



American Probation and Parole Association

Summer 1992

# PERSPECTIVES

## Assessing Sex Offender Risk: Who Are the Likely Victims?



Plan to Attend APPA's 17th Annual Training Institute  
August 30-September 2, 1992 in St. Louis, Missouri  
Details Inside





Harvey Goldstein

## PRESIDENT'S MESSAGE

Among the goals the American Probation and Parole Association has set for itself is to develop membership internationally in order to become a *unified voice for community corrections*. In many respects, we continue to achieve that goal through participation in federal planning, testifying before appropriate committees and agencies, and producing quality research and position statements. APPA is well-recognized by policymakers and legislators as the professional representative of probation and parole. However, we must continue to improve our activities in this arena.

While APPA has been active in securing research and training grants and developing standards that will lead the field to a higher level of professionalism, we can accomplish further achievements if our affiliates take a more significant role in improving probation and parole practices. Today, APPA has 46 affiliate organizations. Together, APPA and our affiliates can have a profound effect on the delivery of probation and parole services. Many affiliates conduct their own training sessions and conferences cumulatively reaching thousands of practitioners. Some, like the Kansas Association of Court Services Officers, produce informative brochures that present probation activities and accomplishments to their citizens. On occasion, an affiliate like the Middle Atlantic Association on Correction has sponsored a major study (funded by the National Institute on Corrections) of probation officer safety and security.

APPA becomes stronger and more influential whenever an affiliate takes positive, affirmative action. Affiliates command attention locally, but can impact policies and procedures on a national level through APPA support. Together, we can be a driving force for change. I would like to challenge APPA affiliates to play such an influential role. Specifically, I would ask that our affiliate organizations take on one or more of the following activities during the next year:

- research a specific area of probation or parole activities;
- prepare a proposal in response to a federal RFP;
- secure a grant from a foundation or other non-profit agency;
- develop a position statement relating to probation and parole practices; or
- conduct an APPA regional training session.

While APPA is willing to assist an affiliate organization in such an undertaking, we need you to act first. Select an area of importance to your membership and decide the direction you wish to take. Together we can continue improving our field and be that "unified voice" our profession needs.

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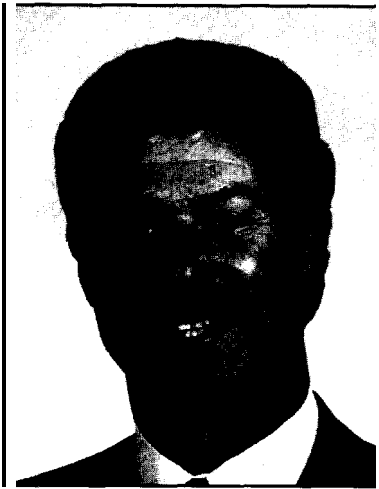
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## Letter from the Editors

**by Robert E. DeComo, Ph.D., Chairman, Editorial Committee**

Welcome to the Summer issue of *Perspectives*. We have revised the publication schedule for this Summer issue so that it will be available to our membership several months in advance of our Annual Institute which will be held this year in St. Louis. Our intention is to make the details of Institute activities available earlier so that you may circulate them among your colleagues and organizations to encourage their attendance. We hope that you will assist us in achieving record attendance for this year's meeting. On behalf of the Editorial Committee, I would also like to extend an invitation for you to share with us in person your comments and suggestions for future issues. See you in St. Louis.

Turning to the other contents of this issue, it contains three special features discussing several innovations in programming for community corrections. Our first special feature has been contributed by Robert McGrath, Director of Sex Offender Treatment, Counseling Service of Addison County in Middlebury, Vermont. Mr. McGrath describes a technique he has developed for assessing the risk represented by sex offenders. Many probation and parole officers are concerned that generic risk assessment systems are inadequate when applied to sex offenders. This alternative technique is straightforward and potentially more powerful in assessing this type of dangerous offender.

Next, we have a report on the APPA Victim Issues Committee by Bret Macgargle.

Leo Hobbs and Kevin Kennedy discuss their approach to operating a statewide system of community-based day treatment programs in Kentucky. Day treatment programs are intended as a last step intervention before out-of-home placement for youth experiencing behavioral problems at home, in school

and in the community which may have already brought them to the attention of the juvenile court system. Our authors describe how the programs combine treatment, education and behavior management techniques into and individualized curriculum for troubled youth. They also provide some very encouraging preliminary evaluation results from their programs. It appears that day treatment may be promising as an alternative response to institutionalizing troubled youth in mental health and correctional facilities.

Our final feature article was written by Dr. Gordon Bazemore from Florida Atlantic University. Professor Bazemore discusses his experience working with juvenile justice agencies who have been involved in efforts to implement the so-called "Balanced Approach" model. The BA model has emerged in recent years as a major effort to redefine the mission of juvenile agencies in a direction that is both publicly appealing and programmatically effective. However, even the best design will surely fail unless it is properly implemented. Professor Bazemore identifies some of the common obstacles that agencies have encountered, and recommends some alternative approaches to improve their chances for effective implementation of the Balanced Approach model.

As always, you are encouraged to submit your contributions, suggestions and comments to the Editorial Committee by writing or calling us.

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## *Five Critical Questions:*

# Assessing Sex Offender Risk

by **Robert J. McGrath, M.A., Director of Sex Offender Treatment Counseling Service of Addison County, Vermont, and Consultant, Vermont Department of Corrections and the National Institute of Corrections**

Risk assessment is a crucial component in the management of sex offenders. The results of risk assessments can have a profound influence on disposition planning decisions with this population, and thus, can have important consequences for the safety of the community. Conclusions drawn from risk assessments impact decisions concerning sentencing, custody levels, parole release, probation and parole conditions, community supervision levels, and rehabilitation efforts.

Most correctional risk assessment tools are designed for assessing risk among the general criminal population and can be of limited value in evaluating sex offenders. These tools do not take into consideration the fact that many high risk sex offenders are not identified on these scales because, except for their sexual offenses, they have led stable and prosocial lifestyles. The few specialized sex offender risk assessment instruments that have been developed (e.g., Bemus & Smith, 1988; Doke, 1989) are still in the process of being validated. Typically, these instruments examine only one dimension of sex offender risk, such as the relative likelihood that a sex offender will re-offend. Simply predicting re-offense, however, is not enough. A number of other issues must be examined in order to evaluate critically an offender's risk to the community. Evaluators should focus their assessment of risk on at least the following five factors:

1. What is the probability of re-offense?
2. What degree of harm would most likely result from a re-offense?
3. What are the conditions under which re-offense is most likely to occur?

4. Who would be the likely victims of a re-offense?

5. When is a re-offense most likely to occur?

The goal of this article is to review and organize factors related to sex offender risk in order to help probation and parole officers answer these important questions about the individuals that they supervise. Most sex offenders are male and discussion will therefore be limited to this population. Because this is a relatively brief overview, the interested reader may wish to consult other resources for a more detailed analysis of this literature (e.g., Hall, 1990; McGrath, 1991).

These five questions should be used with the understanding that there are two general strategies for assessing risk. The primary strategy focuses not on the uniqueness of the offender, but on his similarity to other subtypes of offenders. The underlying assumption of this tactic is that an offender's future behavior is more predictable if we know the behavior of other offenders who have similar characteristics. After this analysis has been completed, the evaluator can undertake a secondary strategy, a more individualized assessment of the offender. In a small percentage of cases, risk assessment decisions based on subtype analysis may be overridden due to an idiosyncratic characteristic of an offender.

### **What is the Probability of Re-Offense?**

Offense type is the most obvious offender characteristic that is related to the probability of re-offense. Untreated exhibitionists have the highest re-offense rates (20-14%) of all sex offenders (Cox, 1980). The range of recidivism rates of

rapists (8-36%) is quite wide (Frisbie & Dondis, 1965; U.S. Department of Justice, 1989). Among untreated child molesters, nonfamilial molesters of boys generally are found to re-offend at a rate that is about twice that of nonfamilial molesters of girls (13% vs. 27%) (e.g., Radzinowicz, 1957). Incest offenders have the lowest recidivism rates (4-10%) of all sex offenders (Frisbie & Dondis, 1965; Gibbins, Soothill, & Way, 1978).

While these re-offense rates provide useful comparative data among offense types, the evaluator must look beyond these statistics. The true re-offense rates of offenders in these studies is likely to be much higher. Only a fraction of the offenses committed by sex offenders are ever reported to authorities and only a small percentage of those reported result in the identification and conviction of the perpetrator.

