

VOCATIONAL ASSESSMENT: A TOOL TEXAS IS PUTTING TO USE IN OFFENDER (RE)HABILITATION

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Abstract

The Texas Department of Corrections has been mandated to serve the mentally retarded offender as a result of a court decision rendered in 1980. The Mentally Retarded Offender Program (MROP) was developed as a result with a comprehensive plan encompassing all levels of rehabilitative services including vocational assessment, the main theme of this presentation. Some background material leading to the development of the MROP in general will be presented with specific attention being devoted to the Vocational Assessment section. Both males and females are profiled. At any one time there are one thousand MROP offenders identified and placed at either of the two designated units within TDC. Only vocational evaluations are in effect now but future plans call for work adjustment training, OJT at the prison, placement (within and outside the prison), and developing a viable commercial industry within the prison.

Vocational assessment has grown up in rehabilitation centers and has expanded beyond that realm to new frontiers. Schools, corporations, and institutions have all accepted the challenge. Some have done so realizing vocational assessment as a viable tool in working with handicapped people to discover their strengths, abilities, and potentials. Others have begun to use this technique only because federal laws [Rehabilitation Act of 1973, Sec. 504; Vocational Education Act of 1963; Education for All Handicapped Children Act of 1975, Sec. 613, (A)(2)] have mandated or strongly suggested the use of vocational assessment through inference. In certain instances court cases have brought this about, specifically, Ruiz v. Estelle (1980).

The Texas Department of Corrections (TDC) has been involved in litigation since 1972 when David Ruiz (1980), at that time a TDC inmate, brought action alleging "...that certain operations of the Texas Department of Corrections were unconstitutional..." (p. 1267). Among the findings the Chief Judge held "...that health care was inadequate..." This began a chain of events which lead to the development of the Mentally Retarded Offender Program (MROP) of which one integral part is the Vocational Assessment section.

The purpose of this presentation, therefore, is to acquaint the reader with a brief historical sketch of the suit with TDC and the creation of the MROP; what is currently transpiring in the Vocational Assessment section of the MROP; and some hint as to what may take place in the future within this section.

Background Information

Attention is directed to the court case which reads: "The TDC failed to meet its constitutional obligation to provide minimally adequate conditions of incarceration for the mentally retarded..." (Ruiz, 1980). Amendments VIII and XIV of the U. S. Constitution were cited. For unspecified reasons the Chief Judge chose to place the disposition of the mentally retarded offender under the broad umbrella of health care and, specifically, under psychiatric services. It should be noted that in the original suit and in subsequent consolidation with seven other suits to form a class action suit, the question of the mentally retarded offender did not immediately surface. Only when investigations began did the plight of this particular population become apparent.

As with the case of the mentally retarded person in society, until recently, the prison system in Texas did little or nothing to serve this segment of its population. According to the Windham School District (WSD), an independent school system within TDC, it estimated that ten to fifteen percent of the TDC population would be classifiable as mentally retarded. This percentage differs much from the free world percentage probably because TDC uses a WAIS-R score of ≤ 73 as a cut-off point, along with adaptive

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behavior scales, rather than the ≤ 69 score which is generally advocated to label an individual as mentally retarded. This 1978 estimate of WSD for the court would have suggested a total MR population in TDC at between 2600 and 3900. Today with the criteria the same the percentage has been lowered to approximately two to three percent of the total prison population. It is undeniable that the population is present within the system and ought to be evaluated and treated.

