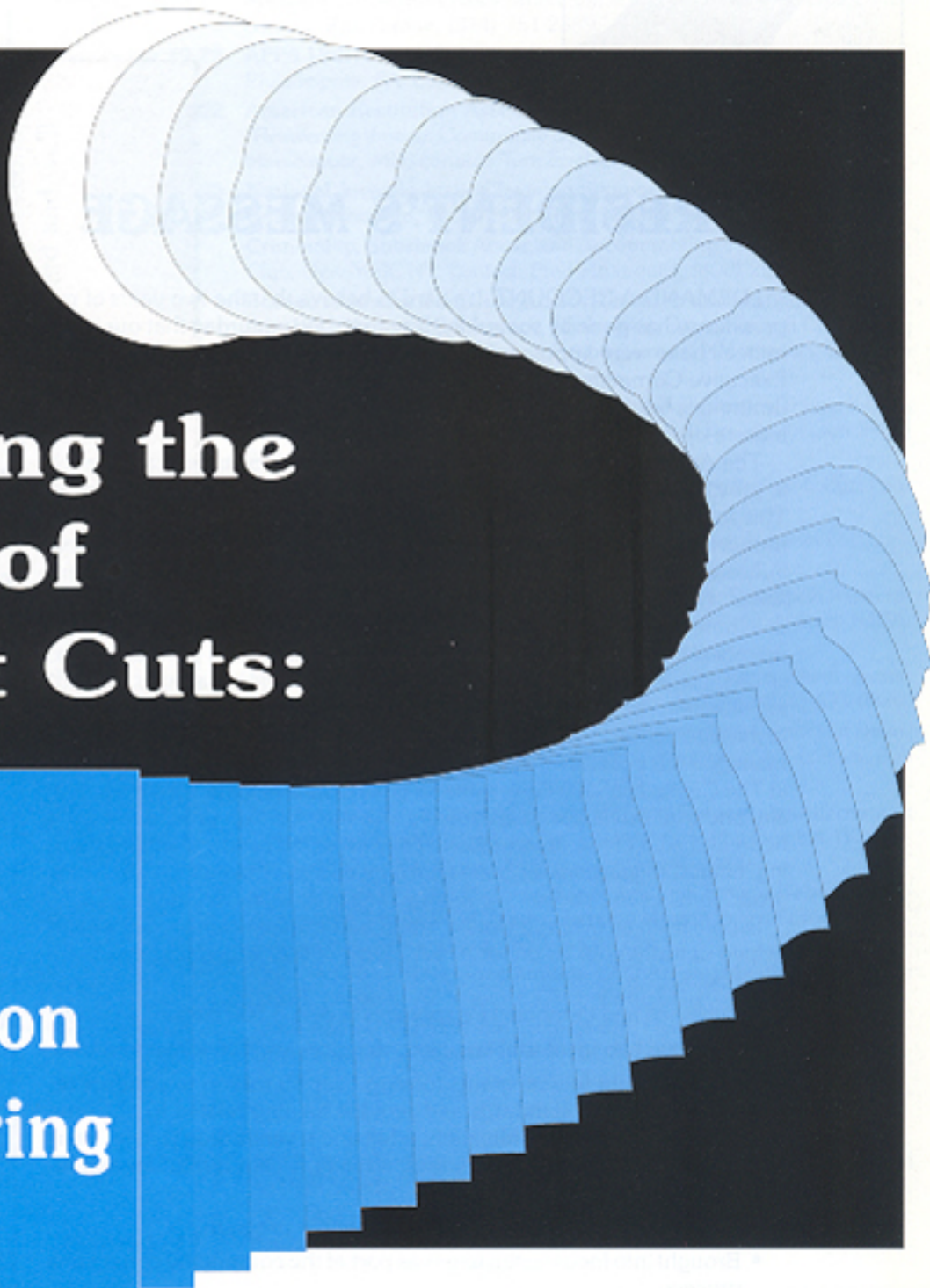




American Probation and Parole Association

Fall 1993

PERSPECTIVES



Squaring the Circle of Budget Cuts:

**Adult
Supervision
Restructuring**

Letter from the Editors

by Robert E. DeComo, PhD, Chairman, Editorial Committee

Welcome to the Fall issue of *Perspectives*. Our regular features in this issue include a Guest Editorial, an NIC Update and a Book Review. Our special features cover an interesting and diverse set of topics including research on serious assaults on probation and parole officers, and the effectiveness of substance abuse treatment programs used in Texas. In addition, we have included reports on attempts to radically restructure probation in New York City, and on the status of APPA's efforts to assist community corrections agencies with the development and implementation of drug testing programs for adult offenders.

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his department's efforts to "reinvent" probation in the face of budget cuts. I believe this article provides a positive model for many jurisdictions facing significant budget reductions as to how this difficult and unfortunate circumstance can actually become a pathway to productive change.

Our fourth and final special feature comes from Ed Tedder, who was the training and technical assistance manager for APPA's Drug Testing Project which is funded by the Bureau of Justice Assistance. Mr. Tedder's article summarizes the knowledge and experience that has been gained by studying the use of drug testing technologies in probation and parole agencies around the country. He also offers recommendations on how agencies can improve the effectiveness of these important tools for client supervision and treatment.

In closing, the members of the Editorial Committee invite you to forward your comments and contributions by calling or writing to:

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GUEST EDITORIAL

Intermediate Sanctions and Probation Crowding

by Mark Carey, Director of Community Corrections, Dakota County, Minnesota

This is a cursory examination of the relationship between intermediate sanctions and probation crowding. The relationship is important and one which should be scrutinized when planning for intermediate sanction policies and programs.

Intermediate sanctions planning has been one of the newest crazes in correctional trends and rightfully so. It is a concept that emphasizes rational policy development. It requires that criminal justice agencies integrate and coordinate their policies, and it insists that programs be targeted for designated purposes. There is no question that judges and corrections need a full array of sanctions that serve the purposes of restoration, retribution, rehabilitation, incapacitation and deterrence. This need is intensified as our jails become full and resources dwindle. Outstanding models exist in many jurisdictions: electronic home monitoring, supervised work crews, rehabilitative residential programs, day reporting centers and so on. Many jurisdictions have demonstrated that a system of intermediate sanctions can be a cost effective means of punishing and treating offenders, and an effective means of individualizing the approach to sentencing, allowing the court to match the sanction with the offender and sentencing purpose. Clearly, these are compelling objectives, but how do other factors affect the successful attainment of these goals?

As we chase the (admittedly) new and exciting trends, a disturbing counter-trend looms on the horizon—that of

probation crowding. It has only been in recent months and years that we have recognized that the tent stakes at either end of the intermediate sanctions continuum have been unattended. Probation, parole and supervised release services have been reeling under the pressures of overcrowding. Fortunately, innovative approaches to this dilemma, such as scaling, capping, probation service centers, group supervision, and administrative revocation procedures, have helped stem some of the adverse effects crowding has had on probation services.

Probation/parole, through its case management activities, community networking, and accountability checks, has served as a type of anchor which have held the stakes in place. Without such effective case management, intermediate sanctions do not work properly. It is the glue which ties the sanction service fragments together. Good case management ensures thorough investigations and assessments, offender accountability, public safety, counseling, support and individual attention. Intermediate sanctions are valuable tools, but are not effective when isolated from meaningful case management and community based programming. They are precisely that: tools.

Reasonable workloads allow probation officers to “wrap around” services. This flexibility promotes understanding and respect for the offender’s individuality. Most importantly, effective probation remains a relationship-based service. By and large, it still functions as people

changing people through interpersonal exchange. Relationships and community bridge-building require time to develop and maintain. Probation, then, is the infrastructure or foundation upon which the tools of intermediate sanctions rest. (See Figure 1)

As with any foundation, once fissures or cracks develop, the structure weakens and the canopy falls inward. The neglect of probation workloads will ultimately undermine the objectives of intermediate sanctions. Without proper attention to offender circumstances or to relationships, offenders are not supported, held accountable or encouraged to use the experiences and tools learned from the intermediate sanctions. Jails which were designed to serve as a backstop ultimately become the backbone of the correctional system. Consequently, intermediate sanctions become an additional sanction on the way to the end of the line: incarceration. In the end, any financial savings from implementing what were once cost-effective sanctions are eroded.

Probation caseloads have been viewed as having no real limits. The National Institute of Justice conducts the National Assessment Program as a means of prioritizing the needs of local criminal justice agencies. In 1990 NIJ contracted with the Institute of Law and Justice to administer the NAP survey of local agencies. The 1990 survey indicated that probation caseloads nationwide averaged 120. In addition, legislative mandates and probation function expansion has increased workloads. Pre-

sentence investigations have become more comprehensive, supervision requirements more stringent, litigation precautions more pervasive, and so on. These increased demands result in an implosion of probation officers' activities. More and more focus is applied internally to the organization's needs than externally to the offender's and victim's needs. Under this scenario, the case management role of aligning community-based building blocks to bring about restoration becomes a dreamy, unreachable concept rather than a cornerstone to community corrections professional practice.

The evolution of higher workloads has redefined probation's activities and purposes. This new role has a direct impact on either the make-up of the intermediate sanctions themselves or the propensity for their success. Probation crowding has contributed to a shift in the way correctional services are delivered. For example:

1) Service cutbacks have sometimes been the response to workloads increasing faster than resources. Of course, the debate over which services to eliminate **take** different courses depending on what one believes the purpose of probation is, what is tolerable to the consumers, and what we believe is or is not effective correctional practice.

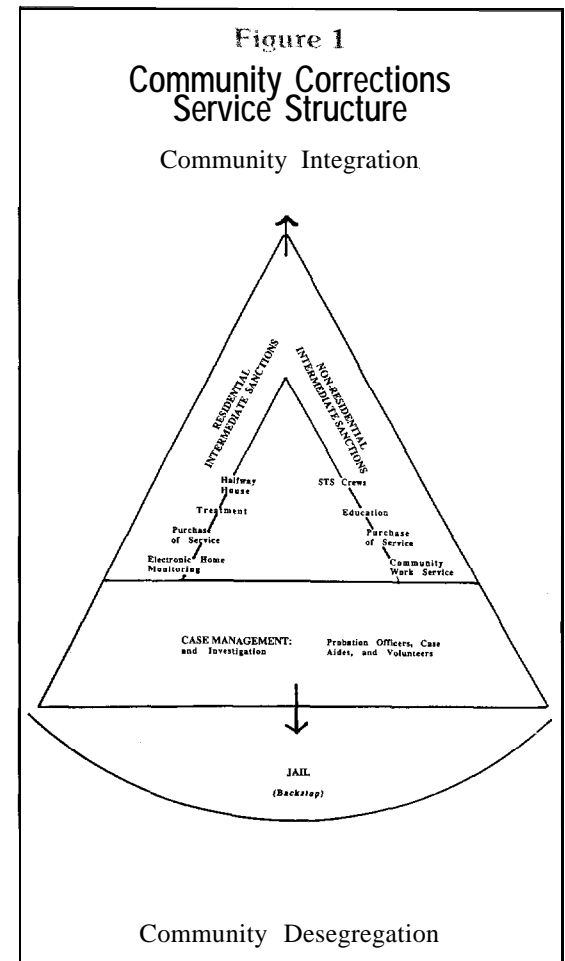
2) Changes in the way probation/parole services are delivered have also undergone rather dramatic changes. Many jurisdictions have taken on probation service centers. Others are using group supervision techniques (such as one probation officer seeing 10-12 probationers at a time). Still others are experimenting with administrative probation, use of one-time educational sessions, and so forth. Despite the exciting nature of these experiments, many of these changes are being made not because we know they are as (or more) effective as traditional field services, but rather as an act of desperation due to workload pressures.