Other important identifiable characteristics place certain offenders at high risk to re-offend. Offenders who have multiple convictions for sexual offenses are at significantly greater risk to re-offend than first time offenders. Sex offenders who are psychopathic are also much more likely to re-offend, primarily because individuals who have criminal lifestyles tend to possess ingrained antisocial personality traits that are very resistant to rehabilitation efforts.

Deviant sexual arousal is another important risk factor but is often overlooked by those who view sexual aggression as primarily an abuse of power and control. The sexual motivation of sex offenses should not be ignored. An offender's sexual arousal pattern can be evaluated by measuring his erection response to slides and audiotapes depicting normal and deviant sexual themes. This procedure, penile plethysmography,

has become an accepted and common element in a significant proportion of sex offender programs. Offenders who evidence greater sexual arousal to deviant sexual themes than to appropriate sexual themes have consistently higher rates of re-offense (McGrath, 1991).

#### **What Degree of Harm Would Likely Result From a Re-Offense?**

The harm inflicted on victims of sexual aggression can be psychological or physical in nature or both. Predicting the psychological trauma to victims of sexual aggression is more difficult than assessing physical damage. Nevertheless, victims generally experience greater psychological harm when, for example, the abuse involved force, brutality, penetration, or continued over a long period of time.

In predicting the likelihood that the offender will re-offend in a physically violent manner, the evaluator can be guided by the axiom, "The best predictor of future behavior is past behavior." If an offender has acted in a violent manner in the past, he presents a greater risk to do so in the future than does someone with no history of violent behavior. Even if an offender has no history of violence, the possibility that he may be violent cannot be ruled out. There are some other variables that should be considered in assessing the potential for violence.

Inquiries should be made about the offender's masturbatory fantasies. Those who have a preference for sadistic and other violent themes may be at higher risk for acting on these urges than those who do not have such preferences. Understandably, most offenders will be reticent to talk about this area of their life, and therefore the penile plethysmograph can be used to obtain an objective measure of the offender's arousal to themes of sexual violence vs. consensual sexual activity. However, caution must be used in relying too heavily on plethysmographic data. The plethysmograph is not a sexual lie detector test. It cannot determine whether an offender has or has not committed a particu-

lar offense, nor can it accurately predict whether an offender will commit a particular type of offense in the future. Rather, it is a useful assessment tool that can uncover a propensity towards violence.

In addition, examination of an offender's past offenses may reveal a pattern of increasing aggression or threats of violence. Even though an offender may not have committed a violent offense in the past, he may have threatened his victim with violence, verbally or with weapons. Whether he would have actually followed through on his threats is an unanswerable question, but threats of violence and use of a weapon generate justifiable concern.

For people supervising sex offenders, it is important to remember that victims can be revictimized even if an actual "re-offense" has not occurred. This is particularly true among victims of incest. By virtue of the trust and affection that children typically have towards their parents, the impact of incest may be even more psychologically damaging than similar abuse perpetrated on a victim by a stranger. Because of the low recidivism rate of incest offenders, probation and parole supervision of this population may focus not so much on deterring further sexual abuse, but on preventing further psychological trauma to the victim by obstructing or monitoring victim and offender visits.

#### **What Are the Conditions Under Which a Re-Offense is Most Likely to Occur?**

Probation and parole officers bear the important responsibility of identifying and monitoring the conditions which can deter their supervisees from re-offending. Ideally, each sex offender will be evaluated to determine the specific risk factors that have been antecedent to his past offenses. Over time, through the process of evaluation and supervision, the offender, in conjunction with corrections and treatment staff, can begin to develop a plan to prevent re-offense. However, before the offender develops enough trust and insight to

identify and describe his idiosyncratic re-offense cycle, a number of common risk factors can be examined.

#### **Offense type is the most obvious offender characteristic that is related to the probability of re-offense.**

Most prominent among the conditions that can lead to a re-offense is victim access. Without available victims, victimization cannot take place. The degree to which an officer or agent can confidently monitor an offender's cooperation in following the conditions designed to limit or prevent his access to potential victims, is the degree to which community safety can be assured. Alcohol abuse, another risk factor, is associated with approximately half of all sex offenses. Although alcohol does not cause sexual aggression, it serves as a disinhibitor to the already tenuous control that some offenders have over their deviant sexual urges. Abstinence from alcohol and other drugs should be mandated whenever the sexually aggressive pattern of an offender involves substance abuse. Although more difficult to monitor than substance abuse, pornography use is also a precursor to many sexual offenses. Many offenders will pair the deviant themes portrayed in some pornography with masturbation and orgasm, thereby strengthening their interest in illegal sexual behavior. Negative emotional states are very frequently precursors to sex offending. Anger is the most common emotional precursor to rape, and anxiety and depression are the most common precursors to child molesting.

Whether or not an offender can enroll in or has successfully completed a rehabilitation program is another important condition related to future recidivism. The goal of sex offender treatment is to reduce victimization rates by helping offenders control their deviant sexual impulses. Although the jury may still be out on the efficacy of treatment interventions with rapists, a variety of cognitive-behavioral treatment approaches have been successful in reducing the

recidivism rates of child molesters and exhibitionists (Marshall et al., 1991). In order to be amenable to treatment, offenders must admit to their offense behavior, consider themselves to have a problem with sexual deviancy, and be motivated to change.

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**Deviant sexual arousal is another important risk factor but is often overlooked by those who view sexual aggression as primarily an abuse of power and control.**

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**Who Would Be the Likely Victims of a Re-Offense?**

An offender who has offended against a particular type of victim in the past will most likely re-offend against the same type of victim in the future. However, even though the typical sex offender tends to specialize in a certain type of deviant sexual behavior with victims of a particular gender and age range, a sizable minority of offenders engage in more than one type of sexually deviant behavior. For example, some research has shown that approximately one-third of incarcerated rapists and child molesters began their deviant sexual histories by committing hands-off offenses such as exhibitionism and voyeurism, before progressing to hands-on offenses. Other studies have found that some incest offenders also have a history of molesting children outside of the home. It is important to note that those offenders who engage in multiple sexual deviances present a higher risk to re-offend than offenders with less generalized deviant interests.

Unfortunately, research studies in this area do not enable evaluators to accurately predict which offenders are most likely to be at high risk of offending against victims who are dissimilar to their victims of record. Nevertheless, probation and parole officers can use the research on multiple paraphilias to inform their investigations. They should recognize that an offender they are interviewing may well have a history of more than one type of deviant sexual

behavior or interest. In fact, investigations and interviews with both the offender and collateral contacts should begin with the assumption that the offender has multiple deviant interests (McGrath, 1990).

Plethysmographic assessment can also identify an offender's multiple deviant interests. For example, suppose that an offender's risk of sexually abusing young girls has already been documented by a conviction for molesting a young girl and that on plethysmographic assessment he is also found to be significantly aroused to slides of young boys. Even though his deviant arousal to young boys neither means that he has molested young boys nor that he will molest young boys, it does suggest his risk of molesting young boys is much greater than that of someone who has neither a conviction for child molesting nor deviant arousal to young boys. Probation and parole conditions and supervision strategies should take this type of risk into consideration.

**When is a Re-Offense Most Likely to Occur?**

Evaluators often overlook variables that may help in determining when a sexual re-offense would be most likely to occur. Variables related to this question include time of day, season of the year, offender age, and re-offense curves.

Exhibitionists tend to be at highest risk to re-offend during daylight hours, whereas approximately two-thirds of rapes and rape attempts occur at night. These data, along with an analysis of the specific characteristics of an offender's pattern, can suggest special probation conditions, such as evening curfews for certain rapists.

A number of other studies have found large and statistically significant seasonal variations in the commission of rapes, with the maxima occurring in the summer months, even in states with consistently moderate climates. A similar trend has been found among exhibitionists.

Perhaps the most significant variable related to the timing of a re-offense is the variation in the recidivism curves

among different types of sex offenders. Research studies have examined the relationship between offender age and likelihood of re-offense as well as the re-offense rate of various types of offenders following arrest and release from prison. Exhibitionists reach their peak of offending in their twenties and subsequently decrease. Because of the compulsive nature of exhibitionism, those whose offense do so much sooner than other sex offenders, often while still in treatment.

Rape also tends to be a crime committed by men primarily in their twenties, and there seem to be relatively few males over the age of 40 who commit rapes. Following their release from prison, rapists tend to be most likely to re-offend during their first year in the community and their yearly rate of re-offense tends to continue to decrease each year thereafter.

