from themselves. Many men and women are in prison because they have limited problem-solving skills. Their lives have been chaotic, and they have not been able to create a structure for that chaos. Literature, with its use of language and with its study of character and circumstance, helps them see and articulate the process of cause and effect in human lives, sometimes their own. Actions and their consequences are clear to any actor who spends a semester exploring the role of Hamlet.

# Broad Analysis:

Rehabilitation works according to every major meta-analysis:

Mark Lipsey December 2007 “The Effectiveness of Correctional Rehabilitation: A Review of Systematic Reviews.” Research Professor, Dept. of Human & Organizational Development, Research Professor, Peabody Research Institute. Mark Lipsey's professional interests are in the areas of public policy, program evaluation research, social intervention, field research methodology, and research synthesis (meta-analysis). The topics of his recent research have been risk and intervention for juvenile delinquency and substance use, early childhood education programs, issues of methodological quality in program evaluation research, and ways to help practitioners and policymakers make better use of research to improve the outcomes of programs for children and youth. <https://www.researchgate.net/publication/228187332_The_Effectiveness_of_Correctional_Rehabilitation_A_Review_of_Systematic_Reviews>

The global question of whether rehabilitation treatment works is thus answered affirmatively by the favorable mean effects on recidivism found by every meta-analyst who has conducted a systematic synthesis of a broad sample of the available experimental and quasi-experimental research. No general bias in the findings of that research or the meta-analyses that summarize them has yet been demonstrated which is sufficient to negate the overall positive findings. It is the case, however, that the available research is unevenly distributed and synthesized. Treatment effects for juvenile offenders have been more thoroughly analyzed and documented than for adult offenders, and possible differential effects of treatment in community and residential settings have not been well explored. These are matters of practical importance to the juvenile and criminal justice system policy makers responsible for rehabilitation programs, and they warrant more attention from researchers.