3) Many practitioners have noted a shift in supervision philosophy - name-

ly, away from rehabilitation or restoration activities and toward surveillance and accountability practices. Some of this shift is a direct result of probation crowding. Agents no longer have the luxury to think or act in line with a community corrections philosophy. Rather, enough time exists to perform only the most basic functions to keep the system moving: paperwork and condition checking.

4) As supervisors and agents **seek** ways to reduce their workloads, difficult decisions are being made. Assessments may not be completed thoroughly, and are sometimes not completed at all. Victim services may be compromised. Communication among the criminal justice agency representatives and other interested parties may be decreased. In other words, corners are being cut which are affecting other important criminal justice activities ranging from victim services to prevention to community collaboration.

These significant and fundamental changes in correctional deliveries have an immediate and direct impact on planning for intermediate sanctions. The direction of intermediate sanction planning must match (or at least not contradict) the focus of probation's case management practices, and vice versa. Given the state of flux and the fundamental changes in the type and scope of probationary services, extra effort should be put forth in making sure that the whole criminal justice system is working together. Collaboration among the agencies can produce a type of synergy when there is communication, cooperation and joint planning. This collaboration must take into account changes driven by forces leading to probation crowding. Intermediate sanctions planning, then, requires a well thought out policy framework which defines the multiple and interrelated goals the criminal justice system wishes to accomplish. The success of these goals is highly reliant on corrections' ability to follow through and to ensure that current probation practice is con-



sistent with the objectives of intermediate sanction planning.

Intermediate sanctions can be effective tools toward integrating the offender to the community and its standards. They hold great promise for individualizing our approach toward restoration, but intermediate sanctions by themselves are not magical. Distilled to an offender's experience, they are still people working with people to effect change. No new technology, gimmick or philosophy can substitute these basic elements which bring about positive change in an individual's behavior. These basic elements foster the individual's desire to internalize values of respect and cooperation. Probation and intermediate sanctions has **been** and still is a relationship-oriented business.

BOOK REVIEW

In Denial, and Proud of It

by **Dan Richard Beta** Director, Judicial District Community Supervision and Corrections Department, Huntsville, Texas

In 1990, Addison-Wesley Publishing Company introduced *A Fearful Freedom: Women's Flight From Equality* by Wendy Kaminer. In this book the author, a lawyer, writer and, at the time, a visiting scholar at Radcliffe College, provided a thorough examination and critical analysis of the movement to bring equal rights to women. While passionately supporting equality, Kaminer argued that some of the protective laws - all enacted with the objective of helping women - had actually been detrimental by "advancing debilitating stereotypes of feminine passivity, weakness, and dependence." *A Fearful Freedom* proved to be a thought provoking and instructive treatise on a very important issue and established Kaminer as a serious social commentator.

Two years later, Addison-Wesley and Kaminer reunited to produce *I'm Dysfunctional, You're Dysfunctional*, a long overdue indictment of the recovery movement and the multimillion dollar self-help industry. In this modest volume the author provides a scathing critique of Americans' fascination with twelve-step groups created to deal with a variety of perceived maladies; best selling recovery books; the proliferation of "psychobabble" in our vocabulary; and our reliance on quick-fix techniques offered by glib but not necessarily competent people.

Following a brief but adequate introduction in which she establishes the purpose of the book, Kaminer focuses the first chapter, entitled "Chances are, You're Codependent Too: Recovery Books," on an industry devoted to promoting codependency as a national crisis. In setting the tone of this chapter, Kaminer writes:

Codependence, which originally referred to the problems of *women* married to alcoholics, was discovered by pop *psychologists* and addiction counselors during the 1980s and redefined. Now it applies to any problem associated with any addiction, real or imagined, suffered by you or someone close to you. Now this amorphous disease is a business, generating millions of book sales, support groups, expensive treatment programs, and an annual recovery conference in Scottsdale, Arizona.

The author argues that the recovery movement has caused

people to confuse bad habits for addictions. Further, she asserts that this industry has encouraged people to wear their disease or bad habit as a badge of honor and that this practice has trivialized real suffering.

The second chapter is devoted to discussing television's role in the recovery movement, with particular attention to shows, such as "Geraldo," "Oprah Winfrey," and "Donahue," which encourage persons, frequently prominent ones, to "testify" about their real or perceived problems. These shows, according to Kaminer, rarely provide anything but superficial treatment of issues and more times than not leave the viewer confused or with a totally inaccurate impression of reality.

"Don't Worry, Be Happy: Positive Thinking to est" is the title of Chapter Three, in which the author discusses the teachings of Norman Vincent Peale, Werner Erhard (born John Paul Rosenberg), Napoleon Hill, Abraham Maslow, and Joyce Brothers and their relationship to the self-help movement. Of particular interest is Kaminer's examination of est, "the antisocial strain of the positive thinking/mind cure tradition," and its founder Erhard.

The fourth chapter is devoted to the subject of support groups, in which Kaminer expands on her views regarding the trivialization of suffering.

It is also in this chapter the author suggests that many of these groups, which she describes in detail, promote dependency rather than offer a cure for a real or imagined illness.

The author devotes her attention to recovery workshops in Chapter Five, in which she describes the techniques of some of the more popular self-help gurus. These workshops, full of psychological jargon and buzzwords, and laced with just enough reference to God, tend to make those who attend feel good for a brief period of time. These workshops also serve as an excellent vehicle to sell books and tapes, all designed to further promote the self-help industry.

The "New Age" phenomenon, with its deceptive "babble of bliss-speak, techno-talk, and personal development proverbs," is the focus of the sixth chapter. If it were not such a serious matter, one could find considerable humor in Kaminer's treatment of New Age and its departure from rational thinking.

A review of ***I'm Dysfunctional, You're Dysfunctional*** by Wendy Kaminer

Reading, Massachusetts: Addison-Wesley Publishing Company
1992. Pp. 180. \$18.95.

"God is a Good Parent Too: Self-Help and Popular Theology" is the title of Chapter Seven, in which the author discusses recent changes in organized Christianity. In this chapter she reviews the works of M. Scott Peck, Harold Kushner, Charles Swindoll, James Dobson, and other popular Christian "therapy" writers. This is a particularly interesting chapter, one which encourages further inquiry.

The book's concluding chapter is extremely powerful, where the author coherently summarizes her views of the self-help industry. She cautions the reader that the "intense preoccupation with addiction and abuse reflects an ominous sense of powerlessness that infects gender and race relations, and notions of justice and heroism, as well as our view of the self." Kaminer suggests that the self-help industry can cause serious and far reaching political consequences when she writes:

What are the political implications of a mass movement that counsels surrender of will and submission to a higher power describing almost everyone as hapless victims of *familial* abuse? *What are the implications of a tradition that tells us all problems can be readily solved, in a few simple steps - a tradition in which order and obedience to techniques are virtues and respect for complexities, uncertainties, and existential unease are signs of failure, if not sin? The notion of selfhood that emerges from recovery ... is essentially more conducive to totalitarianism than democracy.*

In her book the author makes it quite clear that she is "in denial" - a status she obviously relishes. She emphatically denies that she is powerless, she rejects the notion that she cannot control her behavior or influence her destiny without the assistance of recovery literature or relying on the meaningless jargon of self-help gurus, and she refuses to accept that she is an emotional cripple. I am happy for Wendy Kaminer. I would be even happier if more people, particularly the victims of the self-help industry, adopted her vision and got on with their lives.

Whether or not one accepts all of Kaminer's views, it cannot be denied that I'm Dysfunctional, *You're Dysfunctional* is an important work on a very serious subject. It is important because it makes its readers think. This book should be required reading for persons involved in the delivery of human services.

About the author

Dan Richard Beto is the Director of the Judicial District Community Supervision and Corrections Department headquartered in Huntsville, Texas. He is a Licensed Chemical Dependency Counselor by the State of Texas and has written several articles on substance abuse issues.

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NIC UPDATE

The Intermediate Sanctions Handbook: Experiences and Tools for Policymakers

by Phyllis D. Modley, Correctional Program Specialist, National Institute of Corrections

The National Institute of Corrections and the State Justice Institute are pleased to announce that *The Intermediate Sanctions Handbook: Experiences and Tools for Policymakers* will be available in early Fall 1993. The Handbook represents the collective experience of both the 25 jurisdictions that participated in the National Intermediate Sanctions Project over the past four years, and the staff and consultants of the Center for Effective Public Policy (the Center) who planned and conducted the program of technical assistance support to those sites.

The Project, a joint effort of NIC and the State Justice Institute, brought together teams of key policymakers to develop and implement sentencing policy on an effective system of intermediate sanctions. It involved large urban jurisdictions, like Phoenix and Houston; smaller sites like Dakota County, Minnesota and Sacramento County, California; and several state-level groups - the Colorado Criminal Justice Commission, the Alaska Sentencing Commission, and the Washington State Sentencing Guidelines Commission.

WHAT IS IT?

The Handbook is a how-to guide of key steps in the intermediate sanctions process. It offers concrete, practical advice on topics such as building and maintaining a working team of policymakers; choosing goals and outcomes; building good baseline information about how the system in a jurisdiction currently works; targeting offender populations;

designing an intermediate sanctions program; and selling your ideas to the public.

The Handbook walks the reader through the intermediate sanctions process. Chapter 3 provides an overview of the entire process and the resources that it will require, and provides a sense of how the activities relate to one another. The two subsequent chapters are devoted to the successful staffing and support of the policy group. The presence of an active and committed group of policymakers who will work through the process is key to the development of sound, policy-driven intermediate sanctions.

Working through the process means that the policy group must engage in a series of activities. Those activities, described in succeeding chapters, are designed to educate policymakers about their criminal justice system; require them to examine and evaluate their purposes in imposing criminal sanctions; create policies that reflect their values and purposes; and design and implement the practices and programs to carry out those policies.

Most of the chapters direct the reader through sets of tasks and activities aimed at achieving a particular end in the development of intermediate sanctions. There are examples of work from the participating jurisdictions, as well as suggested approaches to working through a particular issue with policy teams and, in some cases, team exercises. Additionally, most chapters include discussion outlines suitable for use as an overhead or similar discussion device.

A few of the chapters focus on a single critical issue. Two of these are "Defining a Continuum of Sanctions" by Alan Harland, and "Creating Sentencing Policy" by Kay Knapp. These chapters highlight the issue's importance, raise key concerns, and suggest fruitful approaches for making decisions.

WHO SHOULD USE IT?