Child molestation is committed by men across a wider age span. For example, incest offenders, not surprisingly, typically commit their offenses during their child-rearing years, between the ages of 30 and 45. Nonfamilial child molesters, especially those who molest boys, often continue to molest until late in life. In brief, the re-offense curves of child molesters is much more gradual and long lasting than that of either rapists or exhibitionists.

**Conclusion**

Probation and parole officers play a critical role in assessing and supervising sex offenders. However, because most correctional risk assessment scales are "generic" and rely on an offender's past criminal history and lifestyle stability, officers and agents often have difficulty identifying certain high risk sex offenders by these assessment procedures alone. In addition, most risk assessment instruments examine only one dimension of risk. Probation and parole officers can improve their ability to assess and manage this population by identifying the particular characteristics of sex offenders and their offenses that are associated with various types

of risk. As probation and parole officers increase their competence in working with sex offenders, recidivism rates will hopefully diminish and innocent victims will be spared the horrors of sexual assault.

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# APPA Creates a Victim Issues Committee

by Brett M. Macgargle, Director of Victim Services, Department of Probation, Parole and Pardon Services, South Carolina

During APPA's Executive Committee meeting in October 1991, it was unanimously agreed that a committee to address victim issues in community corrections should be created. The idea to form a committee was first visualized in September 1991, during an advisory committee meeting of the Offender Supervision and Victim Restitution Project. Since receiving grant funding for the project from the Office for Victims of Crime (OVC), APPA staff and advisory committee members have worked toward improving the manner in which probation and parole professionals across the country respond to the needs and concerns of crime victims.

In October 1990, APPA, in cooperation with The Council of State Governments (CSG), was awarded a federal grant to provide training and technical assistance on issues specific to crime victims who are involved in the community corrections process. In October 1991, funding for the continuation of the Offender Supervision and Victim Restitution Project was again awarded by OVC. During Phase I of the project, a comprehensive training curriculum was developed and subsequently refined during a pilot training seminar that was held in Chicago in August 1991. A condensed version of the four-day training seminar was also presented in January 1992 at the APPA Winter Training Institute in New Orleans. Linda F. Frank, the project manager and the APPA Victim Services Specialist, states: "The participants have been extremely receptive to the curriculum and the training seminars. It is full of creative and thought-provoking ideas to assist every practitioner from administrator to line officer in developing a comprehensive program strategy for victim services." During the project's second year of funding, four additional jurisdictions

became eligible to receive the training seminars. The sites for these seminars were selected through a Request for Proposals process and were conducted in New York City; Washington, D.C.; Omaha, Nebraska; and Boston, Massachusetts between January and May 1992. Technical assistance was provided to two sites in Illinois and will additionally be offered to participants who attended the four training seminars.

Mario A. Paparozzi, one of the project's advisory committee members, felt "the idea to create a committee was a natural progression of the grant work; the committee would allow probation and parole staff to have input and access to recommendations to assist victims." During the APPA Executive Committee meeting, the members not only decided to create a committee, but also establish broad parameters by developing the Statement of Need and Committee Purpose and Charges. The following represents the substance of the Victim Issues Committee Proposal.

## Statement of Need

Probation and parole services have only recently increased their attention to victim services. It is often the case that victim involvement in the criminal justice process becomes nebulous or ceases completely after the prosecutorial state of case processing. There are several areas where probation and parole professionals can have an effect on the way they are perceived by this increasingly influential stakeholder group. In order to address the need stated herein and to heighten the awareness of the profession in this regard, APPA proposes to convene a committee.

## Committee Purpose and Charges

1. To identify a broad range of victim **service** issues so that probation and parole professionals become more victim



Chairman Michael J. Cavanaugh states, "Victims *deserve services and are a large part of the constituency we must serve.*"

sensitive. **Subcommittee Chair:** Anne Seymour.

2. To ensure that relevant victim services topics are included in APPA Training Institutes. **Subcommittee Chair:** Mario A. Paparozzi.

3. To develop a working paper on the need for increased victim services within probation and parole agencies. **Subcommittee Chair:** Sharon English. **Secretary:** Linda F. Frank.

To carry out the vision of the APPA Executive Committee's Victim Issues Committee, Michael J. Cavanaugh, Commissioner of the South Carolina Department of Probation, Parole and Pardon Services, was chosen as Chair of the Committee. "Mike has developed one of the best victim service programs in the country that comprehensively applies victim services to the business of community corrections," states APPA President Harvey Goldstein. In anticipation of the first committee meeting, Chairman Cavanaugh searched the country and found professionals, having



distinguished themselves as victim service providers, to staff the committee and carry out the goals of APPA's Executive Committee.

The committee's first meeting on January 26 of this year was held as part of APPA's Winter Training Institute in New Orleans. This meeting was well attended and served as a great ground breaker to establish a solid blueprint for future development. Chairman Cavanaugh states, "The first committee meeting initiated the development of recommendations to provide direct and indirect services to victims which we envision probation and parole agencies will adopt in their overall vision or philosophy governing community corrections. Considering the public is increasingly demanding more accountability, the timing is right to provide victims with information and involvement regarding what we do. After all, we work with offenders, but we work for the general public, and victims are a large part of the constituency we must serve."

Committee members will continue to meet during the two APPA Institutes each year. Chairman Cavanaugh is continually looking for individuals who wish to contribute to the committee's effort. If interested, please contact him by telephone (803) 734-9278 or at the Department of Probation, Parole and Pardon Services, PO. Box 50666, Columbia, South Carolina 29250.

## APPA Victim Issues Committee

The following individuals are the current members of the committee:

**Catherine Abate**, Commissioner, New York City Department of Probation, New York

**Adrienne Bellamy**, Director of Programs, Cook County Adult Probation Department, Illinois

**Tim Brehm**, Community Corrections Specialist, Division of Parole and Probation, North Dakota

**Michael d. Cavanaugh**, Commissioner, Department of Probation, Parole and Pardon Services, South Carolina

**Diana Colloton**, Chief Probation Officer, Administrative Court, Colorado

**Sharon English**, Assistant Deputy Director, Department of Youth Authority, California

**Linda F. Frank**, Victim Services Specialist, American Probation and Parole Association, Kentucky

**John Gillis**, Chairman, Board of Prison Terms, California

**Susan Krup Grunin**, PhD, Regional Probation Administrator, Administrative Office of the U.S. Courts, Washington, D.C.

**Christine Heisel**, Probation Officer, Department of Probation, Nebraska

**J. Paul Homer**, Victim/Witness Coordinator, Federal Bureau of Prisons, Washington, D.C.

**Judge Joe Kegans**, 230th District Court, Texas

**Susan Laurence**, Program Specialist, Office for Victims of Crime, U.S. Department of Justice, Washington, D.C.

**Arthur d. Lurigio**, PhD, Director of Research and Evaluation, Cook County Adult Probation Department, Illinois

**Brett M. Macgargle**, Director of Victim Services, Department of Probation, Parole and Pardon Services, South Carolina

**Ed Mansfield**, Intensive Probation Supervisor, Maricopa County Adult Probation Department, Arizona

**Joseph Myers**, Executive Director, National Indian Justice Center, California

**Mickey M. Neel**, Manager of Special Projects, American Probation and Parole Association, Kentucky

**Dr. Brian K. Ogawa**, Director of Victim Services, Department of Prosecuting Attorney, Hawaii

**Mario A. Paparozzi**, Program Manager, Bureau of Parole, New Jersey

**Judge Ted Poe**, 228th District Court, Texas

**Rocco Pozzi**, Director, Westchester County Department of Probation, New York

**Dr. Donna Schwartz**, Psychiatrist, William S. Hall Institute, South Carolina

**Anne Seymour**, Director of Communications and Resource Development, National Victim Center, Washington, D.C.

**Jim Sinclair**, Assistant Director, Community Supervision/Corrections, Texas

**Cecil H. Steppe**, Chief Probation Officer, San Diego County Probation Department, California

**Alex Vargas**, Director of Victim Services, Los Angeles City Attorney, California

## Spotlight on Juvenile Justice

*Spotlight* will feature innovative juvenile justice programs and concepts in future issues of *Perspectives*. Information on programs with similar goals will be summarized in brief articles to provide a resource for other juvenile justice professionals. In coming issues we would like to feature program ideas on:

- Aftercare services for adjudicated/incarcerated youth;
- Identification and intervention programs for drug-involved youth; and
- Prevention programs for pre-delinquent and delinquent youth.

