

# Nothing Works Revisited: Deconstructing Farabee's *Rethinking Rehabilitation*

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**Abstract:** In *Rethinking Rehabilitation*, Farabee claims that offender treatment is a failed enterprise and instead proposes a correctional approach that emphasizes deterrence through intensive supervision, electronic monitoring, and indeterminate parole sentences. We argue that this neo-Martinson attack on rehabilitation, which has the potential to shape public policy discourse, needs to be deconstructed. Although Farabee's critique has merits—especially about the limited effectiveness of many current prison programs—his analysis ignores research both favorable to offender treatment and unfavorable to his proposed policy agenda. In this context, his advice to choose a correctional future that is punitive and devoid of rehabilitation would be a mistake.

**Keywords:** rehabilitation, treatment effectiveness, nothing works doctrine

In 2005, David Farabee published *Rethinking Rehabilitation: Why Can't We Reform Our Criminals?* with the American Enterprise Institute, a neoconservative Washington D.C. think tank. Subsequently, he took his message to the *Washington Post*, where his op-ed piece opposed pro-treatment legislation and ended with the admonition that “tackling prisoner recidivism is serious business requiring serious solutions, and it is unlikely to involve workbooks, videos or talk therapy” (2006, p. A9). Reminiscent of Martinson's (1974a) “nothing works” essay, Farabee's message that correctional rehabilitation is a failure has now entered the public domain and is an emergent reality that practitioners and policy makers must address.

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Farabee has every right to be a public intellectual engaged in “advocacy research”—an attempt to use research findings to build a case for a particular policy agenda (Gilbert, 1997). In doing so, however, he has selected to publish in forums in which his ideas skirt the regular scholarly review process. He is hardly the first to do so; after all, many academic books are subjected only to cursory peer review. Even so, the danger in this choice of outlets is that his work has entered the marketplace of ideas absent independent and blind scrutiny by professional criminologists. The buyers of his message should beware.

In a nutshell, Farabee’s central message is that correctional rehabilitation programs do not reduce recidivism and that public safety and justice will be enhanced by criminal justice responses that emphasize subjecting offenders to arrest and close surveillance. Embedded within this message is a legitimate question over the capacity of the correctional system, especially prisons, to deliver effective treatment programs. But interspersed throughout *Rethinking Rehabilitation* are assertions based on a selective reading of the extant empirical evidence. Only by ignoring studies that reach inconvenient conclusions can Farabee construct a social reality that so easily dismisses the promise of treatment and ignores the problems associated with sanctions emphasizing punishment, surveillance, and deterrence.

*Rethinking Rehabilitation* is to be taken seriously. It has generated several important critical evaluations, written independently from this essay, that merit careful consideration (Byrne & Taxman, 2005; Maruna, 2007; Pappozzi, 2006). As a research psychologist, Farabee has conducted high-quality treatment studies and is well acquainted with the foibles of correctional treatment. His analysis is well crafted and persuasive. It emphasizes a mixture of science and common sense that creates a seductive social reality. This reality, however, is erected on shaky pillars and could have disquieting policy ramifications. It is a reality that should be deconstructed.

In this regard, we organize this rejoinder into three sections. First, we assess his version of correctional history and its implications for the current status of treatment interventions. Second, we propose that although Farabee offers a reasonable critique of extant rehabilitation programs, he overlooks research on treatment effectiveness and the reigning theory of effective correctional intervention. Third, he offers an alternative policy agenda to rehabilitation that ignores research information that casts doubts on its likely effectiveness. The hubris with which he embraces offender punishment and surveillance seems unfounded. If our assessment has merit, it leaves Farabee devoid of any meaningful response to crime. In a world full of imperfect choices, we contend that offender treatment should remain an integral part of any responsible response to crime.

### THREE STRIKES

In the preface and initial two chapters of *Rethinking Rehabilitation*, Farabee attempts to set a context for the uninformed reader as a prelude for his central message—the ineffectiveness of prison treatment programs—that he conveys in subsequent chapters. As we discuss below, however, these three foundational sections are flawed in important ways. Farabee swings three times at the academic ball and, in our judgment, misses on each occasion. Three strikes! The result is that readers are presented with information that most criminologists would find unconvincing. The danger for the educated layperson and policy maker is that Farabee’s claims, at least at first glance, seem plausible. And if embraced, they make readers receptive to the rest of the message that Farabee later shares.

Let us hasten to add that we recognize that the points we make in this section are not indisputable. Many social science issues are informed by limited bodies of research that make incontrovertible conclusions beyond reach. However, our citation of the existing literature—nearly all readily available—reveals that many of Farabee’s claims are problematic at best and likely incorrect at worst. Most troubling, Farabee has not wrestled seriously with much of the research evidence that contradicts his point of view. This scholarly preference unfortunately guides much of *Rethinking Rehabilitation*.