The fundamental assumption of the Handbook is that the activities of the intermediate sanctions process are carried out by a policy group or team of high-level policymakers from the criminal justice system, state and local government, and the public. Thus, it is essential reading for officials from the judiciary, corrections, state and local legislatures, prosecutors' offices, and the defense bar who are concerned about the effective and appropriate use of intermediate sanctions, and are thinking through how to organize to achieve major reform in this area of sentencing policy.

The Handbook is addressed most directly to the staff who will be supporting the work of a policy group. That staff may all work together in one agency, or they may be a group of people representing several agencies. They may be located in a legislative body, county commissioner's office, probation or sheriff's department, prosecutor's office or wherever the interest and capacity exists to support this critical work.

At the same time, the *Handbook's* design recognizes that the first or primary user may well be a policy official who lacks the immediate staff to dedi-

cate to this effort or has just begun to secure participation from other policy-makers. For this official, the Handbook

Most of the chapters direct the reader through sets of tasks and activities aimed at achieving a particular end in the development of intermediate sanctions.

offers an overview of what is required to begin the process of building a more meaningful system of sanctions.

While it is not necessary for every

member of a policy group to have a copy of the Handbook, most jurisdictions will want to have several reference copies available. The Handbook will be spiral bound so that it can be taken apart easily in order to reproduce key chapters or exercises for distribution to members.

The Handbook was produced by the Center; Peggy McGarry, Project Director of the Intermediate Sanctions Project, served as overall editor and author of many of the chapters. NIC and the State Justice Institute recognize the enormous effort required to bring such a document to fruition. We appreciate the conceptual

skill, energy and persistence which Ms. McGarry and her colleague, Madeline Carter, brought to this effort. We also recognize the contributions of the many dedicated judges, probation executives, prosecutors, defense attorneys, academics and consultants whose insights and experiences are captured here.

The Handbook is scheduled to be available by October 1, 1993. Single free copies may be obtained from the National Institute of Corrections by writing or calling the NIC Information Center, 1860 Industrial Circle, Suite A, Longmont, Colorado 80501, telephone (303) 682-0213.

What Works in Community Corrections -A Consensus Conference

What works? That is the question policy-makers, administrators, practitioners and citizens are asking. We are all looking for answers to the problems of protecting public safety, managing prison overcrowding, responding to crime, and operating within budget limits,

While THE answers may not yet be found, there is much that is known about the role and effectiveness of community corrections. In order to develop a better understanding of "what works", the **International Association of Residential and Community Alternatives** is sponsoring a consensus conference that will tell us what is known about three aspects of community corrections: 1) classification systems that effectively assess offender risk and need, 2) community corrections interventions and treatment modalities that positively change offender behavior, and 3) critical principles for effective design and implementation of community corrections programs.

The conference will bring together six noted experts who will present findings of their research regarding these three areas and "what works". This faculty includes **James Bonta**, Ph.D., Office of the Solicitor General of Canada, **Peter Jones**, Ph.D., Department of Criminal Justice, Temple University, **Paul Gendreau**, Ph.D., Division of Social Services, University of New Brunswick, **Ted Palmer**, Ph.D., Senior Researcher, California Youth Authority, **Belinda McCarthy Rogers**, Ph.D., Dean of the College of Health and Public Affairs, University of Central Florida, and **Phil Harris**, Ph.D., Department of Criminal Justice, Temple University.

For the consensus conference, IARCA has assembled a diverse panel of noted policy makers to weigh this information and to develop some consensus of "what works" and of what more is needed to enhance community corrections. The chair of the Panel is **Francis X. Hartmann**, Director of the Program in Criminal Justice, Kennedy School of Government, Harvard University.

In addition to the above faculty, **Joan Petersilia**, Director of the Criminal Justice Program for The RAND Corporation, will deliver a keynote address focusing on recent work to better measure the performance of community corrections.

Joining IARCA in sponsoring the conference are Correctional Services of Canada and Temple University.

The conference will be held **November 3 through 6, 1993**, at the **Hilton Hotel and Towers, Philadelphia, PA**. For additional information, call or write:

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P.O. Box 1987
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(608) 785-0200

Officers in Danger:

Results of the Federal Probation and Pretrial Officers Association's National Study on Serious Assaults

by Philip J. Bigger, Vice-President, FPPOA

Introduction

A major purpose of the present study was to determine the existence, extent and nature of serious assaults against probation, pretrial services and parole officers in the United States and its territories. While incidents of assaults had been common knowledge, there had been no study which was considered to be sufficiently broad to ascertain the extent of the problem. Two other studies, discussed hereafter, were accomplished in 1990. These were in-depth analyses, but they were regional in nature and were based on self-reporting. Thus, the most serious form of assault - murder - was excluded. As a result, it was decided that a solicitation for information from all jurisdictions in the country might result in additional, helpful data.

A secondary motivation to complete this project lay in the attempt to assist the Judicial Conference of the United States in securing national firearms legislation in behalf of Federal Probation and Pretrial Services Officers. This, however, is not to suggest that the possession of a firearm by an officer will significantly reduce the risk of death or serious injury. It is true that in some of the study cases it might have, but it cannot be said that this is always true. The present undertaking did not ask respondents for actual case circumstances to be able to draw such conclusions. Essentially, what has been accomplished is the development of a raw data base - one which, based on the empirical evidence gathered, is now sufficiently compelling for jurisdictions to recognize the prevalence of danger. With this knowledge, then, the various probation, pretrial

services and parole entities can begin to develop their responses including an examination of their particular judicial and/or statutory mission and the consequent role of officers, the formulation of officer safety training and later, perhaps, arming with less than lethal weapons or with firearms themselves.

Parameters of the Study

The Federal Probation and Pretrial Officers Association sought data from all states and territories and all jurisdictions, both juvenile and adult, for whom probation, pretrial services and parole officers worked, including the Federal Probation and Pretrial Services System. Thus, entities in all 50 states, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, and the Administrative Office of the U.S. Courts were solicited. In some instances where it appeared that a statewide agency had jurisdiction over a particular group of officers, e.g., a state-administered parole system, that agency was solicited. Where a statewide system did not appear to exist, the county and municipal agencies were solicited directly.

The survey was actually conducted in two stages. Originally, it was planned that Federal Probation and Pretrial Services Officers who were members of the Association would contact all local jurisdictions in their respective districts. This process worked well in some cases, e.g., Alaska, Connecticut, the District of Columbia, Florida, Guam, Maine, Massachusetts, Michigan, North Carolina, Rhode Island, the U.S. Probation and Pretrial Services System, Utah, Virginia and Wisconsin. However, only some jurisdictions were reached in other

states (Illinois, Kentucky, Nevada, New York, Ohio and Texas). Where the process worked well, that data was used in this study. In those states and territories where only some jurisdictions were reached, a survey form was sent to the balance of the agencies not previously contacted. All of the remaining states and local jurisdictions were also sent a survey in a needed second stage of the study.¹

The primary goal of the present research was to quantify the types of serious assaults against probation, parole and pretrial services officers in the United States and its territories which occurred in the line of duty or because the perpetrator was aware of the official status of the officer. For the purpose of the study, therefore, no information was sought in regard to threats, intimidation, animal attacks, confrontations, property damage or the like. While these latter circumstances are, or could be, serious, they were excluded in preference to actual physical assaults or attempts against officers. The survey form included the following categories of assaults against officers: murder, rape, other sexual assault, shot and wounded, use of blunt instrument, slashed or stabbed, use of car as weapon, punched, kicked or other use of body, use of caustic substance, use of incendiary device and "other." Attempts to commit the above assaults were also included separately. The survey requested all such incidents since 1980.

Solicitations and Respondents

In all, 955 agency heads were solicited, representing parole, probation and pretrial services agencies and included

adult, juvenile, felony and misdemeanor jurisdictions. Four hundred fifty-nine jurisdictions responded (48%) either directly to the researcher or to Association members seeking the data. Two states, Arkansas and Louisiana, reported having no reporting procedures for hazardous incidents; one state, Rhode Island, did not have a reporting procedure but also noted that there was no anecdotal information suggesting that any hazardous incidents had ever occurred. Four states, one district and one territory reported that they had no serious assaults of the type solicited (Colorado, District of Columbia, Georgia, Minnesota, Puerto Rico and Wyoming). Only three states and one territory did not respond (Mississippi, Texas, Vermont and the Virgin Islands; information from Texas, however, was obtained from other sources).

Overview of Results

Table 1 provides the total number of reported assaults against probation, parole and pretrial services officers nationwide, by category, since 1980. As indicated, there were a total of 1,818 completed assaults during this period. Table 2 presents the data for the attempted commission of these assaults which amount to 792 cases.

Table 3 (pages 16-19) provides the serious assault data by state and category. In reviewing this table it will be noted that under the "Other" category there are six figures which are marked with an asterisk. In these cases (Delaware, Maryland, New Jersey, New York, Pennsylvania and Texas) the data was obtained, in part, from two previous studies: *Worker Safety in Probation and Parole* by William H. Parsonage, National Institute of Corrections, April 1990, and a *Study of Probation and Parole Worker Safety in the Middle Atlantic Region* by William H. Parsonage and Joe A. Miller, the Middle Atlantic States Correctional Association, August 1990. It is noted that the Parsonage studies did not specify the type of

physical assault inflicted. Hence, these assaults were designated as "unspecified" in the present study. Nevertheless, the assaults were committed by persons and did not include threats, dog bites, etc. If the present study received subsequent data from any of these states, the new data was subtracted from the Parsonage studies in order to avoid double-counting of statistics, even if it meant an overall under-reporting of occurrences.

Conclusions

Gaining a full understanding of the dangers in any profession is one of the first steps in reducing those dangers. This was a primary goal of the present research. It should be noted that, while the present study was national in scope, a few states and territories and a large number of local jurisdictions, as well as some major metropolitan areas, such as New York City, did not respond to the survey (52% of all jurisdictions solicited). Thus, however inclusive the study appears to be, the results probably under-represent the actual number of assaults occurring.

The results of the current project, as ambitious as it attempted to be, nevertheless give rise to a number of questions. For example, if only 48% of the jurisdictions contacted actually responded, can we extrapolate the response data to the non-responsive agencies and conclude that there were approximately double the number of actual and attempted assaults during the study period? Or did the non-responses imply that there were no such incidents and that, therefore, those jurisdictions did not believe it to be worthwhile to answer. Notably, as the various entities were responding to the survey instrument, the tone of the added comments from some who were reporting no serious incidents suggested to the author that it was somehow an affront even to question if an assault had occurred in their domain. This impression would

Text continues on page 20

Table 1
Assaults Against Officers Nationwide
- by category of assault -
(Since 1980)

Murders	14
Rapes	2
Other Sexual Assaults	99
Shot and Wounded	8
Use of Blunt Instrument or Projectile	46
Slashed or Stabbed	14
Car Used as Weapon	4
Punched, Kicked, Choked or Other Use of Body	691
Use of Caustic Substance	1
Use of Incendiary Device	9
Abducted or Held Hostage	3
Unspecified Assaults	927*
Total	1,818

* For a description of unspecified assaults, please see the discussion in the text.