Previous attempts. While TDC has not been the first state to recognize the need of the MR offender, it is generally considered to be the first to approach the problem in such a radical fashion, i.e., identification of and placement under one roof of all MR offender for provision of special services. The South Carolina prison system (one of ten nationwide) has worked with the MR offender since 1972 under a Law Enforcement Assistance Administration (LEAA) grant. This prison system worked with offenders on a very limited basis, a thirty-five client capacity. Deemer and Conine (1984) outlined the ten step program initiated by South Carolina. The program included work evaluation and adult work activity programs. Idelberger (1973) wrote that "the mentally retarded do share some special needs and problems that require special consideration..." (p. 163). In the early 1970s the State of Florida Vocational Rehabilitation Agency was permitted to expand its service area into the Department of Corrections. The program was successful but had to be terminated when the 'behavioral disorder' category was no longer listed as a handicap under the Rehabilitation Act amendments of 1974.

Since the issue of the MR offender was addressed in the courts a plan was ordered to be written covering services for this special needs population. A plan calling for full services was proposed and accepted in time by the courts. Besides basic health and educational services the plan proposed a case manager (coordinator of services) concept, a full complement of psychological services and a vocational component. Chief Justice Burger (1971) and Nelson (1985) both have argued convincingly that offenders should have marketable skills to attract the attention of prospective employers and to assist the offender in becoming a productive citizen. The President's Task Force on Prisoner Rehabilitation (1970) posited that a constructive member of any community is a satisfied working member. The heart of the correctional process ought to aim for satisfying work experience within the institution, vocational training provided as needed, and assurance of decent jobs for released offenders. Almost 90,000 prisoners are released each year on parole (Uniform Parole Reports, 1979) and most emerge from incarceration with no job skills, little or no work experience to rely upon, no job stamina, and no work ethic.

Summation. Thus, the vocational aspect is considered a most valuable service for the MR offender. Historically this individual finds it difficult to locate a position in the world of work which especially is rewarding economically. Reasons for this, besides being an ex-felon, are many. They include the person's inability to communicate effectively, the inability to understand his (her) true potential, abilities and/or skills, the inability to make career decisions. The MR client was and is

at a distinct disadvantage. An individual who can obtain a job and is satisfied with it will in all probability not resort to crime when income is sufficient to meet basic needs. Therefore, the MR client is considered a prime candidate for as much vocational help as reasonably possible. It was considered cost effective to house all MR offenders within one unit.

Current Situation

The Vocational Assessment section of the MROP is housed at Beto I Unit (near Palestine, TX) which is designated to serve all male MR clients in TDC. An outreach program providing identical services, as decreed by the court, to the female MR offender incarcerated at Gatesville Unit, Valley section is now operational from the Beto I unit.

While the Vocational Assessment section is responsible for all MR clients both male and female for vocational testing and related services, the current concern is centered around those clients who are newly received at Beto I having been previously diagnosed as mentally retarded at the Diagnostic center (Goree Unit). Each individual received into TDC is given a series of tests including the Revised Beta II, the WAIS-R, and an adaptive behavior scale. Criteria have been established for designation of persons as mentally retarded. Any person scoring below the pre-established criteria are considered for the MROP unit. It is not the purpose of this paper to discuss whether these individuals so identified and labeled as mentally retarded are indeed so or whether they might better be classified as disadvantaged, learning disabled, developmentally disabled, and so on. This is the subject for future research.

Over time every MR client received both at Beto I and Gatesville will be thoroughly assessed vocationally among other disciplines. Each client will, as results of the vocational process are finalized, be recommended and, it is hoped, placed in appropriate education, training, and/or work situations during the remainder of his (her) sentence. Since current staff and equipment are not up to expectations newcomers to the program will be given first option at receiving services. The current population, 928 as of February 26, 1986 (Beto I), indicated such a move. For practical purposes it was decided to focus on this segment of the MR population. As the need arises other MR client will be assessed. At the current pace in releases and arrivals, all MR clients will have been evaluated by July, 1986.

The female MR population is currently thirty-five as of February 7, 1986. The Gatesville Unit is visited once per month. The entire population ought to be evaluated by May, 1986.