We also wish to caution that even if Farabee is substantially incorrect in the beginning sections of *Rethinking Rehabilitation*, this does not mean that there are not important kernels of truth in this document. As we will later revisit, Farabee is correct in warning about the difficulties inherent in prison rehabilitation programs. In many respects, we take issue not with this core assertion but with the way in which Farabee has chosen to package it and the broader conclusions he draws.

### Revisionist History

*Rethinking Rehabilitation* starts in the Preface with a tribute to Robert Martinson, whose 1974 review of treatment studies in *The Public Interest* questioned the efficacy of correctional rehabilitation. In this account, Martinson paid the ultimate price for taking on the treatment establishment in illuminating the sad state of correctional interventions and publicizing them in the national media. Martinson was turned into a “pariah”; as a result, “he grew angrier and more alienated, and a few years after taking his unpopular stand—although he had begun to waver—he took his own life” (Farabee, 2005, p. xvi). But the derogation of Martinson did not stop there. In another instance in which “ideology is allowed to trump empirical evidence,” Martinson continues to be accused by his detractors for something he never said—the slogan that “nothing works.” In the end, the tragic episode has a disquieting lesson, for

“the passionate reaction against his findings and against him personally—revealed a powerful bias in academic circles that encourage those who ‘prove’ that these programs work and dismiss those who suggest otherwise as being opposed to rehabilitation” (2005, p. xvi).

Unfortunately, Farabee’s account is mere revisionist history that misunderstands the past. Three points need to be made. First, by the time Martinson’s (1974a) article appeared, there was already a broad-based movement to reject rehabilitation (Allen, 1981; Cullen, 2002; Cullen & Gilbert, 1982). Martinson was thus treated as a criminological celebrity for confirming what everyone “already knew.” Within sociology—his home discipline—labeling theory and critical criminology were in ascendancy (Cole, 1975; Hagan, 1973). Schur (1973) had already authored *Radical Non-Intervention* and Platt (1969) had unmasked the class-biased, coercive interests that led to the founding of the juvenile court. Prisons were now portrayed as inherently inhumane, whether in Zimbardo’s Stanford prison experiment (Zimbardo, Banks, Haney, & Jaffe, 1973) or in Rothman’s (1971) social history of the penitentiary. Foucault’s (1977) *Discipline and Punish* was just around the corner. “Enforced therapy” was under attack (Kittrie, 1971), and a broad movement was under way to embrace a “justice model” that would reject treatment in favor of just deserts and determinate sentencing (American Friends Service Committee Working Party, 1971; Conrad, 1973; Morris, 1974; see also Fogel, 1979; Von Hirsch, 1976). In fact, criminologists were so anxious to prove that interventions were ineffective that Gottfredson (1979) catalogued the “treatment destruction techniques” used to undermine any demonstration of a favorable program effect (see also Andrews & Bonta, 2006; Binder & Geis, 1984). “Nothing works,” in fact, was now deeply ingrained in the professional ideology of criminologists (Cullen & Gendreau, 2001).

If there was a lonely voice, it was not Martinson’s but that of Ted Palmer (1975) who offered a reasoned rebuttal to *The Public Interest* article (see also Gendreau & Ross, 1979; Klockars, 1975). But for many years, Palmer remained part of a minority of scholars trying to reaffirm rehabilitation (Cullen, 2005). At this time, it was far more common to ask, “Is rehabilitation dead?” (Halleck & Witte, 1977; Serrill, 1975). As determinate sentencing and then a wave of law and order policies swept across the nation, it appeared that rehabilitation’s days as a guiding correctional theory were numbered (Cullen & Gilbert, 1982).

Second, the claim that Martinson “never said that nothing works” is accurate only in the most technical sense. In careful academic language, he offered the now classic conclusion that “with few and isolated exceptions, the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism” (1974a, p. 25). The qualifying phrase of “few and isolated exceptions,” however, does not obviate the central message Martinson was delivering. In his 1974 article, he cleverly asked the question, “Does nothing work?” (p. 48). He

followed this by querying, “Do all of these studies lead us irrevocably to the conclusion that nothing works, that we haven’t the faintest clue about how to rehabilitate offenders and reduce recidivism?” (p. 48). He stopped just short of definitively saying that all was hopeless, but soon thereafter he was not so judicious. Later that year, he commented on his subsequent coauthored book based on his project’s findings (Lipton, Martinson, & Wilks, 1975). “Nowhere in this volume,” he stated, “is it asserted that rehabilitation is a ‘myth.’ This is a conclusion that I have come to, however, based on the evidence made available by this volume” (1974b, p. 4). Martinson was even blunter in a 1975 interview on *60 Minutes* with Mike Wallace, a segment titled “It Doesn’t Work.” Here, Martinson announced that he had “looked at all the methods that we could find—vocational, educational—and a variety of other methods. These methods simply have no fundamental effect on the recidivism rate of people. . . .” Mike Wallace then asked, “No effect at all?” Martinson: “No effect, no basic effect” (CBS Television Network, 1975, p. 2).