If you have a successful program or a unique approach in one of these areas, please share it with your colleagues by sending a brief description (approximately 3 pages) containing the following information:

- *Type of program;*
- *Program purposes;*

- *Program specifics, including who is served, methodology, funding and other particulars;*
- *How juveniles and the agency have been affected by the program;*
- *Program evaluation results; and*
- *Contact information for those who would like additional information.*

Submit materials to:

**Spotlight on Juvenile Justice, c/o Ann H. Crowe**  
**Coordinator of Juvenile Justice Programs**  
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**Iron Works Pike, P.O. Box 11910**  
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## *Kentucky Responds to the Challenge:* **Community Based Day Treatment for Troubled Youth**

by Leo Hobbs, M.Ed. and J. Kevin Kennedy, MSHPA

### **Overview**

Kentucky, like the rest of the nation, faces difficult challenges because of the changing profile of the American population. The graying of America and the declining birth rate will have a dramatic impact on the future lifestyle of all citizens. The burden for supporting an aging population will be placed upon the generation who are now infants, toddlers and preschoolers. This "sandwich" generation cannot afford the additional burden of supporting a dysfunctional youth population who are emotionally disturbed, delinquent, drug addicted, uneducated and unproductive. Kentucky and the nation can no longer afford the luxury of disposable children. Society will need a work force that is well educated, skilled and productive.

Actions must be taken now to ensure the future. Beginning with this present generation of young people, society must invest increasing resources to avoid disaster. Policies and programs must be developed that will reduce the number of youth who are to be institutionalized in mental health or correctional facilities.

In Kentucky, the Day Treatment Branch operates 17 community-based treatment programs for delinquent and troubled youth between the ages of 12 and 17. There are currently 11 contracted programs and six state-operated programs. Youth served in the day treatment setting typically have been experiencing behavioral problems at home, in school, and in the community. Many have had involvement in the juvenile court system. It is common that these youth will show limited ability in forming positive relationships with peers or adults. They are often impulsive and have limited problem-solving skills. They have low self-esteem.

Day Treatment programs are typically comprised of several major treatment and education components and are individualized to meet the needs of each youth. Academics provided through classroom instruction play a major role in the treatment program. Group, individual, and family counseling are vital treatment components. In addition, vocational and work-related activities are offered on a regular basis to youth. A system of behavior management is employed in every program to ensure that youth are rewarded for showing positive and socially acceptable behaviors. Each program provides a safe, secure, and nurturing setting to enhance the development of trusting relationships.

Treatment is individualized to meet the particular needs of the youth within the context of their family and community. Each youth's treatment team - made up of a juvenile counselor, a treatment aide and a teacher - formulates a plan of treatment tailored to the needs of the youth and family. Resources which are not available within the program are accessed through community networking efforts.

All programs operate five days each week. The days of operation during the year will closely follow the local school calendar with extended programming during summer months.

The Branch budget for the treatment component of the programs is in excess of \$3 million. The average client cost per day/per youth is \$22 for contract programs and \$33 for state-operated programs. The difference is a result of contractors assuming a portion of the indirect costs. Funding for the educational component of the program is provided through the Kentucky Department of Education. The cost of

care per day/per youth for the educational component of the program is less than \$30. Obviously, Day Treatment programs are a cost-effective method of treating troubled youth when compared to the high cost of out-of-home residential treatment (see Table 1)

### **Client Profile**

The client profile of youth and families served in Day Treatment programs was developed from a six month period during fiscal year 1990/91.

Day Treatment, being a community-based resource, admits clients according to a severity of need premise. Youth served in the programs range from youth who are committed or probated to the state to youth referred on a voluntary basis from schools and parents (see Table 2). Youth who are voluntarily admitted lack official legal status but are often involved in significant trouble at school and in the home and community. Considerable efforts have been made to reduce the number of youth admitted voluntarily because the additional external controls of judges, probation officers and community social workers cannot be used to influence the youth and families' investment in the treatment program.

The referring charges on youth admitted to Day Treatment show that more than 75 percent are either delinquent or status offenders (see Table 3), with an average age of 14 years 8 months (see Table 4). The remaining 20 percent of youth admitted to the programs do not fall into the offender categories and are in treatment because of serious behavior problems in the community or school.

The breakdown of race in admissions closely mirrors the general population profile of the Commonwealth (see Table

5). In regard to gender, the national trend shows sharp increases in the number of females involved in court; this trend has had limited impact on Day Treatment. Females seem to be under-represented in the Day Treatment population (see Table 6).

Most of the youth served in Day Treatment live in poverty with annual family incomes of less than \$6,000 (see Table 7), from single parent (female) households (see Table 8), which demonstrates dramatically the serious hardships facing the families served in Day Treatment. Many mother-only households are receiving AFDC and little or no financial support from fathers.

As would be expected in an early intervention community-based program, nearly 70 percent of youth have not had any previous out-of-home placements (see Table 9). This shows that Day Treatment is fulfilling its community-based early intervention mission. Early intervention, when successful, can effectively divert youth from expensive out-of-home care, improve family stability, and maintain the youth in the community.

### The Treatment Program

Upon admission to Day Treatment the youth is evaluated by their treatment team. The team is comprised of a juvenile counselor, treatment aide, and teacher. The initial evaluation of the youth is focused on an academic and behavioral assessment process. The academic assessment is used to develop a comprehensive education plan for the youth. The typical youth in a Day Treatment program is two to five years below their age-mates on academic test scores. Based upon the assessment, a remedial education plan is designed.

The behavioral assessment utilizes information gathered from a wide array of sources. These sources include information gathered from the family, community social workers and/or other service providers as well as behavioral observations by Day Treatment staff. The youth's individualized treatment plan is developed utilizing a goals and objectives format. The treatment goals and objectives are developed by the

treatment team, the youth, their family, the community social worker and others as deemed necessary. Individual, group and family counseling is used to address the youths' treatment goals.

Progress through the treatment program is measured by a phase system. This system is typically made up of four separate phases: orientation, learning, progress and graduation. The youth is able to gauge their performance through the utilization of a behavioral point system. Youth earn points for their appropriate behavior and by meeting program standards and then may qualify for movement within the phases as well as to higher levels. In all programs, earning a sufficient number of points does not automatically move the youth through the program. A youth moves to the next level only after having obtained sufficient points and convincing the treatment team that they are ready to move forward. Behavioral expectations increase as the youth is promoted through the system.

The community-based setting of the programs makes possible the strong emphasis upon family participation in the treatment process. Family counseling and parenting skills classes are provided by the Day Treatment staff. The program is family sensitive; the youth and their families are assisted in building and maintaining positive relationships. Maintaining the family is at the core of the programming and philosophy of the Day Treatment program.

### Trends in Discharges

During the past three fiscal years the Day Treatment Branch has kept standardized discharge information regarding youth served in all programs. Youth are released in one of 21 different categories. Each category reflects the relative success of the youth's individualized treatment. These categories fall under one of three headings: youth released after *successfully* completing treatment, youth achieved maximum benefit from program with moderate success in treatment, and youth achieved maximum benefit from program with little or no success in treatment (see Table 10).

**Table 1: Kentucky's Cost of Care**

Residential *	\$115.00
Group Home	\$95.00
Day Treatment*	
Contract	\$22.00
State	\$33.00

\* Excludes educational cost

**Table 2: Admission Profile of Kentucky's Day Treatment Population**

Legal Status	# of Youth	Percent
Committed	131	28.9%
Diverted	70	15.5%
Probated	139	30.7%
Voluntary	107	23.6%
Supervision	6	1.3%
<b>Total</b>	<b>453</b>	<b>100.0%</b>

**Table 3: Referring Charges of Kentucky's Day Treatment Population**

Commitment	# of Youth	Percent
Delinquent	156	34.7%
Status	195	43.3%
Dependent		.2%
Other	90	20.0%
<b>Total</b>	<b>453</b>	<b>100.0%</b>

**Table 4: Age of Kentucky's Day Treatment Population**

Age	# of Youth	Age*	# of Youth
12	8	15	73
13	26	16	43
14	51	17	11

**Average Age** 14.8 years

\* Reflects a six month period

**Table 5: Race of Kentucky's Day Treatment Population**

Race	# of Youth	Percent
Black Male	54	12.4%
Black Female	26	6.0%
White Male	273	62.6%
White Female	79	18.1%
Other Male	2	.1%
Other Female	2	.1%
<b>Total</b>	<b>436</b>	<b>100.0%</b>

The types of releases under the heading *moderate success* are usually actions taken for various reasons prior to full completion of treatment goals. These reasons may involve the return to regu-

**Table 6: Gender of Kentucky's Day Treatment Population**

Gender	# of Youth	Percent
Male	329	75%
Female	107	25%
<b>Total</b>	<b>436</b>	<b>100%</b>