Table 2
Attempted Assaults Against Officers
- nationwide by category -
(Since 1980)

Attempted Murders	2
Attempted Rapes	5
Attempted Other Sexual Assaults	1
Shot At (and missed)	24
Attempted Use of Blunt Instrument or Projectile	14
Attempted Slashing or Stabbing	14
Attempted Use of Car as Weapon	8
Attempted Punching, Kicking, Choking or Other Use of Body	705
Attempted Use of Caustic Substance	2
Attempted Unspecified Assaults	17
Total	792

Table 3: Assaults Against Officers By Jurisdiction and Category (Since 1980)

OFFENSES	AL	AU	AZ	AR	CA	CO	CT	DE	DC	FL	GA	GU	HI
Murders										1			
Rapes													
Other Sexual Assaults										74			
Shot and Wounded													
Use of Blunt Instrument or Projectile							6			28			
Slashed or Stabbed	1	1					5						
Car Used as Weapon													
Punched, Kicked, Choked or Other Use of Body	23	3	3		36		67					3	3
Use of Caustic Substance													
Use of Incendiary Device		1											
Abducted or Held Hostage													
Unspecified Assaults	2		11		3			11*		68			
Attempted Murders													
Attempted Rapes													
Attempted Other Sexual Assault					1								
Shot At (and missed)			1		4		1						
Attempted Use of Blunt Instrument or Projectile					1								
Attempted Slashing or Stabbing													
Attempted Use of Car as Weapon													
Attempted Punching, Kicking, Choking or Other Use of Body	33		7		10		? ²						1
Attempted Use of Caustic Substance													
Attempted Unspecified Assault	1				1								
TOTAL	60	5	22	0 ³	56	0	79	11	0	171	0	3	4

* All asterisked cases indicate that data was obtained, at least in part, from the Parsonage studies (p.3 *supra*). ³State indicates that no such records are kept.

²State reports that these incidents were too numerous to count.

ID	IL	IN	IA	KS	KY	LA	ME	MD	MA	MI	MN	MS	MO	MT
	1 ⁴	2 ⁵											1	
													24	
										1			3	
	1	1		1										
1	1													
		1												
11	6	15	5	6									191	4
		1												
				1									6	
		5					49	99*	36					
													1	
				1	2					1			3	
	1													1
2		3												1
1		1												
34	14	13		4									102	
														1
		2												1
49	24	44	5	13	2	0 ⁶	49	99	36	2	0	0 ⁷	331	8

⁴Officer was raped prior to murder.⁵One officer was raped prior to murder.⁶State reports that no records are kept.⁷ No jurisdiction in the state responded to survey.

Table 3: Assaults Against Officers By Jurisdiction and Category (Since 1980) - *continued*

OFFENSES	NE	NV	NH	NJ	NM	NY	NC	ND	OH	OK	OR	PA	PR
Murders		2				2			1				
Rapes											1		
Other Sexual Assaults							1						
Shot and Wounded									3				
Use of Blunt Instrument or Projectile		1				3	2		3				
Slashed or Stabbed	1	1				1	1		1				
Car Used as Weapon			1				1						
Punched, Kicked, Choked or Other Use of Body	15		3		73	73	10	9	48	7	29		
Use of Caustic Substance													
Use of Incendiary Device									1				
Abducted or Held Hostage													
Unspecified Assaults				154'		82'	1				56	245*	
Attempted Murders											1		
Attempted Rapes											5		
Attempted Other Sexual Assault													
Shot At (and missed)					1		3						
Attempted Use of Blunt Instrument or Projectile	3					2		2	4				
Attempted Slashing or Stabbing	1				3	1	3						
Attempted Use of Car as Weapon						3	1		2				
Attempted Punching, Kicking, Choking or Other Use of Body	20				120	135	1	12	110		86		
Attempted Use of Caustic Substance									1				
Attempted Unspecified Assault							1 ⁸	1 ⁹			10 ¹⁰		
TOTAL	40	4	4	154	197	302	25	24	174	7	188	245	0

⁸ Reaching for a gun.⁹ Pointing gun at officer.¹⁰ These incidents represented booby traps set for officers, but were discovered prior to use.

RI	SC	SD	TN	TX	USP/P ¹¹	UT	VT	VA	VI	WA	WV	WI	WY	Totals
					2					1	1			14
				1										2
														99
					1									8
														8
														46
														14
								1						4
	9	1			13			3				22		691
									1					1
	1								1					9
					1			2						3
				36'	66					3				927
														2
														5
														1
			2		2							3		24
														14
												1		4
														8
			3											705
														2
														17
0 ¹²	9	1	5	37	85	0 ¹³	0 ¹⁴	6	0 ¹⁵	4	1	25	1 0	2610

¹¹ United States Probation and Pretrial Services System.¹² State reports that no records are kept, but also noted that there were no assaults recalled.¹³ State reports that records are being moved and re-established. Data is

kept but not yet available.

¹⁴ No jurisdiction in the state responded.¹⁵ No jurisdiction in the Territory responded

lead one to believe that it was embarrassing or shameful to acknowledge an assault. While this is only an impression, it persisted through the review of a number of responses and suggests one possible motive for the many who did not respond.

The compiled data also raises a more thought provoking question: Why did six jurisdictions report having no serious assaults at all? Have they a plan to forestall or avoid assaults? Do they have model officer safety programs? Notably, the states and territories reporting no serious assaults answered for the entire

state or territory. Thus, there was no missing data in these cases, which makes their negative responses all the more extraordinary. The veracity of their responses is not being questioned, just the reason for this promising circumstance.

Finally, the present study revealed that, except in a few instances, such as Florida, Oregon and the Federal Probation and Pretrial Services System, there exists no central state or territorial data bank. Clearly, there is no national one. If officer safety is a significant concern, it would be the recom-

mendation of this project that such centralizing of information be instituted in order to track and respond to the very evident danger faced by probation, pretrial services and parole officers in their every day work.

End Note

¹ The source used to identify all state jurisdictions was the *Probation and Parole Directory* of the American Correctional Association, 1992-1994 (Laurel, Md., 1992). An earlier edition (1985) contained the addresses for the American territories.



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Officers in Danger:

Results of the Federal Probation and Pretrial Officers Association's National Study on Serious Assaults

by Philip J. Bigger, Vice-President, FPPOA

Introduction

A major purpose of the present study was to determine the existence, extent and nature of serious assaults against probation, pretrial services and parole officers in the United States and its territories. While incidents of assaults had been common knowledge, there had been no study which was considered to be sufficiently broad to ascertain the extent of the problem. Two other studies, discussed hereafter, were accomplished in 1990. These were in-depth analyses, but they were regional in nature and were based on self-reporting. Thus, the most serious form of assault — murder — was excluded. As a result, it was decided that a solicitation for information from all jurisdictions in the country might result in additional, helpful data.

A secondary motivation to complete this project lay in the attempt to assist the Judicial Conference of the United States in securing national firearms legislation in behalf of Federal Probation and Pretrial Services Officers. This, however, is not to suggest that the possession of a firearm by an officer will significantly reduce the risk of death or serious injury. It is true that in some of the study cases it might have, but it cannot be said that this is always true. The present undertaking did not ask respondents for actual case circumstances to be able to draw such conclusions. Essentially, what has been accomplished is the development of a raw data base — one which, based on the empirical evidence gathered, is now sufficiently compelling for jurisdictions to recognize the prevalence of danger. With this knowledge, then, the various probation, pretrial

services and parole entities can begin to develop their responses including an examination of their particular judicial and/or statutory mission and the consequent role of officers, the formulation of officer safety training and later, perhaps, arming with less than lethal weapons or with firearms themselves.

Parameters of the Study

The Federal Probation and Pretrial Officers Association sought data from all states and territories and all jurisdictions, both juvenile and adult, for whom probation, pretrial services and parole officers worked, including the Federal Probation and Pretrial Services System. Thus, entities in all 50 states, the District of Columbia, Guam, Puerto Rico, the Virgin Islands, and the Administrative Office of the U.S. Courts were solicited. In some instances where it appeared that a statewide agency had jurisdiction over a particular group of officers, e.g., a state-administered parole system, that agency was solicited. Where a statewide system did not appear to exist, the county and municipal agencies were solicited directly.

The survey was actually conducted in two stages. Originally, it was planned that Federal Probation and Pretrial Services Officers who were members of the Association would contact all local jurisdictions in their respective districts. This process worked well in some cases, e.g., Alaska, Connecticut, the District of Columbia, Florida, Guam, Maine, Massachusetts, Michigan, North Carolina, Rhode Island, the U.S. Probation and Pretrial Services System, Utah, Virginia and Wisconsin. However, only some jurisdictions were reached in other

states (Illinois, Kentucky, Nevada, New York, Ohio and Texas). Where the process worked well, that data was used in this study. In those states and territories where only some jurisdictions were reached, a survey form was sent to the balance of the agencies not previously contacted. All of the remaining states and local jurisdictions were also sent a survey in a needed second stage of the study.¹

The primary goal of the present research was to quantify the types of serious assaults against probation, parole and pretrial services officers in the United States and its territories which occurred in the line of duty or because the perpetrator was aware of the official status of the officer. For the purpose of the study, therefore, no information was sought in regard to threats, intimidation, animal attacks, confrontations, property damage or the like. While these latter circumstances are, or could be, serious, they were excluded in preference to actual physical assaults or attempts against officers. The survey form included the following categories of assaults against officers: murder, rape, other sexual assault, shot and wounded, use of blunt instrument, slashed or stabbed, use of car as weapon, punched, kicked or other use of body, use of caustic substance, use of incendiary device and "other." Attempts to commit the above assaults were also included separately. The survey requested all such incidents since 1980.

Solicitations and Respondents

In all, 955 agency heads were solicited, representing parole, probation and pretrial services agencies and included

Substance Abuse Treatment in Texas:

Pilot Project Results

by Michael Eisenberg, Texas Department of Criminal Justice, Paroles and Pardons Division

Introduction

The Texas Commission on Alcohol and Drug Abuse (TCADA) funded a pilot program to enhance substance abuse counseling services for selected inmates in the Texas Department of Criminal Justice - Institutional Division (TDCJ-ID) and to provide for a continuity of care and treatment for these inmates when released to the supervision of the Texas Department of Criminal Justice - Pardons and Paroles Division (TDCJ-PPD).

Program components of the pilot project include: 1) Inmates participate in an intensive 30-day counseling program, called Recovery Dynamics (R.D.), prior to their release from TDCJ-ID. Inmates selected for Recovery Dynamics had completed other phases of the Institutional Division's Three Phase Substance Abuse Treatment Program; 2) TDCJ-ID staff complete a Continuity of Care form detailing the inmate's substance abuse history, diagnosis, and treatment needs for inmates completing the R.D. program. This form is forwarded to the TDCJ-PPD Substance Abuse Program Coordinator and is subsequently provided to the appropriate Substance Abuse Caseload Officer when the inmate is released; 3) R.D. releasees are placed on Substance Abuse Caseloads. For post-release services, Substance Abuse Caseload Officers in the Harris and Bexar County pilot sites were provided access to treatment services through contracts funded by TCADA.