Each week approximately twenty to twenty-five clients are received at Beto I. Only one or two per month are received at Gatesville. Clients are interviewed during their first day on the unit by the vocational staff. The interview concentrates on demographic data (to aid in research) and information pertinent to the vocational (work) aspect, i.e., educational and vocational training levels, medical history, previous work experience. While all information at this point is self-report by the client, every attempt is made to verify the information. Each newly received client is placed on the Diagnostic and Evaluation (D & E) wing for thirty days to be easily available for all types of evaluations, in

this case, for vocational assessment.

Techniques in use. The techniques used in the vocational assessment section are extremely limited at this time due to lack of operating budget. Instruments which are available include the Career Decision-Making System, AAMD Becker Reading-Free Interest Inventory, Wide Range Achievement (WRAT), Minnesota Spatial Relations Test, Minnesota Rate of Manipulation Tests, Bennett Hand-Tool Dexterity Test, Crawford Small Parts Dexterity Test, Wells Concrete Directions Test, Pennsylvania Bi-Manual Work Sample, Purdue Pegboard, Revised Beta II, Basic Skills Test. Each of the above has been used in the evaluation process at Beto I. The McCarron-Dial Work Evaluation System has been ordered and portions have arrived. An individual trained in the administration of the MDWES has been hired. This system and those previously named are being used in part because that is all which could be obtained and in part because they have been used on MR populations (Dial, McCarron, Freemon, Swearingen, 1979). This is certainly not an ideal situation, not even as adequate one. However, what is available must be used and is to the greatest possible efficiency and with effectiveness by the vocational specialists on staff.

Demographic Details. For the purpose of this presentation ninety-nine files were randomly selected from the male MR population of those evaluated. All thirteen files of Mr females evaluated were canvassed. As mentioned above certain demographic material had been collected and is on a regular basis. It is shown here for general interest. In later articles of a research nature the data will be used for inferential purposes.

In a demographic report on the male MR population prepared for internal purposes in April, 1985, the following items were noted as significant:

average age	27
racial make-up	
Black	78%
White	9%
Hispanic	13%

In 1980 the ethnic breakdown submitted to the court indicated that there were in the general population in TDC forty-three percent Black, thirty-nine percent White, and nineteen percent Hispanic. Other data submitted showed the mean age to be 29.5 with forty-one percent of the population twenty-five years old or younger. The report to the court further revealed that sixty-one percent were first time offenders. The court document also indicated the mean IQ for the entire TDC population was 93.9. In addition, it noted that thirty percent had severe alcohol problems and individuals with chronic drug abuse problems was also at this percentage.

By comparison the MROP population both male and female as obtained from the files mentioned above have the following characteristics.

Males. The MROP male population has been observed to be predominantly Black who is in the arbitrary age grouping 21 - 25. He would be a recidivist with a forty percent chance of being either and alcoholic and/or a drug abuser. He would more than likely be convicted of a burglary or assault. His chances of being from an urban area over a rural area would be twice as great. Dallas and Houston metropolitan areas are most often recorded. He would have held three jobs. The tenth grade in school would have been the maximum. There would be

a one in three chance of his being enrolled in special education and a one in five chance of being placed in vocational training. The average Verbal IQ would be 67.3; the Performance IQ, 70.1; the Full Scale IQ, 67.5. (Please refer to Table 1 for selected demographic data).

Table 1.

Selected Demographic Data - MROP

Group	Male (N = 98)	Female ^a (N = 13)
Race:		
Black	71 72.4%	10 76.9%
White	7 7.1%	2 15.3%
Hispanic	20 20.4%	1 7.6%
Age:		
17 - 20	12 12.2%	1 7.6%
21 - 25	26 26.5%	5 38.5%
26 - 30	17 17.3%	4 30.8%
31 - 35	24 24.4%	2 15.2%
36 - 40	7 7.1%	
41 - 50	7 7.1%	
51+	1 5.1%	1 7.6%
	Range = 17-65	= 20-51
	Mean = 30.6	= 28.2
	Mode = 21	= 24
	Median = 29	= 26
Grade:		
no school	4 4.1%	
1 - 5	15 15.3%	1 8.3%
6 - 8	19 19.4%	7 58.3%
9 - 12	60 61.2%	4 33.3%
	Mean = 8.1	= 7.9
	Mode = 10	= 8
	Median = 9	= 8

^aFemale N in grade group = 12.