**Table 7: Family Income of Kentucky's Day Treatment Population**

Family Income	# of Youth	Percent
\$0-6,000	187	40.9%
\$6,001-12,000	132	28.9%
\$12,001-18,000	63	13.8%
\$18,000-24,000	28	6.1%
\$	47	10.3%
<b>Total</b>	<b>457</b>	<b>100.0%</b>

**Table 8: Family Composition of Kentucky's Day Treatment Population**

Family Comp.	# of Youth	Percent
Both Parents	113	26.0%
Mother Only	216	49.8%
Father Only	29	6.7%
Grandparent	20	4.6%
Nat/Step.	26	6.0%
Stepparent	3	.1%
Other Relative	14	3.2%
Foster Parent	11	2.5%
No Family Invo.	12	2.8%
<b>Total</b>	<b>434</b>	<b>100.0%</b>

**Table 9: Previous Placement of Kentucky's Day Treatment Population**

Previous Placement	# of Youth	Percent
Day Treatment	24	5.3%
Group Home	36	7.9%
Treatment Center		1.8%
Camp Setting	12	2.6%
Psy. Hospital	36	7.9%
Drug Treatment	1	.1%
Foster Care	1	.1%
Private Child Care	8	1.8%
None	316	69.5%
Multiple	13	2.9%
<b>Total</b>	<b>445</b>	<b>100.0%</b>

lar educational setting at semester breaks or the program staff have identified specific problems such as drug dependency, severe emotional disturbances or vocational opportunities for the youth that mandate early release. The basic prin-

ciple behind moderate success is that the program treatment staff are in agreement with the early release of a youth prior to full completion of the individualization treatment plan.

Discharges under the heading *unsuccessful* or *unapproved release* are usually actions taken because the youth has achieved maximum benefit from the program with little treatment success or because of actions taken by others to remove youth from the program without treatment staff agreement. The principal reasons for releasing youth with little or no treatment success can, in most cases, be attributed to external factors beyond the purview of program administration. Examples of such situations include family movement out of the service area or other Social Services agents requesting transition of the youth to another treatment setting.

During the past three years (1989-1991), the Branch has steadily increased the number of youth released (see Table 11). This is true even when the recent expansion program's impact is factored out. Significant efforts have been made by the programs to shorten lengths of stay and to maintain the population at program capacity throughout the year. Many programs maintain an active waiting/referral list to quickly fill vacancies.

### Evaluating Program Effectiveness

During the spring of 1991, the Day Treatment management team, intending to promote greater accountability through gauging program effectiveness, implemented a follow-up study. A questionnaire was designed to elicit information from the parents or guardians of youth having been discharged at least 12 months prior from a day treatment program. The questionnaire addressed issues revolving around drug and alcohol usage, court involvement, social relationships, educational achievement and employment status.

A total of 53 parents or guardians of youth were successfully contacted and responded to the questionnaire. This group of respondents was the result of a selective random sampling of eight youth from each program who were dis-

charged approximately one year prior to the first quarter of the 1991 calendar year. A total of 108 youth comprised the original sample.

The survey results showed that youth who were released as "completed treatment" have a much lower rate of criminal activity upon release than other categories of releasees. As would be expected, youth released as unsuccessful in treatment had a higher suspension and expulsion rate from school than youth released in other categories.

The results also illustrated the post release impact of drug and alcohol use. The majority of youth in the survey continued to use drugs and alcohol. This finding validates the need for increased emphasis on drug and alcohol prevention, intervention and treatment currently being incorporated into the treatment program. The division has developed a comprehensive drug and alcohol curriculum to be used in all programs. The survey findings also point to the need for expanded after-care planning to include referrals to community drug and alcohol intervention programs.

The division has recently developed and approved a comprehensive evaluation system which will effectively measure the impact of treatment. This system will provide quantifiable data on academic progress for all clients during treatment. In addition, through a random sampling process, identified youth and parents will be contacted at six months and again at one year after treatment for follow-up.

In addition to these assessment instruments, a comprehensive two year history of court and educational involvement will be compiled. This data will be collected for a one year period prior to treatment and one year post treatment. Now that a comprehensive plan to evaluate program effectiveness is in place, future findings will be more empirical.

### Summary

In Kentucky, community-based Day Treatment is an integral part of the continuum of care designed to deal with delinquent and troubled youth. The Day Treatment system provides a last



step intervention prior to residential placement. Many youth are able to avoid out-of-home placements through successfully completing a Day Treatment program.

The Division of Children's Residential Services in Kentucky, which includes the Day Treatment programs, is committed to ensuring quality care. Part of this effort involves compliance to standards through the American Correctional Association. Currently nine of the 17 Day Treatment programs have been awarded accreditation. Work continues to bring all programs into standards compliance.

The American Correctional Association has developed a specific standards manual for Day Treatment programs. These standards were developed with the assistance of personnel from one of Kentucky's Day Treatment programs. It was fitting that one of Kentucky's Day Treatment programs was the first to use these draft standards.

The cost-effective nature of community-based Day Treatment, coupled with the ability to keep troubled youth at home and in their community, provides a sound argument for their development. Day Treatment philosophy allows for the holistic approach to treating troubled youth. Family and community resources can be actively invested and involved in the treatment of troubled youth because of the accessibility of the program.

## Conclusion

Day Treatment Programs for juvenile offenders and at-risk youth provide a cost-effective early intervention program. These programs often provide youth with the opportunity to avoid an out-of-home placement. In addition, Day Treatment allows for greater family involvement in the treatment program because of their community-based nature.

Although at present a sound empirical evidence is lacking, a plan has been developed to remedy this shortcoming. In the final analysis what counts is individual success. In this field, real success is relative considering the enormity of the task. One parent's comments about the impact of Day Treatment on their

Table 10: Type of Release		
Success	Completed treatment plan and released	
Moderate Success	Voluntary placement-terminated with approval Released to Drug and Alcohol program Released to Psychiatric Hospital Released to Private Child Care Released to Military/Job training/Vocational Education Released by Community Worker with program approval Released by court/CDW with program approval Released back to school Released to other Day Treatment program	
Unsuccessful or Unapproved Release	Voluntary placement terminated without program approval Moved without completing treatment Removed by Community Worker without program approval Lack of significant progress in program Removed by court/CDW without program approval Released to school without program approval Waiting list placed in Residential facility Waiting list placed in Clinical facility Waiting list placed in Group home Runaway Other	
Table 11: Total Discharges Annually		
FY 1988/89	1989/90	1990/91
808	826	907
Percent change	3%	9%

son provides an example of real success. Paraphrasing from that parent's letter to the juvenile court judge, the father stated that:

"The parent witnessed a transformation from a disillusioned youth to a respectable young man and I think he is as proud of himself as we are proud of him. All of this has come about as a joint effort between my son, his parents and all the folks at the Day Treatment Center. I thought you should hear of the outstanding work these folks are doing. They should be commended for taking a professional, and most importantly, a caring approach to the work at hand. I am very thankful to all the folks at the center and the taxpayers of the Commonwealth for the program they made possible for my son."

As is always the case, one testimonial does not validate the success of everything. However, the Day Treatment system in Kentucky is moving in the right direction, especially in these times of decreasing fiscal budgets. The cost-

effective nature of these programs make them an attractive alternative to institutionalization. Through the success of programs like this, greater numbers of youth can be diverted from institutions.

## About the Authors

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# A "Balanced Approach" For Juvenile Justice: How Is It Different? Is Anyone Doing It?

by Gordon Bazemore, Ph.D., Professor, Florida Atlantic University

## Introduction

According to many critics, the traditional mission statement of juvenile justice to act "in the best interests of the child" has often been used to cover layers of abuse of due process rights of children while, in return, offering little that could be described as in their best interest (e.g., Feld, 1991). On the other hand, juvenile justice agencies have sometimes been held to unrealistic expectations due to the vagueness of their mission. Asked to fulfill legalistic and social welfare objectives, juvenile justice is often placed in the role of being "all things to all people." This ambiguity in mission has also made juvenile justice vulnerable to political pendulum swings and fads which probably add to the confusion of staff and the public about priorities and objectives (Maloney, Romig and Armstrong, 1988: 47-50). While some might argue that vagueness in objectives is deliberate and serves to protect the status quo, a number of juvenile justice policymakers and agency managers in recent years have sought guidance in developing new models for reforming their agencies.