The point is not to criticize Martinson for taking a strong stand against rehabilitation. Rather, it is simply to demonstrate that his critics—and, more plentiful, his *supporters*—were not substantively distorting his position when they characterized his work as showing that “nothing works.” Even if individual programs were effective, he claimed that there was no proven modality or category of treatment that worked reliably (Cullen & Gendreau, 2000). An isolated program might produce positive effects, but research could not show that any specific intervention strategy—for example, individual counseling, skill development, psychotherapy, or milieu therapy—reduced recidivism more often than it had no effect whatsoever. From a policy standpoint, Martinson thus was asserting that nothing works consistently enough to justify the continued use of rehabilitation as the guiding purpose of corrections. Martinson (1979, p. 254) would later comment that he had “protested at the slogan used by the media to sum up what I said—‘nothing works.’” However, he confessed that the “press has no time for scientific quibbling and got to the heart of the matter better than I did” (p. 254).

Third, linking Martinson’s suicide to his stance on rehabilitation is potentially misleading. It is conceivable, of course, that second thoughts about his role in undermining correctional treatment could have weighed heavily on him (though one of the current article’s authors was told a different account of the death from a colleague of Martinson). But Farabee’s story implies that Martinson was virtually hounded to his death for taking a stand against the powerful treatment establishment. In our view, Martinson was not a profile in courage but part of the overwhelming majority of contemporary crime scholars who also doubted correctional treatment. Much like any prominent academic, his ideas were scrutinized and criticized by some (Petrosino, 2005). Far more often, though, Martinson was praised and celebrated—or, in the least, cited and used to justify an alternative approach to corrections, such as incapacitation

(see, e.g., Wilson, 1975). Right before and right after the publication of Martinson's (1974a) essay, a number of other scholars reviewing the empirical research on offender treatment reported similar results (Cullen, 2002; Cullen & Gendreau, 2000; Petrosino, 2005; Wilson, 1975). Martinson was not a lonely voice but part of the growing chorus.

Whatever its merits, Farabee's account conveys the subtle message that anyone who dares to stand up to the "powerful bias in academic circles" will pay the professional and personal price of being "dismissed." After all, look what happened to Martinson. In this context, the risk is that unsuspecting readers might be induced to take a premature sympathetic stance toward *Rethinking Rehabilitation*. By implication, because Farabee apparently has nothing to gain and much to lose, the only reason he has taken on the rehabilitation establishment is that he has the courage and integrity to unmask an important, if dangerous, truth. Let us merely say that we question the accuracy of this conclusion; it is not clear that anyone pays much of a price for opposing correctional treatment.

### **The "Get Lenient" Movement**

The problems with Farabee's introductory comments do not stop there. In Chapter 1, he notes that a Bureau of Justice Statistics study discovered that recidivism rates for state and federal inmates three years after release were 62.5% among those released in 1983 and 67.5% among those released in 1994 (2005, p. 6). Farabee suggests that this increase in recidivism may be due to offender treatment programs, which are now consuming \$1.2 billion annually (pp. 6, 8). Thus, he asks: "And, in light of the fact that most prisons in the 1990s tended to offer more rehabilitation programs than they did when the first cohort of prisoners was released in 1983, why do we not find lower recidivism rates among the 1994 releases?" (p. 6). The public, and its misguided good intentions, also are implicated in this development. After all, surveys now show the "public's desire for nonpunitive, rehabilitative responses to crime" (p. 8).

Let us make four observations about this line of reasoning. First, Farabee offers no empirical evidence that inmates who participate in prison programs are more likely to recidivate. In fact, meta-analyses show that although treatment is delivered more effectively in the community, the overall impact across institutionally based interventions is to reduce recidivism (French & Gendreau, 2004; Lipsey & Wilson, 1998; McGuire, 2002). Poorly designed treatment programs in institutions, especially if applied to low risk offenders, can increase the risk of recidivism (see Andrews, Zinger, Hoge, Bonta, Gendreau, & Cullen, 1990; see also Bourgon & Armstrong, 2005; Smith, 2006). But there is no evidence that this has anything to do with programs eroding deterrence by softening the bite of prisons.

Second, there is no evidence that prisons are growing more humane and less painful (Conover, 2000; Irwin, 2005; Santos, 2006). In fact, during the early 1990s, politicians in a number of states implemented policies to restrict a range of “frills” or inmate amenities, such as “access to television, weight-lifting, radios, recreational activities, hot meals, and virtually anything else not deemed essential” (Lenz, 2002, p. 499; see also Applegate, 2001). This also includes a federal ban on Pell Grants to inmates, which had the effect of gutting prison college programs (Tewksbury, Erickson, & Taylor, 2000). Regardless, because the research is sparse, there is precious little evidence that more painful prisons have a deterrent effect. In fact, although far from definitive, a recent econometric study of “1,205 inmates released from federal prisons in the first six months of 1987” found “no evidence that harsher confinement conditions reduce recidivism”; in fact, the results suggested that exposure to such conditions “tends to increase [the] likelihood of rearrest following release” (Chen & Shapiro, 2007, pp. 3, 8).