TDCJ-PPD developed a research design to evaluate the project and TCADA provided funding, through an Inter-agency Cooperation Contract, for data collection for the evaluation. This report will detail the research design for the evaluation, describe the samples

developed, and summarize outcomes for the samples who have completed 12 months release experience from TDCJ-ID.

Research Design

A quasi-experimental research design utilized an experimental group (cases completing the Recovery Dynamics Substance Abuse Program) and a comparison group (cases not participating in or completing R.D.) to examine the impact of participation in the pilot project on substance abuse and criminal recidivism in a 12-month follow-up after release from TDCJ-ID.

Experimental and comparison samples were selected based on completion of the Recovery Dynamics Program or non-completion/non-participation in the program. After release, each of the samples subsequently divided into two sub-samples, each based on participation or non-participation in post-release counseling services. Post-release counseling or treatment services included outpatient or inpatient counseling, or participation in groups like AA/NA. Thus, a total of four samples were examined in the study. Each sample is described below:

1) TDCJ-ID/TDCJ-PPD: This sample consists of inmates who completed the R.D. program in TDCJ-ID, and after release received counseling or treatment services while under TDCJ-PPD supervision.

2) No TDCJ-ID/TDCJ-PPD: This sample consists of inmates who enrolled in the R.D. Program but were paroled prior to program completion or inmates that had substance abuse problems but did not participate in R.D. After release from TDCJ-ID, these cases received counseling or treatment services

while under the supervision of TDCJ-PPD.

3) TDCJ-ID/No TDCJ-PPD: This sample consists of inmates who completed the R.D. Program in TDCJ-ID, but after release did not receive counseling or treatment under TDCJ-PPD supervision.

4) No TDCJ-ID/No TDCJ-PPD: This sample consists of inmates who enrolled in the R.D. Program but were paroled prior to program completion or inmates that had substance abuse problems but did not participate in R.D. After release from TDCJ-ID, these cases did not receive counseling or treatment services under TDCJ-PPD supervision.

In summary, the samples consist of: 1) a group receiving substance abuse counseling services in prison and after release (TDCJ-ID/TDCJ-PPD); 2) a group that did not receive services in prison but did receive services after release (No TDCJ-ID/TDCJ-PPD); 3) a group that received services in prison but did not receive services after release (TDCJ-ID/No TDCJ-PPD); and 4) a group that did not receive services in prison or after release (No TDCJ-ID/No TDCJ-PPD).

A data collection instrument was designed to collect the following information: 1) substance abuse counseling services received at TDCJ-ID; 2) substance abuse history; 3) socio-demographic data; 4) criminal history data; 5) offense data; 6) release/supervision data; 7) substance abuse counseling services received while under TDCJ-PPD supervision; 8) post-release substance abuse; and 9) post-release criminal behavior. TDCJ-ID staff complete the initial data collection section regarding substance abuse services received and substance abuse history, and forward

Table 1: Comparison of Samples

	<i>Percent of Sample</i>	
	<i>TDCJ-ID No Program</i>	<i>TDCJ-ID Program</i>
Age		
17-21	8%	
22-25	20%	22%
26-30	35%	33%
31-40	29%	28%
41-50	6%	5%
50+	2%	3%
Sex		
Male	59%	63%
Female	41%	37%
Offense		
Assault	6%	6%
Burglary	14%	17%
Drugs	39%	36%
Forgery	8%	7%
Homicide	3%	4%
Sex Offense	6%	2%
Robbery	14%	11%
Theft	10%	14%
Other	2%	3%
Salient Factor Score		
Poor	23%	24%
Fair	56%	55%
Good	20%	20%
"Hard" Drug Usage		
None	22%	29%
One	38%	37%
Two or more	40%	34%
N =	389	433

Table 2: Distribution of Sub-Samples

<i>Sample</i>	<i>Percent of Total Sample</i>
TDCJ-ID	47% (389/823)
TDCJ-ID/TDCJ-PPD	19% (153/823)
TDCJ-ID/No TDCJ-PPD	22% (182/823)
No TDCJ-ID	53% (434/823)
No TDCJ-ID/TDCJ-PPD	22% (183/823)
No TDCJ-ID/No TDCJ-PPD	31% (251/823)

the data collection instrument to TDCJ-PPD staff for completion. Data is collected primarily from case file information.

When a case completes 12 months release experience, a follow-up letter is sent to the supervising parole officer who reports on substance abuse services received since release from prison. At the same time, a request is submitted to the Department of Public Safety for a Computerized Criminal History (CCH) printout to determine criminal activity in the 12 months since release.

Modification of Research Design

As originally planned, the evaluation was to examine an experimental sample completing Recovery Dynamics in TDCJ-ID and receiving TCADA-funded treatment in Harris and Bexar counties, and contrast outcomes with a group not completing Recovery Dynamics and not receiving TCADA-funded services after release.

Because of various program implementation and operational problems at TDCJ-ID and TDCJ-PPD, an insufficient sample of experimental cases was available. Consequently, the original design was modified to the samples described above, which basically is a more general examination of the hypothesis underlying the pilot project. The modified design essentially seeks to determine differences in outcomes for cases receiving counseling services in the institution and/or under parole supervision versus outcome for cases not receiving services in the institution and/or under parole supervision.

Comparison of Samples

The TDCJ-ID sample of cases completing Recovery Dynamics consisted of a 100 percent sample of all cases from August 1989 to August 1990 completing Recovery Dynamics and released during that time frame. These cases were followed for 12 months. The No-TDCJ-ID sample of cases consisted of cases that were selected for Recovery Dynamics but were paroled

before program completion. This sample aids in controlling for factors like motivation or self-selection since these cases were motivated or self-selected to participate in the program exactly like the experimental sample. Because this comparison group was of insufficient size, TDCJ-ID identified an additional sample of cases with substance abuse problems that did not receive substance abuse services. In a quasi-experimental design it is important to ensure comparability of samples so that differences in outcome can be attributed to program effects and not sample differences. Table 1 compares the two initial institutional samples. The samples are very similar on age, sex, offense, risk, and drug history distributions. As a note of explanation, the Salient Factor Score is a risk predictor, based primarily on criminal history factors, that groups cases into risk of recidivism categories. This aids in comparing high risk cases or cases with extensive criminal histories to similar cases and not to low risk cases. It also ensures that the differences in outcomes of samples is not because primarily low risk cases are being compared to high risk cases. As Table 1 illustrates, the two samples are almost identical in the distribution of Salient Factor Scores. Similarly the "hard" drug usage variable indicates a fairly similar distribution of drug history patterns for the two samples. "Hard" drug usage is defined as a history of dependence on or regular use of cocaine, opiates, PCP, and/or amphetamines as determined from file information. Usage of two or more of these drugs in this fashion is indicated as "Two or more."

Distribution of Samples

Based on 12 month follow-up data, the original two institutional samples were subsequently divided into two additional samples based on services received under TDCJ-PPD supervision. The samples and distribution are detailed in Table 2.

Twelve Month Outcome Analysis

While a variety of outcome measures will be utilized in subsequent reports, the primary objective of the substance abuse treatment program pilot project was to reduce recidivism. The primary outcome measure utilized in this report is the percent of cases with no parole violations, arrests, convictions, or reincarceration in the 12 month follow-up period. While this measure of recidivism may be viewed as too broad, it is an effort to compensate for a relatively short follow-up period.

Table 3 and accompanying graph detail percent successful 12 months after release by sample group. The table indicates that the most successful group is the group that completed Recovery Dynamics in TDCJ-ID and received counseling or treatment services while under the supervision of TDCJ-PPD. Conversely, the least successful group was the sample receiving no substance abuse services in TDCJ-ID or under TDCJ-PPD supervision.

It should be recognized that establishing causality is problematic when utilizing a quasi-experimental design. For example, the problem of self-selection confounds the interpretation of outcomes. Samples may be skewed by releases who may have succeeded without program participation and whose participation in these programs is incidental to their success. While the comparability of the samples has previously been documented, only an experimental design can remove factors like self-selection and motivation from confounding outcome analysis.

Contradicting these arguments, however, is the pattern of outcomes by sample groups. Results fall into three groups by program participation. As previously noted, cases receiving both institutional and supervision services are associated with the highest success rates, cases receiving no services are associated with the lowest success rates, and cases receiving services only in the institution or only under parole supervision are

associated with mid-level success rates. If self-selection or motivation were the primary factors associated with successful outcome, one would expect only two groups of outcomes. Given the comparability of the samples and the patterns of program participation and outcomes, differences in outcome are most likely associated with differences in program participation and not sample differences.

Examining the samples that received services in the institution-only or under parole supervision-only, it appears there is a more positive impact associated with services received after release. A number of reasons could be associated with this finding. For instance, this finding might be associated with the persistence or retention of benefits of counseling/treatment. Program participants in the institution may not retain or apply skills gained in institutional counseling unless reinforced after release. Similarly, the benefits of counseling in the environment where substance abuse problems were experienced by clients may prove more effective than in an institutional setting. Available data offers little opportunity to explore these differences. However, the data would appear to support prioritization of treatment resources. The data would support a program that emphasizes institutional counseling in conjunction with post-release programs. Failure to provide resources and emphasis on post-release services, services delivered in the community after release from the institution, will result in only minimal improvements in reducing recidivism.

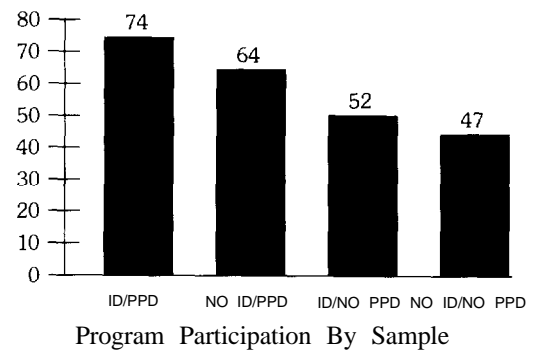
Summary

The importance of institutional counseling in conjunction with a program of post-release counseling for offenders with substance abuse problems is strongly supported by the 12-month outcome study of the T.D.C.J.-Substance Abuse Treatment Program pilot project. In particular, failure to place cases with substance abuse problems in counseling or

Table 3: Percent Successful by Sample

Sample	Percent Successful
TDCJ-ID/TDCJ-PPD	74% (113/152)
No TDCJ-ID/TDCJ-PPD	64% (117/182)
TDCJ-ID/No TDCJ-PPD	52% (99/192)
No TDCJ-ID/No TDCJ-PPD	47% (115/246)
Total	58% (444/772)

**TDCJ-ID/TDCJ-PPD/TCADA
Substance Abuse Pilot Project:
Percent Successful By Sample**



treatment after release from the institution is associated with success rates that are only marginal improvements over receiving no institutional services at all.

Program participants in the institution may not retain or apply skills gained in institutional counseling unless reinforced after release.

Programs with primary emphasis on institutional treatment without post-release treatment, the environment where offenders' substance abuse and criminal cycles are manifested, appear to only minimally reduce recidivism. The pilot project results indicate that, in this study, the most effective program to reduce recidivism of substance abusing offenders utilizes an approach that provides institutional counseling coordinated with a post-release program of counseling and treatment.