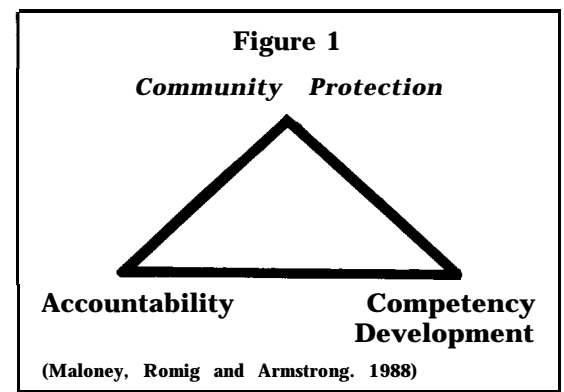
One of the most promising attempts to state a clear and coherent mission for community supervision in juvenile justice in the past two decades can be found in an article appearing in the *Journal of Juvenile Family Court Judges* which advocates a "Balanced Approach" for probation (Maloney, Romig and Armstrong, 1988). As a response to the long-term failure of the juvenile court to fulfill its traditional treatment mission and also to the punitive trends of the past decade, the Balanced Approach specifies a distinctive role and unique objectives for juvenile probation (and by implication, juvenile justice generally).

As outlined in the *Journal* paper and later elaborated by Troy Armstrong (Armstrong, Maloney and Romig, 1990), the Balanced Approach (hereafter BA) sets forth three practical objectives for community supervision of juvenile offenders and a revitalized mission for juvenile justice: accountability, community protection, and competency development.

Simply stated, Accountability in the BA refers to the requirement that offenders "make amends" for the harm resulting from their crimes by repaying or restoring losses to victims and the community ("when an offense occurs, an obligation by the offender is incurred"). Competency Development requires that youth who enter the juvenile justice system should exit the system "more capable of being productive and responsible in the community." The Community Protection objective explicitly acknowledges and endorses a long-time public expectation that juvenile justice must place equal emphasis on ensuring public safety - at the lowest possible cost, using the least restrictive level of supervision possible to protect the community (Maloney, Romig and Armstrong, 1988:59).

Tying these three objectives together is the concept of "balance," or the idea that no one objective can take precedence over any other without creating a system that is "out of balance." For example, attention to competency needs serves to temper excessive concern with prompt repayment to victims (accountability) if, for example, the latter interferes with a juvenile's educational needs. Balance is achieved in dispositions for each offender through "individualization" which assumes that differences between individual youth require specialized rather than standardized sanctioning, supervision and treatment re-

sponses (Palmer, 1975; Armstrong, Maloney and Romig, 1990).



Taken together, these objectives provide both a coherent philosophy - symbolized by a triangle (see Figure 1) - for community supervision and a way of prioritizing activities and organizing resources. Ideally, these outcomes also work together in a balanced system to make juvenile justice more responsive to local needs and concerns. At the same time, the community is asked to take ownership and participate in solving its own delinquency problem (Maloney, Romig and Armstrong, 1988: 13-14).

Perhaps the most attractive feature of the BA as a new model for community supervision of juveniles is its broad appeal to widely shared, traditional values about youth and their role in the community and its potential for changing the image of juvenile justice. Policy and program innovations of recent decades, such as diversion and prevention initiatives, often failed to win local support and were thus often never properly implemented. The BA, on the other hand, appears to be rooted in and responsive to traditional values in many American communities (e.g., making amends to victims and

the public, the work ethic). As a result, the model appears to be more easily sold and accepted than other concepts. Since publication of the journal article, the BA has been adopted as the official mission for juvenile justice in several states and numerous local community supervision agencies and has been discussed extensively as a model for juvenile corrections by other national advocacy groups (e.g., Barton and Streit, 1991).

Unfortunately, the strong "marketing" value of the BA has had its negative side for those who view these principles as a new way of doing business in juvenile justice. The temptation is often great for agencies to adopt an approach with such broad public appeal, without properly considering the implications of its objectives for new policy and practice.

Experience in the field might lead one to wonder if all practitioners who are advocating the BA are cognizant of Maloney and Armstrong's concept.

### **Who is "Unbalanced" and How Are "Balanced" Systems Different?**

Even the best researchers would be hard-pressed to find many juvenile justice administrators willing to admit, even in an anonymous survey, that they support "unbalanced" systems. Who would say that they do not believe in community protection; holding offenders accountable to victims; or trying to increase offender competency? Isn't everyone really attempting a BA?

A better question might be, "is anyone really achieving the BA?" The probable answer would be, yes and no. Yes, there are promising examples of community supervision programs or components of probation departments that combine work experience and restorative justice approaches for young offenders. These programs and supervision alternatives - especially those in parts of Oregon and selected jurisdictions of a few other states such as Massachusetts, California, Pennsylvania (Bazemore, 1991) - seem to be unique in juvenile justice regarding the priority given to competency develop-

ment and accountability outcomes. Further, by carefully "programming" offenders' free time in the community, these community-based programs ensure public protection. Close adult supervision is often used in group settings, and success is achieved in ways not possible using standard casework probation approaches and without use of incarceration (Klein, 1991). These agencies are also unique in the way the three BA principles are operationalized in new activities for probation.

Observing the probation or community supervision process in these locales, one would typically see youth actively involved with adult supervisors in productive work projects with clear value to the community while earning money to pay back their victims (and some for personal use). One would be less likely to observe delinquent clients passively receiving counseling about their problems or being reprimanded by probation officers for failing to obey rules of supervision. Observing staff in juvenile justice agencies that have adopted the BA, one would be less likely to find caseworkers sitting behind desks completing court paperwork or admonishing young offenders about curfews missed, office visits, or violations of other standard court rules unrelated to the objectives of the BA. Rather, one would see these adults working with young offenders on community projects supported by local businesses and other public agencies (Bazemore, 1991). In another scenario, staff might meet with an offender and his victim to arrive at a fair restitution settlement, or work with an employer group and civic organization to develop new work experience and educational opportunities for offenders. When a youth has violated community supervision by committing a new offense or is failing to comply with requirements as agreed, a "progressive response system" gives staff in these agencies a variety of options for intermediate sanctions without the use of confinement (and also provides for positive incentives for youth doing well).

At their best, these BA programs present to the public a new image of offenders and a new image of the juvenile justice system. Most have at least begun to create new roles for community supervision workers and re-allocate resources to support new sanctioning and supervision activities which operationalize the external (community) and internal (juvenile justice) message of the mission statement. Generally, one would not have difficulty recognizing differences between these agencies and traditional supervision units in their assumptions about offenders, the role of community supervision, and desirable supervision activities. Further, the specific sanctions, supervision techniques, and services offered by these programs and agencies give concrete meaning to (or operationalize) accountability, public safety, and competency objectives and highlight the contrast between the Balanced Approach and current practices of most surveillance and traditional treatment/services oriented community supervision approaches.

More commonly, however, state and local juvenile justice agencies claiming to have adopted the BA often look scarcely different in their approach to sanctioning and supervision than any traditional probation department. In 1989, at a training workshop on restitution and offender employment, a senior administrator in a large juvenile corrections system announced that her agency had been "doing the Balanced Approach for the last five years." At the time that agency held some 9,500 youths in secure facilities and appeared to be doing little in the way of getting victims of these youths reimbursed for the harm done to them. Could it be that this system was somewhat "out of balance" and had become tilted drastically in the direction of community protection?

Florida adopted the BA in 1989 as the official mission for juvenile community control, now case management. It was disheartening in one of the first curriculum design meetings to hear one of the better senior supervisors say that, in his view, the BA "has not been

a problem because I just tell my counselors to take all the things they've been doing all along with their cases and group them under some new 'laundry lists' (i.e., competency development, accountability, and public safety)." Later, I found examples in which predispositional reports listed such supervision requirements as "submit to daily urine screen" as a competency development objective and "obey curfew" as an accountability objective. To be fair, the Florida juvenile staff I have met are in fact dedicated to providing positive alternatives to the youth they supervise and are generally sensitive to victims' needs; most also remain enthusiastic and are committed to the BA. Florida is certainly not alone in the problem of pouring old wine into the new BA bottles; many states and jurisdictions have their own "laundry lists."

Most probation departments, for example, now endorse the restorative sanctions required for accountability. But, while judges have learned to regularly order restitution and service hours (often in inappropriate amounts not linked to the harm caused by the actions of the offender), they have often done little to ensure that youth have the means and supervision to complete these orders. Accountability or restorative justice gets low priority when it comes to resource allocation, and most probation departments still struggle to collect even token restitution, and feel burdened with monitoring community service placements (Bazemore, 1992).