Third, it seems odd to implicate rehabilitation in the rise or fall in recidivism rates when the correctional enterprise has been in the midst of three-and-a-half decade “get tough” movement. There is legitimate room to debate whether the United States’ rate of imprisonment is exceptional among Western nations (Lynch, 2002) and whether more offenders should be incarcerated (Bennett, DiIulio, & Walters, 1996). But there is general agreement that the hegemony of the rehabilitative ideal was shattered by the mid-1970s and that the get tough crowd has been controlling correctional policy since that time. It strains credulity to imply that a “get lenient” movement, spurred by the expansion of rehabilitation programs, has swept the nation since the mid-1980s (cf. Langan, 2006). At the very least, Farabee should explain why virtually everyone else in the field of criminology claims that rising punitiveness, not the spread of treatment programs, is the defining trait of corrections in the United States (see, e.g., Beckett, 1997; Clear, 1994; Currie, 1998; Feld, 1999; Garland, 2001; Irwin & Austin, 1994; Lynch, 2007; Tonry, 2004; Useem & Piehl, 2008; Whitman, 2003).

Fourth, Farabee suggests that the public has suddenly become soft-hearted about crime, now embracing “nonpunitive, rehabilitative responses to crime” (2005, p. 8). Heeding these sentiments, politicians are reducing the bite of incarceration; they have “begun to champion the expansion of programs in prison and, in some cases, the diversion from prison altogether for certain types of offenders.” Scholars would question as simplistic this view that elected officials develop crime policy in such a direct response to the will of the people (Beckett, 1997). Setting that issue aside, however, there is virtually no evidence that public opinion about prisons and rehabilitation has changed decidedly over the past two decades. Although public support for rehabilitation declined somewhat as the 1960s ended, there has been a strong reservoir of support for rehabilitation as a goal of imprisonment since that time (Cullen,

Fisher, & Applegate, 2000; Cullen, Pealer, Fisher, Applegate, & Santana, 2002; Cullen, Vose, Jonson, & Unnever, 2007). At the same time, punitive sentiments—support for harsher courts, support for using prisons as a sanction for lawbreakers—have also remained pronounced (Cullen et al., 2000; Jacoby & Cullen, 1998; Useem & Piehl, 2008). The complicated reality is that Americans want offenders punished—often with prison terms—but they also favor rehabilitating them while they are within the grasp of the state.

In the end, there is no rehabilitation-driven “get lenient” movement that is fostering the mass diversion of offenders, transforming prisons into country clubs, and offering inmates a rich menu of treatment options to pick from at their leisure. Prisons vary in their amenities, orderliness, and safety (DiIulio, 1987), but on the whole they remain filled to the brim and unpleasant social worlds.

### **Deceptive Defenders of Treatment**

Farabee accuses the pro-rehabilitation crowd of using biased methodology in an attempt to prove that correctional interventions work. This criticism is conveyed in the section provocatively titled, “Research Methods: We Can ‘Prove’ Anything.” He provides a useful catalog of the methodological weaknesses that potentially mark evaluation studies of any kind. He also rightly notes that weaker treatment effects tend to be found in studies that use strong methodological designs (e.g., random assignment, lengthier follow-ups). He stops short of indicting those who assess program effectiveness of “cold bias” or outright fraud. But he does charge that they are guilty of the “selective use of information” (2005, p. 21). Moreover, evaluators who disclose negative results about treatment programs—presumably like Farabee in his document—will be sanctioned. “Those few who do give voice to their skepticism tend to be dismissed, if not demonized, as being opposed to rehabilitation,” observes Farabee (2005, p. 22). Indeed, there is now a “subculture in which ‘proving’ that programs work is viewed as caring and just, while demonstrating otherwise is not viewed at all” (p. 22).

In this section, then, Farabee’s message is that he is unmasking the hidden bias that distorts reports of the effectiveness of treatment programs. However, might this be a case of the pot calling the kettle black? Three considerations are particularly relevant.

First, consistent with Farabee’s position, bias undoubtedly influences the desire for positive evaluation results, especially when a program’s failure to reduce recidivism might lead to its closure and the loss of jobs. However, it is equally important to note that many of the methodological weaknesses in the extant offender treatment literature—such as the failure to use experimental designs and how research rigor influences findings—have been voiced and demonstrated empirically by those who are advocates of rehabilitation (Gendreau,

Goggin, & Smith, 1999; Lipsey, 1992). It is certainly not the case that advocates are trying to hide rehabilitation's failings or "demonize" one another for showing where quality research is needed.

Second, Farabee asserts that a prominent bias is the reliance on published studies. Journals, he claims, tend to accept only those evaluations that show statistically significant treatment effects, no matter how small they are. As a result, "the multitude of studies that show no significant effect of these programs are never seen" (2005, p. 19). What Farabee does not mention, however, is that this "file drawer" problem—studies reporting nonsignificant results being consigned to a file drawer rather than a journal—is well known. This is why scholars examining treatment effectiveness make efforts to find unpublished studies and also use statistical techniques to estimate the potential effects of this bias (Gendreau, Gupta, Smith, & Goggin, 2001; McGraw & Wong, 1992; Rosenthal, 1979). Further, Farabee ignores the benefits of published research: studies that are based on biased or weak research designs are unlikely to survive the blind review process and to be accepted for publication.