Females. The MROP female population is also predominantly Black and would be in the same age bracket on the average as the males but she would only be a first time offender. Her reason for coming to prison would be probation violation. She would not be an alcoholic but would have a ten percent higher chance of being a drug abuser. Her family constellation would be situated in a metropolitan area as the males. She would have held two or perhaps three jobs for two years. (Please refer to Table 1 for selected demographic data). More complete demographic data can be reviewed in Appendix A.

These are the clients who are currently in the MROP. They are requested to participate in vocational assessment. Approximately five percent of the males have chosen for a variety of reasons not to do so with several changing their mind at a later date. No female refused initially to participate although one female refused to continue in the process once she was halfway through.

Clients are generally seen in the afternoon so as not to conflict with the WSD school operations in the morning. This vying for space will be non-existent once the new educational building is completed (June, 1986) since appropriate space has been allocated to the vocational assessment section.

Selected results. Clients are presented with both paper/pencil tests and hands-on techniques as outlined above. It has been observed that both male and female clients generally do better in performance areas, i.e., BHT, Crawford, MSRT, and so on than they do on achievement tests, specifically, the WRAT.

On the WRAT (see Table 2) males achieved better results over all than females in reading and spelling while females achieved higher level scores on the average in arithmetic.

Table 2.

Selected Test Results - MR0P

Instrument	Male (N = 98)	Female (N = 12)
<u>WRAT:</u>		
Reading	2.6 G. L.	1.9 G. L.
Spelling	2.9 G. L.	2.5 G. L.
Arithmetic	3.1 G. L.	3.3 G. L.
<u>BHT:</u>		
1st Trial ^a	8' 07"	13' 41"
2nd Trial ^b	7' 21"	9' 58"
3rd Trial ^c	6' 46"	
<u>Crawford:</u>		
Pins/Collars	8' 42"	7' 20"
Screws ^d	11' 54"	12' 16"

^aFemale N = 13. ^bFemale N = 8. ^cMale N = 94. ^dMale N = 97.

On the BHT males performed better on the average across three administrations but not as much as did the females across two administrations (see Table 2). Females appeared to have more trouble handling the heavy tools than in following the intricate instructions. While the BHT is to be administered once in its entirety, multiple administrations were decided upon to obtain data and observations regarding a possible practice effect or learning curve for this particular population. As can be seen in Table 2, there are improvements on the results of each trial on the average. The greater majority of those tested on this instrument improved on each trial. Besides the improvement noted in time another observation was seen by the specialist, i.e., the evaluatee exhibited a 'thrill' when he/she performed quicker in subsequent administrations. This 'thrill' was exhibited both verbally and non-verbally.

The Crawford (see Table 2) results indicated that females on the whole tend to be better performers than males on the pins and collars segment but not so on the screws portion of the test. Males appeared to have more difficulty in handling the small tools required for this test and also in the picking up of the small materials either with their

fingers (screws) or pins and collars (with tools).

The Wells Concrete Directions Test offered valuable observations for both groups. While the males scored approximately one point higher than the females, 39.1 and 37.9 respectively, it does not appear significant. It is possible that differences between the two groups could be decreased if some of the 'man' items as the female clients called them were replaced with 'female' items. For example, the hammer, wrench, and pliers might be substituted with a rolling pin, a potato peeler, and a scissors. Kessick (1973) saw a definite need for measurement of ability to follow directions as do the vocational specialists.