Competency development, though envisioned by the BA authors as a way to ensure that youth caught up in the juvenile justice system begin to take on positive, productive roles in the community (Maloney, Romig and Armstrong, 1988: 7) seems to have been interpreted by some simply as a call for more treatment or services. While the BA certainly presumes that youths will be assessed and receive services as needed for identified problems such as drug abuse and family dysfunction, competency development must go beyond simply correcting problems (as

is the mandate of the traditional treatment agenda). Competency development as an outcome must be assessed not by the number of counseling sessions or even remedial classes attended by an offender (one sometimes wonders if recommendations for these activities address the competency needs of the offender or the counselor and remedial teacher), but by measurable gains in social skills, productive contributions to the community, and successful experiences in learning to work with others in meaningful roles.

These are clearly problems in conceptualization and operationalization of (or failure to operationalize) the BA. If the BA is to have any chance of getting community supervision beyond "business as usual," advocates must clarify what outcomes are in fact intended by the three objectives, how these outcomes are to be measured, and what activities are most likely to get us there. Otherwise we can expect to continue to see probation officers recommending curfews to help youth be more "accountable" and measuring competency improvement by the number of times a client attended a counseling session. Such clarification is necessary even if it means - and it undoubtedly will - losing the support of some who really do view accountability as locking up thousands of offenders. At the same time, BA advocates will also gain new allies (who may have opposed the approach because they thought accountability meant punishment) in the process.

When its key principles are operationalized well, the BA sets forth clear and achievable objectives for offenders and signals staff that these objectives should receive priority. Good operationalization, however, does not necessarily change organizational priorities, develop resources, or re-allocate existing resources. Narrowly interpreted, the BA only states general offender outcomes to be achieved and sets forth new activities as requirements for successful completion of supervision. More broadly viewed, however, the Balanced Approach demands changes

in the activities and priorities of agency managers and the community - as well as offenders and staff (Bazemore, 1992; Armstrong, Maloney and Romig, 1990).

Since line staff are seldom in a position to bring about changes of this nature, the recommendations for implementing the BA outlined below primarily address the responsibilities of managers and the community. Managers must take deliberate steps to direct or redirect resources and alter incentive structures to support the new activities required by the BA. They must also proactively engage the community in ways not common in juvenile justice agencies in the past.

### **Recommendations for Internal Change**

It is relatively easy for Chief Probation Officers and other juvenile justice managers to issue directives. Certain activities presumed to increase competency, for example, may be required of offenders on community supervision and staff may be directed to develop checklists to ensure that these activities are assigned and monitored. It is more difficult, however, for managers in casework-driven departments to allocate time for staff to develop new competency building activities and programs for offenders. It is easy for managers to say that restitution will be ordered/recommended for every offender with an identifiable victim. It is more difficult to allow staff time to work with youth and the community to ensure that restitution is paid and even more difficult (and necessary) for managers to persuade employers and other agencies to help develop work options for offenders who do not have a source of income for victim payment. While it is easy for managers to encourage staff to take actions necessary to meet BA objectives, it is more difficult for managers to develop incentives for staff who demonstrate success in these efforts. An example of this might be linking staff evaluations to the number of employers they get to agree to hire young offenders; the number of their



cases who completed restitution orders; or creativity in developing new means of supervising more serious offenders in the community.

The problem, in other words, is bigger than inappropriate staff "laundry lists" for offenders. Even well-conceived objectives like those of the BA will not result in real change unless and until agency managers are willing to set internal priorities which support the new mission objectives. If operationalization has been carefully thought through, this should mean re-allocation of resources and new reward structures which support new programs and practices.

It should also mean de-emphasizing some other traditional activities and practices which do nothing to achieve the new objectives. A wide array of what have become "boiler plate" sanctions and requirements of court orders such as curfews, office visits, and other activities vaguely associated with surveillance, as well as a standard list of traditional treatment activities (e.g., counseling) are often mandated for every youth on community supervision. If they do not clearly relate to BA objectives, however, such tasks - as well as purely punitive sanctions - should no longer be the responsibility of probation (and, in fact, may need to be discouraged). While ending or de-emphasizing traditional practices in probation and justice agencies may result in hurt feelings of some staff and some disappointed contracting organizations, few major changes have been brought about without some organizational disruption and risk-taking. It is also important to ask why anyone would consider a new model like the BA if the "same old stuff" has been working so well it cannot be sacrificed. In place of many of the traditional and frequently redundant requirements of juvenile supervision, managers serious about the BA should develop new programs, activities, and staff positions more consistent with accountability, competency development, and community protection. Could an employment or work experience project, for example, be

substituted for new caseworker positions or a counseling program?

While such choices may not always be necessary, most agency directors know that from a workload perspective, they will not get something for nothing from staff. Probation officers should not be asked to develop jobs, begin cultural competency groups, or set up a rational system for collecting restitution, unless office visits or curfew checks are proportionately reduced. Further, even in a climate of unlimited funding, too many services and supervision activities may serve to confuse staff (not to mention youth and the community) about what the real priorities are. The beauty of the BA is its simplicity in guiding staff about how they should prioritize activities in a limited time schedule and reassuring them that their performance will be evaluated on how well they meet the specified objectives. If probation and parole professionals attend to the tasks of getting clients to make measurable advances in competency, assist them in being accountable to their victims, and ensure that they do not engage in behaviors that threaten public safety, they have already accomplished far more than ever occurs in most departments oriented towards the casework model.

### **Recommendations for External Change**

The second set of recommendations for implementing the Balanced Approach is directed at the external constituency of juvenile justice agencies, the community. A critical message to the public implicit in the Balanced Approach is that juvenile probation (and juvenile justice generally) cannot be "all things to all people." While juvenile justice is capable of meeting some objectives well (e.g., ensuring that youths pay restitution and make gains in measurable competencies), it cannot do everything (cure the psychological problems of every offender; reduce recidivism). The agency director must take action on this front as well to ensure that this and other messages of the

BA are delivered to the community. Equally important, managers must ensure that changes occur in the *agency's responsiveness* to community needs and, likewise, get community institutions to begin to recognize their responsibility for, and some ownership of the delinquency problem.

Juvenile justice administrators often complain that they have few options in creatively addressing BA outcomes. While they are correct in insisting that juvenile justice cannot do it alone, they are wrong in assuming that they have no influence with key community institutions that must be asked to assist in this process. Many educators and employers, for example, recognize their own self-interest in finding new ways to engage youth in productive activity that can lead skill development, increases in learning, and general interest in education and conventional activities. Those juvenile justice administrators who have been successful in operationalizing the Balanced Approach principles have, in fact, taken on new leadership and entrepreneurial roles in reaching out to businesses, educators and directors of a range of agencies - not limited to youth service organizations (e.g., public works agencies, civic and conservation groups). By asking for their participation in new partnerships for youth development and community revitalization (Basemore, 1991: 35-36), juvenile justice managers begin to play a capacity-building and educative role in local communities.

The following general suggestions may be useful in building both the support and information necessary for effective implementation of the BA.

1. *Use the "Power of the Purse"* - While juvenile justice managers typically do not see themselves as having real "clout" beyond the simply educative and collaborative roles suggested above, they often control large budgets that include contracts for services ranging from construction to drug treatment to food preparation. Managers might, for example, require that treatment service providers adhere to performance-based objectives consis-

tent with competency development, or develop ways to engage youth they serve in decision-making and/or community service activities. Others have suggested that juvenile department directors could even require (or recommend) that food and maintenance service contractors agree to train and hire certain numbers of young offenders. Juvenile justice administrators could also negotiate agreements with school officials to support certain of their policies and initiatives in return for agreements to offer school credit for juveniles on community supervision who are involved in educative conservation, service or civic improvement projects.

2. *Ask the Community/Ask Young People* - Operationalizing and implementing the BA need not occur in an information and organizational vacuum. Assuming adherence to some basic principles and general clarity about what activities do not represent the BA, exact implementation of BA objectives should be largely a local decision based on the unique resources and needs of individual communities (Maloney, Romig and Armstrong, 1988: 13-19). Thus, the first guideline is to turn to community leaders for ideas about how they see competency development: accountability, and public protection objectives being actualized given the local environment. Second, to develop activities intended to provide youth with a sense of competency and an understanding of accountability, adults need to ask young people themselves. In a real sense, youth are more qualified than we are to tell us what activities they and other young people will be likely to take seriously; simply providing this input to juvenile justice practitioners in planning activities may itself provide the first chance for many youth to demonstrate competency in an activity valued by others.