Third and perhaps most important, Farabee fails to explain how—in light of the supposed pronounced research bias favoring rehabilitation—so many studies showing little or no treatment effects were found by Martinson, by him, and by anyone else who has cared to look for them. Indeed, the protreatment crowd must be inept. They have clearly failed in their efforts to suppress negative findings and to allow only biased studies displaying positive treatment effects to see the light of day!

## THE EFFECTIVENESS OF CORRECTIONAL TREATMENT

In the core of *Rethinking Rehabilitation*, Farabee reviews the effectiveness of offender treatment programs. His conclusions are dismal. Although he does not say that "nothing works," the message he conveys is that, at least in prison, "nothing works" enough to merit our support. There is an important kernel of truth in Farabee's conclusions. Inexplicably, however, there is much else that he ignores. These omissions are salient because they result in *Rethinking Rehabilitation* supplying a distorted picture of treatment effectiveness.

### An Important Kernel of Truth

Although other scholars might arrive at a more positive assessment (MacKenzie, 2006), Farabee's largely unfavorable review of existing treatment approaches is reasonably balanced. He is correct in asserting that many treatment modalities used with offenders are of questionable value. Programs often "target characteristics that do not cause crime and operate at low intensity with poorly trained staff" (2005, p. 39). Further, successful rehabilitation in

prison is a daunting task. “Another factor to consider,” he accurately observes, “is that prisons are exceedingly difficult places in which to provide treatment” (p. 39).

### What Farabee Ignores

What, then, is the problem with Farabee’s analysis? Most generally, it is that he leaps from these sober reminders to a broad-based dismissal of offender rehabilitation. He shows little reluctance to offer the firm conclusion that “persisting with programs and policies that have no scientific merit simply because they are consistent with one’s general life view helps no one, and the fecklessness of most offender rehabilitation programs serves as a painful and costly reminder that it is time to move on” (2005, p. 79). But this is a one-sided, selective view of the effectiveness of correctional rehabilitation programs.

First, many of his criticisms of rehabilitation programs have been made previously by prominent advocates of offender treatment. These scholars have regularly called for “evidence-based” corrections and have criticized many existing programs for their lack of quality, even accusing some interventions of “correctional quackery” (Andrews & Bonta, 2006; Cullen & Gendreau, 2000; Gendreau, 1996; Latessa, Cullen, & Gendreau, 2002; MacKenzie, 2001, 2006). Their research also has demonstrated that treatment programs, though effective in institutions, have more positive effects in the community (Aos, Miller, & Drake, 2006; Lipsey, Chapman, & Landenberger, 2001; Lipsey & Wilson, 1998; McGuire, 2002). This omission suggests that those who favor rehabilitation blindly and naively support whatever is done in the name of correctional treatment. The reality, of course, is quite different. Many prominent advocates are committed to identifying the weaknesses of extant programs and of using science to guide the development of more effective interventions.

Second, Farabee does not attend to an important finding that can be drawn from the large body of meta-analyses conducted on treatment programs: while the overall effects of correctional rehabilitation are small to modest, some interventions achieve substantial reductions in recidivism (Cullen & Gendreau, 2000; McGuire, 2002; see also MacKenzie, 2006). Farabee does note that cognitive-behavioral programs have positive effects, but he soon concludes that “most programs” are “ineffective” (2005, p. 35) and criticizes those who embrace “‘progressive’ approaches such as talk therapy, psychodrama, and life-skills training” when a “wealth of evidence” shows “these programs do not work” (p. 36). These advocates, he claims, are guilty of an “inexplicable blindness” (p. 36). But one wonders how Farabee can ignore the wealth of empirical evidence showing considerable *heterogeneity* or *variability* in treatment outcomes. Clearly, some programs should be abandoned and are rightly condemned. However, other programs have a firm scientific base and warrant support (Lipsey, 1992; Lipsey & Wilson, 1998; MacKenzie, 2006; McGuire, 2002).

Third (and related to the second point), Farabee ignores the now widely known “theory of effective correctional intervention” set forth by Andrews, Bonta, Gendreau, and their colleagues (Andrews, 1995; Andrews & Bonta, 2006; Gendreau, 1996; Gendreau, Smith, & French, 2006). It is instructive that Farabee cites these authors’ works, but primarily when it reinforces a criticism he wishes to make about correctional rehabilitation. Strangely, he does not mention the principles they have devised that are a blueprint for implementing a successful treatment program. He is equally silent on the empirical evidence in favor of this theory. Programs that comply with the principles of effective intervention achieve large reductions in recidivism (Andrews et al., 1990; Gendreau et al., 2006; see also Lipsey, 1992, p. 123; Lowenkamp, Latessa, & Smith, 2006; Nesovic, 2003).