The Career Decision-Making System instrument has been the interest test used most often though it has to be read to the clients since their reading level is too low. The survey is preferred over the reading-free AAMD Becker because the categories of the CDM are readily associated with the ones in the Guide to Occupational Exploration (1979) and to the Dictionary of Occupational Titles (1977, 4th edition). Results indicated with this group that males preferred the crafts category which can be associated with either the mechanical (05) or the industrial (06) areas of the GOE. Since a second choice is always noted their preference was the social area (humanitarian (10)). The least assigned category to their responses were clerical, business, and technical (one point for each) and the arts which received no scoring. The males seemed to be more discriminating in their responses and decisive in their choices. On the other hand the females were much less discriminating. As a result there was more clustering of areas liked or preferred. Their first choice (preference) was social while crafts came in second by not much difference existed between the two. The only area receiving no scoring points was the technical area/ They appeared to like and want to do almost anything.

Before concluding this section on test results more comments are needed in reference to the WRAT. Attention is directed once more to Table 2. Without appropriate analysis there is no reason to ponder whether differences between groups and/or subtests within the WRAT are significant. What is absolutely clear is the fact that these evaluatees are at a very low level in the basic achievement areas. Most have never been able to read a newspaper. Many are unable to write letters home. Case managers are responsible for this service. Still, many are unable to write their own name. Instead a thumbprint is taken each time documentation of a name is needed for official purposes. Moore, Gartin, and Carmack (1981) argue for the use of the WRAT despite a review by Buros (1949) which was skeptical of its reliability and validity. With proper use this instrument can be very helpful.

Clients characteristics. For the most part clients have been found to be extremely cooperative when attending evaluation sessions. They respond very much to praise which is genuine and work harder upon receiving this type of reward. They appeared interested in what type of work they can do and might be able to do. However, there is a tendency with the males especially to set sights on jobs or careers which are obviously beyond their potential. They are also more concerned about salary when thinking of work. This has more to do with self-esteem than making enough on which to live. Many

are willing to learn more about themselves and to establish appropriate work behaviors. With this willingness the Vocational Assessment section can begin to make some headway.

A Look Forward

Besides the very basic evaluation which currently is in place more services are being considered. In time a full complement of evaluation equipment will be assembled. While the 'usual' systems are being considered, actual work samples and on the job evaluation techniques as outlined by the VEWVA Special Project (1975) and McCray (1982) are being written into the sections's plan.

It is also quite evident that the scheduled number of vocational specialists, four, is quite inadequate to serve the population in question. It would be appropriate to request some aides also.

A work adjustment training component is being developed and is partially in place. As a result of a client's vocational assessment process, work areas are being recommended and the client is sometimes being placed in the recommended areas which would be consistent with his abilities, skills, potential, and possibly, interests. Behavioral observations will be a key element in this process. Several forms already on the market are being reviewed. These will be used to assess worker characteristics as noted chiefly by the work supervisor. Case managers will also be helpful in this regard. However, some in-service training will be necessary for both of these groups so they may be able to make proper observations. It is well known that most people do not lose their job because they cannot do the work. But rather they are fired or quit in frustration because they are unable to communicate effectively, get along with fellow co-workers, and all those other worker characteristics listed at the bottom of the VALPAR work sample record sheet. Once the observations are obtained individuals with below performance criteria ratings will be referred to work adjustment training in lieu of being transferred to another job or being given a disciplinary case. As much as possible the time devoted to work within the prison compound ought to reflect the procedures carried on in the work force outside the prison.

Training is another important aspect to be addressed. The WSD already has three training programs in operation: plumbing, CVAE building trades and horticulture. Three others are being added: building maintenance, masonry, and small engine repair. The Vocational Assessment section is called upon to ascertain which MR clients would be most realistically identified as candidates for these training programs. These programs are a composite of book learning and actual on-the-job training. Each program is and will be geared to the level of the population.