3. *Rely on Theory and Research* - Delinquency theory and research can often be brought to bear in the choice of specific sanctioning and supervision activities chosen to operationalize the Balanced Approach. Rather than ar-

bitrarily grouping activities under the heading of competency building, for example, managers might consult control/containment theories and the positive youth development literature (e.g., Hirschi, 1968; Polk and Kobrin, 1972; Pearl, Grant and Wenck, 1978) for guidance in choosing activities that might be expected to strengthen bonds to conventional peers and adults. Viewed as more than an academic exercise, theory and research can also aid managers in eliminating services and activities that may be expected to have little influence on BA objectives and can help in linking each activity to an expected performance outcome.

### Summary

The BA articulates a clear and distinctive vision for community supervision of juvenile offenders and for juvenile justice generally. Recently, some have expressed the view that this conceptualization is merely a restatement or re-affirmation of the traditional treatment mission of the juvenile court or an attempt to merge this perspective with punitive sentiments of the past decade. This paper has argued, however, that understanding and consistent operationalization of BA objectives will clearly distinguish agencies utilizing this approach from those who continue in the traditional vein. At once comprehensive in scope and also restrictive in the specific objectives implied for juvenile probation, the BA sends a strong internal and external message about what should and should not be expected of community supervision for juvenile offenders. The challenge for managers wishing to use the BA as a model for juvenile justice reform is to ensure that adoption of the objectives of this statement are translated into action. This will mean rethinking internal priorities as well as the relationship between juvenile justice and community organizations.

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The American Probation and Parole Association's Publication, *Perspectives*, disseminates information to the Association's members on relevant policy and program issues and provides updates on activities of the Association. The membership represents adult and juvenile probation, parole and community agencies throughout the United States and Canada. Articles submitted for publication are screened by a Board of Editors and, on occasion, selected reviewers, to determine acceptability based on relevance to the field of criminal justice, clarity of presentation, or research methodology. *Perspectives* does not reflect unsupported personal opinions. Submissions are encouraged following these procedures:

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## FOCUS ON AFFILIATES

# Virginia Probation and Parole Association

by Rick C. Nagler, President \*

Like many associations, the Virginia Probation and Parole Association (VPPA) was formed by a small group of individuals seeking representation in a profession to which they had dedicated their careers. Initially formed in the 1960s, the "prototype" of VPPA was never successfully developed. In 1974, Probation and Parole was transferred from Virginia's State Department of Welfare and Institutions to the Department of Corrections. This transformation stimulated the officer's desire to organize, and with advanced knowledge of this, VPPA was born in 1973. While the Association was initially developed to represent the men and women of adult probation and parole, it was primarily dominated by individuals that supervised employees versus field staff that supervised clients. There was also a strong perception that the Association was highly influenced by the Department of Corrections. There continued to be a heavy desire at that time for an association that primarily represented line staff. In its infancy, VPPA nearly failed due to a lack of support and perceived lack of representation by line staff on its Board of Directors. Gradually, however, line officers gained representation on the Board of Directors and in 1978, VPPA developed into an entity of its own. Dues to join VPPA were set at \$10 and that rate is still in effect today. VPPA has recognized that strength lies in numbers and not always in its treasury.

VPPA's initial accomplishments were to gain identity badges in a desire to gain a material representation of authority for the officers of this state. The badges are of heavy plated metal with the officer's title and the painted seal of Virginia embossed upon it. While seemingly small in nature, the issuance of a badge impresses upon the

officer and the public, the professionalism and responsibility that this job requires. Identification cards are also contained within the badge wallet, but identification cards alone take time to interpret by the average citizen, while the display of a badge gains an instant understanding of authority and cooperation. This was VPPA's initial accomplishment and it remains one that is now a tradition in Virginia Probation and Parole.

During this same time frame, VPPA, under the leadership of then-President, Joe Lee, was primarily responsible for the first, across-the-board pay increase for the officers of this state. At that time, state employee pay levels were assigned to each individual position. Probation and parole officers were then grade eight, and as officers gained merit raises, pay increases were awarded by levels within each grade. The pay increase promoted officers to grade nine; however, the initial jubilation of a "raise" was then met with a sense of betrayal, when a pay freeze was also introduced, which lowered each officer's salary by two steps upon reaching grade nine. This effectively negated any "instant" pay increase, but it did raise the pay ceiling to which an officer could aspire and it raised the department's ability to attract new officers with graduate degrees.

Also in the early '80s, VPPA began publishing its quarterly newsletter, "The Monitor," which today remains VPPA's primary source of promotion and communication. Also during this time, VPPA began to publish an annual address and telephone directory of all 39 probation and parole districts in the state of Virginia. It is distributed free of charge to every probation and parole officer and district secretary in Virginia, regardless of membership in VPPA,

as it has now become an essential tool to the profession. It has become so useful that employees of other agencies now join VPPA just to get a copy of this directory.

In 1984, VPPA held its first conference, which by financial necessity was held at the Virginia Department of Correction's Training Academy in Waynesboro, Virginia. Conference registration fees supported the endeavor, which were reimbursed to each officer by the Department of Corrections (DOC). The location for the annual conference remained the same until 1988, when sufficient funds were appropriated to hold the conference at various locations throughout the state of Virginia. A new era of respectability had begun for VPPA.

In 1986 VPPA initiated, through the extensive efforts of then-President James Christie and other members of VPPA, a pay study analysis of officers' salaries and positions as compared to various states in the eastern region of this country. A detailed analysis of these facts were gathered and combined in a report used to begin a new campaign to increase officer salaries and create a "career ladder." Its final draft was presented at the 1987 VPPA Conference. This new effort was implemented when it became evident that officer salaries had not kept pace with the salaries of private industry, adjoining states and the federal government, which is the primary beneficiary of this state's trained officers. There was also a concern that there were only three levels of advancement (officer, deputy chief, and chief probation and parole officer) one could aspire to as an employee of probation and parole in Virginia. The need for additional levels was also sorely evidenced by the turnover rate of trained officers. In Virginia



it takes approximately two years to train a new officer to take on the full duties of the profession. The time and energy drain on existing officers, who had to train these new recruits (only to lose them soon after), affected the ability of the department to deliver high quality services and keep pace with the ever-changing directions of this profession.

Efforts were made by a newly-elected Board of Directors in 1989 to publicize these problems with the local media, the DOC and the state legislature. A nine month campaign was developed, and proved successful the next year with a raise in salaries from grade nine to grade ten. A new supervisory level, senior probation and parole officer, was utilized (which falls between the officer and the deputy chief position). A record number of new officer positions were also awarded, as the corresponding efforts of DOC's Department of Adult Community Corrections (probation and parole's administrative body), brought attention to probation and parole's ability to save the state money and change recidivism rates if proper funding is awarded.

This effort was also an inspired moment for the officers of Virginia Probation and Parole, who banded together as they had never done before in support of VPPA's long-sought cause. Membership in VPPA, following this effort, achieved a new high and motivated VPPA into expanding its services. A fund-raising campaign was instigated, and through the sale of t-shirts, coffee mugs, etc., VPPA's treasury attained a status that allowed the Association to fully stand on its own for the first time in its history. This corresponded with the recession and deep cuts in many budgets across the country. In response, VPPA has introduced a scholarship award for its members to attain in-service training and advanced degrees. Any member can now apply for financial assistance in his or her attempt to further their education.

This new ability to attain proper funding also allowed VPPA to become an affiliate member of the American Pro-

bation and Parole Association (APPA). VPPA has sent a representative to APPA's last three training institutes. In turn, Virginia's Department of Adult Community Corrections (DOACC), through the efforts of Special Program's Manager, Drew Malloy, has worked with APPA to bring specialized training courses and grants in drug abuse testing to the state. This has allowed Virginia to participate in a new professionalism in this vital area of probation and parole supervision. VPPA and DOACC look forward to developing further training and support relationships with APPA in the near future.

Finally, VPPA has begun to sponsor and fund in full its annual conferences. APPA has provided a model for VPPA in learning how to gain funding for this yearly event. This year the officers of Virginia Probation and Parole will gather in Virginia Beach, Virginia, billed the "World's Largest Resort City," for a three day, two night conference. For \$75, members will gain two nights lodging in a suite style hotel, with a dinner cruise on the Chesapeake Bay, a continental breakfast, and an awards banquet. I want to add that this will also be a training conference with a full agenda to promote Virginia Probation and Parole's 50th anniversary. However, for the first time in its history, the entire bill will be paid for by the Virginia Probation and Parole Association, a growing entity unto its own and for which it is equally proud.

\*I wish to acknowledge the assistance of Richard B. May, Probation and Parole Officer, Norfolk, Virginia, without whom this article would not have been possible.

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