Squaring the Circle of Budget Cuts: Adult Supervision Restructuring

by Frank Domurad, Deputy Commissioner for Planning and Administration, NYC Department of Probation

Government agencies generally view budget cuts as unmitigated disasters. Valued programs are dramatically reduced or eliminated entirely. Early retirements or layoffs result in the loss of skilled employees. Staff morale plummets under a cloud of impending doom. And management must focus on protecting the agency from further loss of funds, while moving to recover from the usually unexpected and generally unplanned loss of human and material resources.

Certainly, given this litany of budget cut woes, no government department head or senior manager would be able to see a silver glint on the budgeteers' free-wielding axe. But if the perspective on the situation is shifted somewhat, from the public to the private sector, budget cuts in government might be viewed as the functional equivalent of market competition. They might become a pathway to productive change rather than unmitigated disaster.

In the last decade, large corporations in this country, ranging from photocopying to automobile manufacturing, have witnessed an unprecedented decline in domestic and international market share due to foreign competition. They have been faced, quite literally, with the prospect of economic death. The smarter ones among them, such as Xerox Corporation (Xerox Corporation, 1982), have decided not to go to the grave willingly and, through processes of either restructuring or reengineering the way they do business, have turned life-threatening competition into a formula for market success.

While state and local governments normally do not compete with one another for market share—with one possible exception being in economic development and the use of tax preference

packages to steal jobs from one's neighbor—they are confronted with a growing public ire at the cost of doing business as usual. The taxpayer simply does not see a return on his or her ever more precious tax dollar in the form of better services or, in the field of criminal justice, increased public safety. When this popular anger is coupled with declining revenues from a weak economy, government normally reacts with budget cuts and reduced services—a step that only completes the vicious circle.

So it has been with the New York City Department of Probation. As the economy in the city has plummeted, we have weathered one storm of reduction after another. We have lost valued staff through attrition and early retirement, cut or eliminated programs, and tied up managerial creativity in simply trying to stop the internal bleeding.

But, in February 1992, the budget axe simply cut too deeply. Confronted with the loss of one-third of our adult supervision probation officers within four years and the prospect of caseloads rising from 150 to 350 offenders to one officer, we stared City Hall and the Office of Management and Budget in the face and said “no more”—no more vicious circle of service cuts, public anger at reduced services and additional service cuts because taxes could not be raised. We simply decided to respond to budget cuts as the private sector has responded to international competition. We would take hold of our own future and reconstruct the way we do business, the way we supervise adult probationers.

The department had known for a long time that there was general dissatisfaction among field, supervisory and managerial staff about the way we supervised adult offenders. Over the years, one program after another was

placed in the hands of probation officers until the parts no longer added up to a whole. Officers and their supervisors no longer knew how to manage success or failure, and managers could no longer clearly define the mission and role of adult supervision.

With the assistance of seed money from the Office of Management and Budget, the department asked for and received from City Hall the opportunity to spend 18 months reengineering the supervision of adult probationers, a function that accounts for 40 percent of our budget. But, simply deciding to offset budget cuts by completely revising the way we did business left us at the start with more questions than answers, including questions about the concept of reengineering or restructuring itself.

Recent literature on business process redesign efforts in the private sector has identified three primary elements in any effort to restructure a complex organization. The initial requirement is to focus on process rather than organization in the firm. According to one team of experts from the Massachusetts Institute of Technology's Sloan School of Management, Thomas H. Davenport and James E. Short, processes have two important characteristics:

- “They have customers; that is, processes have defined business outcomes, and there are recipients of the outcomes. Customers may be either internal or external to the firm.”

- “They cross organizational boundaries; that is, they normally occur across or between organizational sub-units. Processes are generally independent of formal organizational structure” (Davenport and Short, 1990).

Whereas most modern corporations or government agencies are structured

hierarchically and vertically, processes tend to flow horizontally across numerous formal and functional boundaries (Harrington, 1991). Thus, in the New York City Department of Probation, much of the information necessary to open a probationer's case folder is collected in the pre-sentence investigation, which is now performed by a division separate from supervision. To try to restructure Adult Supervision without also examining Adult Investigation has proven impossible.

This concentration of restructuring on process rather than organization leads to its second defining element. Restructuring is not interested in incremental change. It is not concerned with eliminating one information form here or computerizing another there. It questions the very definition of any existing process, the way in which it is configured in an organization, and the entire manner in which work flows. Persons involved in restructuring must literally think themselves "but of the box" of long years of experience and routine and be willing to leap into what amounts to a brave new world (The City of New York, 1992). After we decided to restructure adult supervision, terms such as "obliteration," "nuclear destruction," and "blowing things up" became common descriptions of what we were about. Indeed, our corporate sponsor in this effort, the NYNEX Corporation, always establishes a "war room" to guide and support any of its efforts to reengineer its own business processes.

One tool useful in accomplishing this leap, which forms the third primary element of restructuring, is the use of information technology. More is meant by this term than simple computerization and automation of what exists. Davenport and Short have suggested a dialectical relationship between information technology and restructuring: "Thinking about information technology should be in terms of how it supports new or redesigned business processes, rather than business functions or other organizational entities. And business processes and process improvements should be considered in terms of the

capabilities information technology can provide" (Davenport and Short, 1990). Differently stated, our Management Information System staffs need to be fully integrated into any business process redesign effort, for their understanding of information technology enables us to "think outside the box" and envision ways of supervising probationers unimaginable even a few short years ago. The use of modern imaging techniques and their potential role in establishing automated case folders maintained by probation officers with personal computers is only one example that might be mentioned in this context (The City of New York, Department of Probation, 1992).

Yet the desire to reengineer the supervision of adult probationers raised for us an even more fundamental question than the nature of restructuring. It forced us to ask what we meant by the process of supervising adult offenders in a probation context. Alan Harland recently observed that the term "probation" masks the application of a wide range of sanctions to offenders. Its vague usage not only "leads to such widespread public and professional perceptions that probation does not mean anything," but it also allows legislators and judges to use probation departments "unreflectively as dumping grounds for almost everyone who is not incarcerated" (Alan T. Harland, 1993). In such situations, expectations of probation administrators are extensive and unrealistic and lead to confusion about a department's fundamental mission and purpose.

While probation departments might be able to afford the luxury of being all things to all people in good fiscal times, in hard times hard decisions are required. In New York City, our department, like most others across the country, is beholden to a vast array of stakeholders, from the state to the city to the courts. Each brings their own definition of our purpose. The result has been a hodgepodge of programs, none of which is funded or supported in a fashion necessary for effectiveness. The budget cuts of February 1992, coupled with the desire to reengineer adult supervision,

allowed us to inform our stakeholders that we could no longer afford to meet everyone's dreams, that we had to establish a rational and coordinated system of supervision which would enable us to do some things well and others not at all. In effect, to use Harland's terminology, we had to determine which sanctions our version of probation would "mask" before we could begin the process of restructuring.

Persons involved in restructuring must literally think themselves "out of the box" of long years of experience and routine and be willing to leap into what amounts to a brave new world.

To achieve this end we had to define the internal and external customers whom the process of supervision was to serve. Much to our surprise this decision proved relatively straightforward. If our external customers were the courts, City Hall and the public at large and their major concern was public safety, it became apparent that in New York City at least, the violent criminal - especially the adolescent violent criminal - had to be our internal customer, the offender who should consume the bulk of our shrinking resources.

The popular image of New York City is certainly one of a personally dangerous urban locale. It is an image seen on the nightly news, in the print media and in the movies. It is also an image based in fact. Between 1987 and 1991, the violent felony crimes of murder, forcible rape, robbery and felonious assault in the city increased by 17 percent, while the violent crime rate per 100,000 people rose by 24 percent from 1985 to 1991 (The City of New York, Department of City Planning, 1992). These trends were reflected in the offenders being supervised by probation. Whereas in the mid-1980s three-quarters of our population were misdemeanants, today the exact same proportion are felons. Moreover, almost half of our total caseload was sentenced for a violent crime.

But what sanctions were to define probation practice for the violent offender in the agency? Without engaging in the now time-honored debate in the profession between punishment and treatment, control and rehabilitation, it became immediately clear to us that over the last five to ten years exciting discoveries had been made in the treatment of violent criminal behavior, in the fields of both criminal justice and public health. Robert Martinson's 1974 conclusion that "nothing works" was giving way to a new dedication to the principles of rehabilitation (Ellsworth, 1992). Indeed, the case is now being made that with a careful assessment of an offender's risk, need and receptivity to treatment, scarce rehabilitative resources should be focused on the high-risk, violent offender. Don Andrews, one of a group of Canadian scholars and practitioners leading the way in this field, writes that "positively, we predict that appropriate treatment-treatment that is delivered to higher risk cases, that target criminogenic need, and that is matched with the learning styles of offenders - will reduce recidivism" (Andrews, et. al., 1990). Similarly, Vernon L. Quinsey and William D. Walker argue that "interventions designed to reduce recidivism should be both reserved for high risk cases and individualized so as to target idiosyncratic risk factors" (Quinsey, Walker, 1992).

Careful attention is being given during the design stage to build data collection and evaluation elements directly into the work process itself.

So for us the goals and objectives of adult supervision in a time of scarce resources had become clear. Instead of probation practice which sought to place equal emphasis on all types of sanctions, our mission would be to protect public safety through the treatment and rehabilitation of violent offenders. To achieve this end, without completely ignoring the need to control as well as treat the violent offender and to deal

with the supervision of the non-violent offender, we turned to the principles of restructuring business processes described above. Only with the savings that could be reaped by "thinking out of the box" might we have any hope of squaring the circle of budget cuts.

The department is well on its way to meeting its target implementation date for what we now call Adult Supervision Restructuring (ASR) as of August 1 in Manhattan. To date, we are completing the development of a risk prediction instrument for violent criminal behavior, analyzing reams of recidivism data for our existing population and developing group interventions for specific segments of our violent offenders, including adolescents (16 to 20 years old), young adults (21 to 25 years old) and domestic violence. We have also received the reports of five "pre-visioning groups" - consisting of probation officers and supervisory and managerial staff - on intake and assessment, the group treatment of violent offenders, the individual case management of violent offenders not suited for group work, the use of automated reporting kiosks for non-violent offenders and misconduct. Each of these groups was asked to "blue sky" on their topic, to conceptualize their assigned segment of the supervision process without concern for resource limitations in an effort to "get out of the box." Field staff is now beginning the task of work process design, while analytical staff is creating models to cost out the results.