Another possibility for the future although a dimmer prospect is the creation of a full scale industry, e.g., specifically for the MROP clients. Many rehabilitation centers use industry as the main source of income although sub-contracting is used most often. This concept, especially in relation to an industry like horticulture, is ripe for development. People today have much more leisure time than years ago (Naisbitt, 1982). Some of the extra time is being spent in planting home gardens

and in cultivating flowers, exotic plants or common ordinary houseplants. An industry directed toward horticulture could provide commercial outlets with an appropriate number of bedding plants, starter houseplants, and seeds. The possibility is present that the MR client could earn income to be used toward their daily sustenance while in prison, to provide needed income for dependents currently relying on federal and state aid, to provide restitution to victims of the offender's crimes. A program of this type can be worthwhile and may come to fruition. However, it would not be without critics. An inherent problem with this concept may stem from laws already on the books. Congress passed the Hawes-Cooper Act (1929) and the Ashurst-Summers Act (1935) which restricted the sale and interstate transportation of prison-made goods. Vito (1985) has presented some new look at this situation and the Texas State Legislature has recently passed a law in the 1985 Biennium session which would permit prison industries to work with commercial concerns.

A concept which looks to the past in the future is program evaluation. No program would be complete without it. The Vocational Assessment section is certainly going to be ready to be evaluated to determine whether the services the client is receiving are effective and efficient. In order to do this a follow-up system will have to be established. It has not been done in the past but this does not mean that it can't be accomplished.

Conclusion

The entire process of vocational assessment and its related services is promoted because of the desirable outcomes it engenders, i.e., placement in competitive employment.

Couch and Cosgrove (1977) offered encouragement after their review of current literature of that time despite the "nothing works" attitude spread by articles by Lipton, Martison, and Wilks (1975) and Martison (1977). There is evidence of rehabilitation potential in offenders (Idelberger, 1973). The vocational assessment process can be a key element in helping toward increasing this potential.

The public offender, in particular the mentally retarded one, has been bombarded with conscious and subconscious expectations from all avenues. They react to these daily cues at the time and later on. A more positive and more humanitarian approach is needed. The Texas Department of Corrections appears pointing itself in the right direction in developing the MROP and maintaining, albeit through the court order, the program but in conscientiously striving to go beyond the letter of the law.

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Appendix A

The inclusion of this material may give the reader a broader and more accurate picture of the male MR offender.

Additional selected Demographic Data - MROP Male

Crime convicted of:		N = 82
Burglary	24	29.3%
Assault	12	14.6%
Theft	9	10.8%
Parole Violation	9	10.8%
Possession of Drugs	8	9.8%
DWI	4	4.9%
Robbery	4	4.9%
Probation Violation	2	2.4%
Indeceny	2	2.4%
B & E, Forgery, Rape, Arson, Att. Murder, Bad Checks, Manslaughter, Receiving Stolen Goods	1 each	1.2% (9.8%)

Times in TDC:		N = 86
1x	40	46.5%
2x (Recidivist)	29	33.7%
3x " "	10	11.6%
4x " "	5	5.8%
5x " "	1	1.2%
6x " "	1	1.2%

Substance Abuse:		N = 95
Drug	40	42.1%
Alcohol	36	37.9%

Number of Jobs held:		N = 98
None	3	3.1%
1	12	12.2%
2	16	16.3%
3	26	26.5%
4	18	18.4%
5	19	19.4%
6	3	3.1%
7	1	1.0%

Longest Stay on Job: (in months)		N = 84
Range	= 1 mo. to 360 mos.	
Mode	= 24 mos.	
Median	= 36 mos.	
Mean	= 59 mos.	
	35 mos. (subtracting N=12 of those 120 mos.+ on one job)	

Handicapping Conditions:		N = 99
Yes	= 65	
No	= 34	

Sample listing of predominant chronic conditions:	
Visual	
Hearing	
Orthopedic	
Diabetes	
Seizure disorder	
Cardiac	
Polio	

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