This is not to say that the theory and related empirical research on effective correctional intervention should be considered sacrosanct. It would be possible to devise a judicious critique of this evolving paradigm and of the ability to use this knowledge to implement programs that “work” in prison settings. What is not acceptable, however, is to pretend that this theory and research do not exist. Farabee would have been well within his scholarly rights to “take on” Andrews, Bonta, Gendreau, and colleagues, but he did his readers a disservice by not disclosing that a formidable defense of offender treatment existed and had to be addressed.

## THE FALSE PROMISE OF DETERRENCE

So what, then, are we to do with offenders? What should be our guiding theory of corrections? The best Farabee has to offer is the dual prescription of incapacitating offenders in prison and trying to deter offenders in the community by watching them more closely. This is a punchless punch line that is based more on speculation than on good science. In fact, Farabee’s “new model”—as he calls it—can only be embraced so confidently by ignoring a substantial body of evidence that calls it into question.

### Ignoring Criminology

From reading *Rethinking Rehabilitation*, one gets the sense that Farabee has become wary of offenders and recoils at their receiving any sympathy, especially in the form of efforts to rehabilitate their problems. For him, offenders are not victims of disquieting personal and social circumstances, but the architects of their own misery and of the misery they cause others. In his words, “crime is a choice, not an unavoidable response to a hopeless environment” (2005, p. 54). Offenders make this choice not because they are driven to do so but because they “know that the risk of getting caught is extremely low” (p. 54). Farabee grants that “the early life experiences of some offenders are

disturbing and, in many cases, heartbreaking” (p. 55). But their criminal propensities, he claims, will not be reshaped by “workbooks, videos, or talk therapy” (p. 55). Instead, “they will change when the rewards of a licit lifestyle outweigh the rewards of a criminal lifestyle” (p. 55).

Of course, this rather simplistic rational choice perspective leads Farabee to the easy embrace of deterrence. Contrary to the logic of economics (Levitt, 2002, p. 443; Reynolds, 1997), he dismisses the idea that prisons will deter offenders—despite the costs these entail. Instead, he argues that when the certainty of arrest becomes high enough (reaching a “tipping point”), crime will go down. Vigilant surveillance and arrest thus are the keys to reducing crime. Criminals must develop the expectation that offending will be followed by a consequence.

In support of these assertions about the efficacy of deterrence (pp. 54–60), Farabee mainly cites a study on the inverse impact of arrest on crime in New York City (but see Eck & Maguire, 2000; Harcourt, 2001), a 1974 study on deterrence tipping points by Tittle and Rowe, and a few studies in which offenders suggest that the risk of punishment affects their decision to recidivate. His discussions, sprinkled with a few other sources (e.g., on how expectations can shape behavior), is nicely crafted and persuasive. Unfortunately, it is marked by two noteworthy omissions.

First, Farabee fails to discuss the sizeable research literature on deterrence (Nagin, 1998), much of which suggests that punitive criminal sanctions have only a marginal *specific* deterrent effect on offenders (Akers & Sellers, 2004; Cullen, Pratt, Micelli, & Moon, 2002; Lipsey & Cullen, 2007; see also Sherman, 1993). Criminal sanctions, especially when applied with certainty, likely have an effect on crime, but the size of this effect is limited and often vanishes in the more methodologically sophisticated studies. Meta-analyses of both the perceptual deterrence and macro-level deterrence studies lend credence to this conclusion (Pratt & Cullen, 2005; Pratt, Cullen, Blevins, Daigle, & Madensen, 2006; see also Paternoster, 1987). Even if one assumes a more positive view toward deterrence (see, e.g., Levitt, 2002), it is incumbent on Farabee to alert his readers that deterrence is a controversial theory of offending and to deal with evidence contrary to the theory’s predictions (see also Doob & Webster, 2003).

Second, citing Andrews, Farabee (2005, pp. 45–46) manifests an awareness of the risk factors that have been shown to predict criminal involvement, including recidivism (Andrews & Bonta, 2006; Gendreau, Little, & Goggin, 1996). Even so, he ignores Andrews’s strong support for rehabilitation and his argument that these “dynamic risk factors” or “criminogenic needs” are amenable to change through responsive treatment interventions (Andrews & Bonta, 2006). Instead, Farabee uses Andrews’s list of risk factors to reach the opposite conclusion. To him, the high number of risk factors makes correctional treatment impractical, for it means that “we must intervene in virtually every aspect of the offenders’ lives” to be effective (2005, p. 46).

The key point here, however, is that there is substantial criminological research showing that crime is not merely a rational choice but also is affected by an array of factors that, if not changed, will make recidivism quite likely (e.g., antisocial values, low self-control, antisocial peer associations). This observation does not mean that there is no deterrent effect whatsoever. Rather, it suggests that the choice of crime is not simply based on costs and benefits, but on who the offenders are (i.e., the “taste” or “propensity” for crime an offender brings into any situation). These risk factors do not vanish simply by claiming that “offenders make rational decisions to commit crimes and can therefore make rational decisions to abstain” (Farabee, 2005, p. 76). As research shows, they are strong predictors of recidivism. It is only by targeting them for change through planned treatment interventions that their effects will be diminished.