Figure 1 is a schematic representation of ASR as it currently is being designed. Probationers enter the system through Intake and Assessment, where the socioeconomic and criminal history information received from Investigations is reviewed and certified. Those probationers who are classified as violence-prone by the risk instrument are channeled to the Enforcement Track. There, a secondary assessment of criminogenic needs and treatment receptivity will be conducted. Those for whom group interventions exist in the department will be sent to the Intervention Group; those for whom there is no space in Intervention

or no suitable group, or those who would be dysfunctional in a group setting, will be case managed on an individual basis in Enforcement. Nonviolence-prone offenders will be sent to the Reporting Tracks. Probationers with court-ordered conditions will be supervised in the Special Conditions Track; those without such conditions will go directly to Reporting. In both instances, primary supervision for non-violent offenders will take place with automated reporting kiosks, which are being structured to conduct biometric identifications, collect information from the probationer and provide the probationer geographically-specific referrals to outside service providers (Faulkner, 1992; Kaminski, 1992; IBM, 1992). In addition, the department is developing a Misconduct Process, which will be coordinated with the Enforcement and Reporting program tracks and will consist of a range of graduated sanctions from simple admonishment to eventual violation and reincarceration.

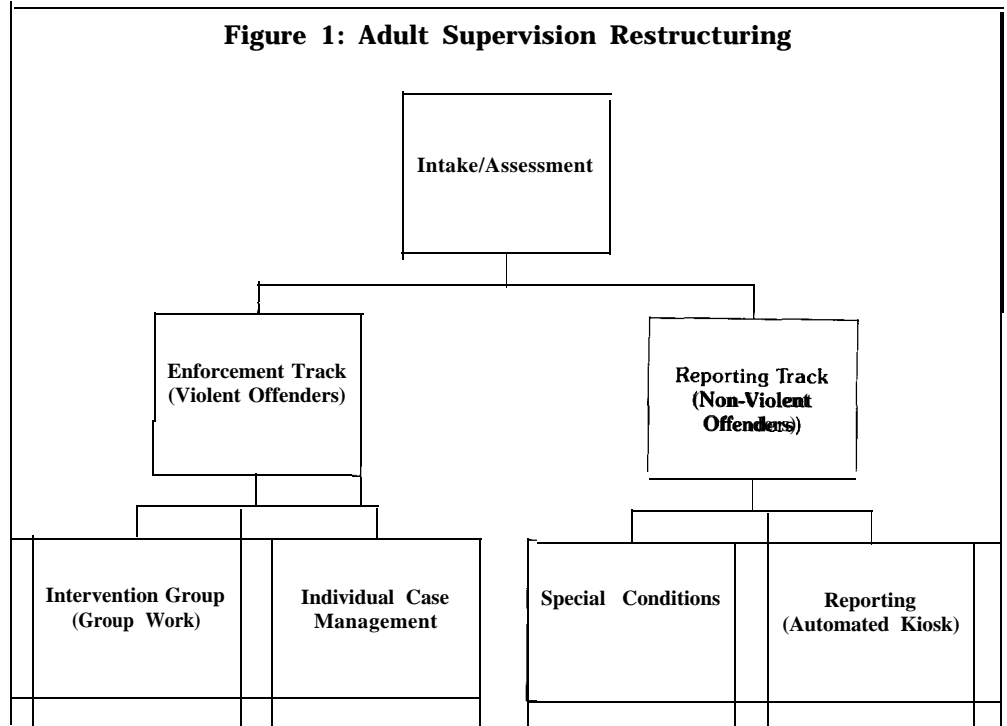
Three premises underlie this entire system. The first concerns the notion of program tracks. Wherever the offender is located in ASR, specific goals and objectives will be delineated for him or her and for the probation officer. Achievement of these goals and objectives allows the probationer to proceed to less intrusive modes of supervision; failure places the offender in more intrusive, more intensive modes, where control tends to become more significant than rehabilitation. Since supervision is now being defined as a continuous business process, it is assumed that the goals and objectives of each segment of the system will form a logical unity of purpose taken as a whole, or what might be termed the mission of supervision.

The second assumption built into the system is the flexibility to meet changing conditions, be it in the nature of the population supervised or the quantity of available resources. The most resource-intensive portion of the system is the Enforcement Track, where heavy demands are made on expensive probation officer time. The least expensive

section of the system is the Reporting Track, where supervision is conducted through automation. As resources grow, more and more of the population can be shifted from Reporting to Enforcement; as they shrink, the opposite will occur. Similarly, as the nature of the population changes, the department will be able to reallocate more or less resources to the appropriate track to meet the demand.

Finally, ASR is designed to grow with the experience of our staff and the capabilities of technology. Initially, given the existing skills of probation officers, group interventions will remain relatively simple. As officers gain experience in group and benefit from additional training, the system will have ready for implementation more complex, intricate and, it is hoped, effective modes of group work. Similarly, as each element of automation is finally put in place, outmoded work processes and manual operations will be abandoned. For such growth to occur, it is important for the department to constantly be able to evaluate the efficiency and effectiveness of all elements of supervision at a moment's notice. Careful attention is being given during the design stage to build data collection and evaluation elements directly into the work process itself. In effect, we are looking to create a self-regulating business process, constantly amenable to change and improvement.

Clearly, the New York City Department of Probation is involved in what some of us have dubbed "the Great Adventure." We are seeking to mitigate and exploit budget reductions by redesigning the way in which we conduct one of our major business functions: the supervision of 80,000 adult probationers each year. To reach this end we have turned to private sector models of reengineering and restructuring and have engaged our entire adult supervision staff from the Commissioner through the probation officer in processes of conceptualization, planning and design. If successful in our efforts, we will not only have produced an innovative, rational, and more efficient and effective way of protecting public



safety in the community, but will have saved the City of New York some \$3 million a year. We will indeed have squared the circle of budget cuts.

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Drug Testing in Probation and Parole: Where Are We Now?

by Ed Tedder, Project Training and Technical Assistance Manager, APPA

Drug abuse is killing our nation's young people; it is destroying families and businesses; and it seriously threatens this country's future. Individuals and communities held hostage by its presence are paying the price of this scourge. Courts and parole boards wrestling with decisions of whether to provide treatment or incarceration often conclude that probation or parole is the best solution. Ultimately, probation and parole officers are commissioned as counselor, physician, infirmary and magistrate, but with restricted authority and limited resources.

Illicit drugs are big business - big business for the countries and individuals supplying the drugs, big business for dealers, and big business for the users who must continually find ways to pay for their addiction. As a result of the growth in illicit drug use and sales, drug testing is rapidly becoming an integral part of the criminal justice system. Not only has the increase in drug use been responsible for criminal justice agencies' involvement in drug testing, it has also generated a new approach to offender supervision and management. Perhaps it is for this reason that the courts find it so convenient to deposit those involved in this business to the care of probation and parole, presuming they have the available resources for providing adequate supervision and rehabilitative services.

The criminal justice system (CJS) has struggled with the problems associated with drug abuse for many years now. Only in recent years, and after much public outcry and media attention, have criminal justice agencies, particularly probation and parole, been driven to contend with this problem in a more intensive fashion. In the past, drug-involved offenders were referred by

probation and parole to outside agencies or laboratories for urinalysis. Now, many are testing on-site, using instrument or non-instrument based technology that can provide prompt results. If confirmation of the on-site result is necessary, the specimen may be sent to a certified independent laboratory. There, the specimen can be confirmed using an alternate and more specific technology.

Having been involved with drug testing (specifically urinalysis) over the past decade, are probation and parole agencies better equipped to deal with the drug-involved offender? Has drug testing enabled agencies to achieve the advantage and level of success that many of its proponents advocated? The answer may rest with existing criminal justice drug testing programs and the way in which they are managed or mismanaged.

Bureau of Justice Assistance Project

In the Winter 1991 issue of *Perspectives*, APPA announced that it had received a \$1.1 million grant from the Bureau of Justice Assistance. The purpose of the grant was to assist state and local correctional agencies with the development and implementation of drug testing programs for adult offenders.

Request for Proposals Process

In conjunction with this grant, APPA announced that 20 recipient agencies would be eligible for up to \$5,000 in direct drug testing expenditures and \$15,000 in additional technical support. To be eligible, agencies were required to have an offender population of 1,000 or less; to monitor and report test results, use of sanctions and/or violations, arrests or revocations for a targeted

population of at least 125 offenders; and to provide APPA with this testing data on a monthly basis for a six-month period.

Sixty-five probation and parole agencies from 24 states responded to the Request for Proposals (RFP) for this grant. Some startling discoveries were made as the project staff and advisory committee reviewed the 65 proposals.

Policies and Procedures. Only 37 agencies (57 percent) reported having policies and procedures for their drug testing programs. Many programs had been in existence for a year or longer. It was also learned that many of the 37 agencies needed major revisions in their written policies and procedures. Some failed to address critical components of their program or failed to reflect their department's mission, goals and objectives.

Offender Selection. Very few of the 65 agencies had guidelines and parameters (policies and procedures) that adequately addressed who should be tested, how they should be selected (scheduling), which drugs should be screened, or establishing testing criteria based on offender history, propensity to abuse drugs and other data which would assist in substantiating which offenders were most likely in need of drug monitoring. It appeared that agencies ran the full gamut in terms of offender selection. Some were testing only those who were so ordered by the courts; some tested based upon the offender's current offense and/or past history; some tested according to officer discretion, "for cause" or other ancillary reason; and others tested every offender.

Frequency of Testing. As was the situation with offender selection, very few of the sites were effectively and prudently administering when and how

often the various categories of offenders should be tested. Guidelines for testing frequency were in many instances ambiguous. Many agencies were testing (when not court ordered) according to a scheduled or discretionary pattern. In other words, agencies following a scheduled pattern were testing the offender at prearranged reporting times. Agencies following a discretionary pattern were testing whenever time permitted, when outside sources suggested the offender was using, or when the offender gave the supervising officer reason to suspect use. Some agencies combined the two, following a scheduled and discretionary testing pattern.

Sanctions. The range and use of sanctions as a means to encourage and enforce drug testing conditions also varied considerably among the responding 65 sites. Thirty-five of the sites indicated that intensive supervision was available as a sanction. Thirty-four mentioned that electronic monitoring and community service were available. Other sanctions included in- and out-patient treatment (45 percent), increased urinalysis (23 percent), house arrest (23 percent), and curfews (8 percent). Verbal and written reprimands accounted for only eight percent, leading one to believe that reporting agencies either did not consider these as sanctions or failed to maintain adequate records concerning their use. Many of the agencies indicated varying degrees of frustration in the use of sanctions due to lack of enforcement by the courts.

Site Selection

Selection of sites to receive funding and technical assistance was made by the project's advisory committee. APPA was able to provide long-term technical assistance to 22 agencies. However, only 20 sites received funding and participated in the six-month drug testing project. Selection was based upon the agencies' stated needs, existing drug testing practices, program goals and objectives, availability of sanctions, staff attitude toward drug testing and a number of other areas which were considered central to the Bureau of Justice Assistance's objective for establishing sound

and credible drug testing programs which could be replicated throughout the United States.

Research Design

Each site was asked to assign a minimum of 125 offenders to the drug testing study. The targeted offender population could be drawn from whatever offender groups the agency wished to test. Some agencies chose to compare their drug testing procedures with those recommended by APPA. In doing so, they could evaluate whether APPA's recommended testing strategies produced significant differences from those which they had been employing. Each agency was provided with forms designed to capture pertinent offender data, such as: category of supervision, prior felony and drug history demographics, and other important offender information. Additional forms were designed to capture monthly data (Figure 1). Understanding that many agencies were likely burdened with other supervision requirements, providing the additional information desired was optional (Figure 1).