In short, Farabee embraces classical criminology and simply rejects the scientific findings on offending generated by positivist criminology, including from the longitudinal studies of life-course scholars. He reduces crime to a situational decision in which offenders assess whether they can escape detection. The complex sources of crime are rendered irrelevant. In Farabee’s wishful world, we can ignore why people develop into offenders and ignore the strong individual differences that place them at high risk of recidivating. The criminal sanction is thus accorded enormous curative powers. We need to know nothing about offenders except that when threatened with certain punishment, they will be scared straight.

## **Ignoring Evaluation Research**

How are we to create a correctional system that is not ideological but based firmly on scientific knowledge? Farabee rejects making prison the centerpiece of his “new model.” Although there are clear incapacitation effects (Spelman, 2000), there is also a growing body of studies showing that imprisonment is associated with increased recidivism (Gendreau, Goggin, Cullen, & Andrews, 2000; Sampson & Laub, 1993; Smith, 2006; Spohn & Holleran, 2002). Based on a single study in which he is a coauthor (Prendergast, Farabee, & Cartier, 2001), he is willing to use “prison programs” as a tool to manage offenders during their incarceration. By reducing “tedium” and presumably keeping inmates busy, these programs will “help wardens run their institutions more smoothly” (2005, p. 65).

Rehabilitation is thus to be reduced to a custodial tool that is not meant to have any effect on recidivism when inmates are released. Farabee does not consider the long-term implications of this policy. He is willing to have the 500,000 to 600,000 prison inmates who are released annually simply return to society without any concerted treatment effort to reduce their propensity to recidivate (see Petersilia, 2003; Travis, 2005). It is not clear that the American public would see this as a responsible correctional policy.

Instead, Farabee places his faith in a new system of parole supervision, which has three prongs that will seek to deter high risk offenders. First, parole agents would be given small (15 to 1) caseloads that will allow them to intensively supervise offenders. They would act “solely to enforce the law among their caseloads, not serve as social service coordinators” (2005, p. 61). Second, offenders would be electronically monitored through “new tracking technologies” (global positioning systems) (pp. 71–73). Third, offenders would be placed on indeterminate parole sentences of a minimum of 36 months. Only when offenders have completed three straight years “without violating a single condition” of their parole—including misdemeanors and technical violations—would they be released from this supervision (p. 70). As Farabee (2005, p. 71) asserts, “our goal is not to shadow these offenders for the rest of their lives; rather it is to deter them from committing further crimes when their criminal propensities are highest.”

Farabee (2005, p. 79) cautions that the “actual effectiveness of what I have proposed has yet to be tested empirically,” but he then confidently adds that “there is a wealth of tangential evidence that suggests that these ideas are worth trying.” For those familiar with correctional research, this is an astonishing statement. Beyond the ambiguous findings on the ability of criminal sanctions to specifically deter offenders, there is clear evidence that *control-oriented* intensive supervision has no consistent meaningful impact on recidivism (MacKenzie, 2006). In fact, after a review and meta-analysis of the extant literature—which she terms “fairly substantial”—MacKenzie (2006) lists intensive supervision as a strategy that “does not work.” At most, intensive supervision has marginal effects on recidivism (see also Cullen, Wright, & Applegate, 1996; Fulton, Latessa, Stichman, & Travis, 1997; Gendreau, Clark, & Gray, 1996; Petersilia, 1998; Smith, Goggin, & Gendreau, 2002).

More telling, however, is Farabee’s failure to disclose to his readers the findings of Petersilia and Turner’s (1993) evaluation of 14 intensive supervision programs (ISPs). In *Rethinking Rehabilitation* (p. 71), Farabee cites this study in a context that is favorable to his point of view (that intensive supervision can increase the detection of crimes by parolees). Fair enough. But he then ignores the central finding of Petersilia and Turner’s study. Using an experimental design that included random assignment—the very type of study that Farabee (2005, p. 66) claims corrections needs—they found that *intensive supervision had no impact on recidivism in any of the sites studied*. “At no site,” Petersilia and Turner (1993, pp. 310–311) concluded, “did ISP participants experience arrest less often, have a longer time to failure, or experience arrests for less serious offenses than did offenders under routine supervision.” They noted further that this “is a strong finding, given the wide range of programs, geographical variation, and clientele represented in the demonstration projects” (p. 311). The only optimistic finding was tentative evidence showing that reoffending was reduced—“10 to 20 percent”—when intensive supervision

was coupled with the delivery of treatment (p. 321). As Petersilia (1998, p. 6) later observed, “the empirical evidence regarding intermediate sanctions is decisive: Without a rehabilitation component, reductions in recidivism are elusive” (see also Byrne & Pattavina, 1992; Caputo, 2004; Gendreau, Cullen, & Bonta, 1994; Paparozzi & Gendreau, 2005).

We want to emphasize that these findings cannot be dismissed as the work of pro-treatment zealots. Petersilia and Turner worked for RAND, not a correctional agency, and had no axe to grind. If anything, Petersilia—the lead author of the evaluation study—was open to the judicious use and possible value of intermediate sanctions, such as ISPs, as part of a broader approach to “smart sentencing” (Byrne, Lurigio, & Petersilia, 1992).

The literature on electronic monitoring is less well developed. Although some positive results can be found (Padgett, Bales, & Blomberg, 2006), the research would urge caution rather than hubris. Most instructive, MacKenzie’s (2006) review of evaluation studies concludes that electronic monitoring “does not work” (see also Cullen et al., 1996).

Farabee might offer the rebuttal that a system that combined intensive supervision, electronic monitoring, and indeterminate parole sentences would create an interaction effect in which this unique system of control would reduce recidivism. But this is the kind of wishful thinking that he indicts progressives for when they propose unproven treatment interventions that are not rooted in scientific data. The stubborn reality is that the existing evaluation research would predict that Farabee’s policy proposals would have little or no effect on recidivism. The likely result is that public funds would be wasted, offenders’ lives would not be changed, and public safety would be endangered.

## CONCLUSION: CHOOSING THE FUTURE

Corrections is an enterprise that is marked by much failure, which is a legitimate reason for concern. Farabee and the leading advocates of rehabilitation would concur that many existing programs—including those in prison—are based on custom and convenience rather than on science and experimental data. They are often poorly implemented and inadequately staffed. To the extent that Farabee helps to illuminate what is wrong with corrections, his critique serves a useful purpose.

But two important problems inhere in his critique. First, we suspect that Farabee’s disillusionment with correctional treatment programs is heartfelt. But at least as reflected in *Rethinking Rehabilitation*, this conviction appears to result in the advocacy of a position rather than in a judicious, balanced review of the extant evidence. Ironically, this document reflects the very shortcoming that treatment’s defenders are accused of: the selective reading of the research evidence. As we have attempted to demonstrate, Farabee’s

analysis ignores theory and research favorable to rehabilitation and ignores evaluation studies that show that his agenda for corrections is erected on a fatally flawed foundation. He has plenty of skepticism for rehabilitation but virtually none for deterrence.

If this were merely an academic exercise, the potential consequences would likely be minor. But Farabee has taken his message outside academia and into the public policy arena. His intent is to be a public intellectual who, through an influential think tank and writing an op-ed piece in a prominent newspaper, shapes correctional policy and practice. He is a gifted writer and crafts a persuasive argument. His ideas are to be taken seriously because they have the potential to filter into policy discussions. Once again, corrections officials are likely to have to confront the challenge that, “Well, I hear that rehabilitation doesn’t work.” Martinson’s bleak “nothing works” era will not return, but Farabee’s document—as this rejoinder suggests—is making the rounds. The limits of his position need to be revealed. This is why we have used this essay to criminologically “deconstruct” *Rethinking Rehabilitation*.

Second and related, the future of corrections is not fully decided but rather remains to be chosen (Cullen & Wright, 2002; Sherman & Hawkins, 1981). We are convinced that the correctional vision constructed by Farabee is dismal and dangerous. It is dismal because in Farabee’s future, prisons would be reduced to custodial institutions, community corrections would be reduced to a police function, and offenders would be stripped of their criminogenic personal histories and reduced to rational decision makers. Farabee sees this as a sober, realistic view; we see it as needlessly hopeless and dangerous. As we have argued, the evidence suggests that his policy prescriptions will do little to protect public safety.

We embrace a different correctional future. We agree that corrections must be an instrument of punishment and justice, but it also should serve a social welfare function. This is fully consistent with the wishes of the public; opinion polls uniformly show that Americans believe that rehabilitation is an important purpose of corrections and of prisons (Cullen et al., 2000). Practically, assessments of high risk offenders also reveal that they have “criminogenic needs” that cannot be addressed simply through surveillance and threats of punishment. The correctional system, whether inside prisons or in the community, must have the capacity to intervene with offenders—to deal not only with their crime but also with their criminality. Social welfare may infuse corrections with a dose of humanity—we offer no apology for trumpeting this outcome—but its presence should not be confused with some sort of misguided leniency. In the end, rehabilitation is not only about improving offenders but also about protecting public safety (Lipsey, 2003).

Again, this is a daunting challenge. Commentators have shown that having good intentions is not the same as producing results (Cullen & Gilbert, 1982; Platt, 1969; Rothman, 1980). In the future, correctional interventions

must become fully evidence-based and programs must become accountable for following the principles of effective treatment and producing reductions in recidivism. In the end, the debate with Farabee will not be settled in these pages. If he is to be proven wrong about rehabilitation, it will be through the implementation of effective treatment programs in prisons and in agencies across the nation.

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