Sites including a comparison group as part of their study were asked to continue testing those offenders according to their normal testing procedures. The offender population selected for monitoring in conjunction with this project was to be tested a minimum of two times a month. Offenders were to receive sanction(s) for positive results, built upon a continuum progressing in severity for each successive positive.

APPA developed the *Drug Testing Guidelines and Practices for Adult Probation and Parole Agencies* to assist agencies in implementing appropriate planning and preparation measures. Each site was provided a copy of this monograph, which provides the essential ingredients for developing or enhancing drug testing policies and procedures, and for establishing and conducting a sound, defensible drug testing program.

Technical Assistance Process

Prior to sites (Figure 2) commencing drug testing for this project, an on-site visit by project staff was made and an

Figure 1: Categories of Data Collected

Minimum Information (monthly)

- Date of test(s) and results;
- Confirmation method (if performed);
- Action taken as a result of test outcome;
- Date & type of technical violation(s);
- Sanction(s) imposed due to positive result(s);
- Date and cause for any new arrest;
- Conviction and/or sentence imposed; and
- Current status of the offender.

Additional Information Desired (monthly)

- Number of face-to-face contacts;
- Number of phone personal/collateral contacts;
- Number of days on electronic monitoring;
- Number of community service hours performed;
- Amount of restitution paid;
- Fees paid for court costs, fines and drug tests;
- Number of treatment/counseling sessions attended; and
- Degree of progress in treatment/counseling.

In deference to workload demands, providing the additional desired information was optional. Only a few sites opted to provide the additional information; therefore, this report addresses only the minimum requested information.

Figure 2: Participating Site Locations

Tucson, Arizona
 Pine Bluff, Arkansas
 Little Rock, Arkansas
 Marysville, California
 El Centro, California
 Brighton, Colorado
 Atlanta, Georgia
 Chicago, Illinois
 Bloomington, Illinois
 Cedar Rapids, Iowa
 Frankfort, Kentucky
 Quincy, Massachusetts
 Grand Rapids, Michigan
 Morristown, New Jersey
 White Plains, New York
 Cleveland, Ohio
 Akron, Ohio
 Pendleton, Oregon
 Rusk, Texas
 Fairfax, Virginia

assessment of the agency's current drug testing practices and capabilities was conducted. On-the-spot assistance, as well as recommendations for program development or enhancement were provided. Three to five weeks following that visit, a written report was sent summarizing the visit and offering additional recommendations or suggestions for program development or enhancement.

Sites were encouraged to implement the suggestions and/or recommendations within 60 to 90 days from receipt of the report. References to forms and documents or other resources designed for assisting program development were provided. Ongoing technical assistance was provided to each site through on-site visits and written or telephone communications.

Each of the agencies involved in this project were encouraged to develop an unscheduled testing pattern. An unscheduled pattern ensures that offenders are not over- or under-tested. A number of methods can be employed that will enable agencies to test appropriate offender populations at intervals that are frequent enough to ensure program integrity and at the same time reduce program costs, e.g., color-coding, number assignment or computer-generated selection. Sixteen of the 20 agencies instituted new scheduling procedures as a result of this project. Most were instituted prior to commencing the six-month study. One agency was no longer testing, one was planning a change and two agencies were continuing to use officer discretion.

Project Outcomes

The focus of the project concentrated on the four previously mentioned areas: policies and procedures, offender selection, frequency of testing, and employing the use of sanctions.

Policies and Procedures

By the end of the project, 17 of the 20 selected sites had either developed or rewritten their agency drug testing policies and procedures to conform with local and/or state policies, and with APPA's *Drug Testing Guidelines and*

Practices for Adult Probation and Parole Agencies, or with recommendations of project staff or consultants through the technical assistance effort. Three sites had not, by the end of the project, confirmed the existence of developed or rewritten policies and procedures.

Offender Selection

Most of the selected sites continued to struggle with offender selection; more specifically, scheduling of offenders for testing. Many continued to test according to a scheduled system or at the discretion of the supervising officer. Only three of the agencies reported the use of a scheduling system other than that of officer discretion. At the conclusion of the study, six agencies indicated that no changes in offender selection or scheduling policies had been instituted or planned, in spite of recommendations by project staff or consultants. Four agencies reported that changes were planned. Ten had made constructive changes to their selection policies and seven to recommended scheduling procedures.

Frequency of Testing

A number of the agencies in the study failed to maintain a consistent level of testing and, in many cases, fell below the recommended guidelines. Testing frequency was determined by examining the change in the average number of specimens collected per offender over the six-month study period. Some decline was expected due to attrition rates resulting from offenders being rewarded with decreased testing frequency for remaining "clean" or other typical attenuating processes. Collectively, the 20 study sites averaged just under one test per offender per month for the six-month study period (Table 1). These numbers are disconcerting, especially when one considers that one of the 20 sites averaged just under four tests per offender each month. Some agencies were not even in compliance with their own directives regarding testing frequencies. For example, one agency which chose to use their Intensive Supervision Program (ISP) offenders as a study group averaged just over

three tests per offender for the entire six months. The program was a three-phase program. Phase I (1-3 months) required offenders to be tested twice a week; Phase II (4-9 months) required testing once a week; and Phase III (9-12 months) required testing as directed by the supervising officer.

Sanctions

Agencies were encouraged to reward compliance and penalize noncompliance regarding negative and positive drug test results. The range of sanctions varied among participating sites (Table 2). Correspondingly, agencies were encouraged to utilize sanctions within state, court and/or departmental parameters.

Agencies were not restricted as to the use of these or any combination of sanctions unless prohibited by departmental or other ruling authority. One would presume that verbal reprimands would be the most widely used among the sanctions, and they were. Frequently, verbal reprimands were administered concurrently with other appropriate sanctions. It was difficult to infer any direct correlation in this study between the use of sanctions and the degree of compliance or decline in positive rates. Collectively, there was a 69 percent sanctioning rate. One agency achieved a sanctioning rate of 99 percent.

Discussion

How much weight do probation and parole agencies assign to their drug testing programs? After nearly a decade of serious drug testing involvement, are we better informed, more prepared and better equipped to conduct credible drug testing programs? If the results from this study are representative of the many programs administered by criminal justice agencies, we are in need of some serious adjustments. The Bureau of Justice Assistance's major thrust, and APPA's fundamental purpose for this project, was to demonstrate how enhanced drug testing practices, in the context of a balanced systems approach, are critical to the functions of a criminal justice system overwhelmed by drug-involved offenders.

Policies and Procedures

APPA's Drug Testing *Guidelines* address the importance of establishing relevant policies and procedures prior to establishing a drug testing program. Each site was provided with the *Guidelines* and received a written evaluation of their drug testing programs and practices with appropriate recommendations. In spite of this, three sites failed to verify the existence of written policies and procedures at the conclusion of the project.

Offender Selection

APPA's Drug Testing *Guidelines* suggest establishing criteria for determining which offenders, the type of drug screen, and under what circumstances offenders should be tested. For example, the *Guidelines* recommend that during the pre-sentence, intake or initial assessment phase, a full drug screen (five or more drugs) be administered to determine the offender's drug(s) of choice. This of course presupposes the agency's having authority to conduct drug testing. Often, conditions are dictated by other authorities, such as the court, state statutes, local and/or departmental directives. The rationale for establishing offender selection criteria is to provide agencies with guidelines for determining which offenders are most likely in need of drug monitoring, and for which drug(s). Adhering to such criteria can reduce the amount of time and dollars expended. Offender selection, scheduling and associated testing strategies are integral and closely related program components.

Frequency of Testing

APPA's Drug Testing *Guidelines* recommend that frequency be based upon the offender's drug use history and potential criminal effect on the community. It further recommends that positive specimens result in frequent "random" (unscheduled) screenings. Positive results combined with other evidence may be used to determine the frequency of testing. The rationale for increased testing as a result of positive drug test results should be obvious to most criminal justice practitioners. The drug-involved

Table 1: Average Specimens Among Twenty Sites

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
Specimens Collected:	2,883	2,682	2,609	2,326	1,965	1,708
Avg. per/offender:	1.2	1.1	1.1	0.9	0.8	0.7

Table 2: Range of Sanctions Among Participating Sites

Verbal Reprimand	House Arrest:
Written Reprimand	w/o electronic monitoring
Supervisor Conference/Reprimand	with electronic monitoring
Increased Testing Frequency	Intensive Supervision:
Increased Phone Contacts	w/o electronic monitoring
Increased Home/Office Visits	with electronic monitoring
Court Reprimand	Community Service
Outpatient Treatment	Curfews
Inpatient Treatment	Halfway House
Day Centers	Notification of Employer

Table 3: Number of Specimens Collected and Percent Positive (All Sites)

	Month 1	Month 2	Month 3	Month 4	Month 5	Month 6
# Specimens:	2,958	2,793	2,695	2,414	2,045	1,793
% Positive:	18.7	15.5	15.3	11.8	10.7	9.9

offender needs to understand that s/he may be tested on any given day. Likewise, testing should be frequent enough to dissuade continued use. Some program staff operate on the premise that, if they test the drug-involved offender often enough, they are sure to catch them. This may be true, but it also wastes valuable time and financial resources. Other programs are guilty of testing too infrequently, resulting in great savings of time and financial resources, yet failing to identify a number of drug abusing offenders in the process.

Sanctions

Once again, APPA's Drug Testing *Guidelines* recommend that agencies establish designated procedures requiring immediate sanctions for violations to drug testing conditions. Offenders must be held accountable for positive drug test results and associated drug testing conditions, including failure to report or to provide a drug testing specimen when instructed to do so. Employing a continuum of enforceable sanc-

tions in drug testing programs can greatly influence its degree of success. Every jurisdiction must examine its extent of sanctioning authority as dictated by state, local and departmental ruling. The use of sanctions will need to be structured within the established parameters until expanded use or latitude is authorized. Often agencies, specifically those appointed within the agency to impose and enforce compliance to drug testing conditions, are frustrated in that violations to drug testing conditions are unenforceable. For example, a judge from one of the jurisdictions in this project stated that due to jail and prison crowding, only the most serious offenders were incarcerated. He further stated that offenders in his jurisdiction knew that his threats to incarcerate them for drug testing conditions were simply that: only threats, which would not be enforced. Consequently, when this occurs, positive rates increase and drug monitoring becomes of little value. This provides even greater justification for intermediate sanctions that are pro-

gressive in severity and serve as deterrents to continued abuses.

Overall Decline in Positive Rates.

One of the more rewarding aspects of the study was the overall decline in positive rates among the 20 sites. The decline in detectable drug use witnessed in this study supports similar findings reported by a number of other studies.⁷ Collectively, there was an 8.8 percent decrease in positive rates over the six-month period (Table 3). This includes four sites which experienced an overall increase in positive rates.

It must also be pointed out that there was a significant decline in the number of specimens collected during the same period, specifically in months five and six. This may be attributed to the fact that due to the decline in positives, offenders **were** being rewarded by reducing their testing frequency. Conversely, the argument could be raised challenging this hypothesis by pointing out that those testing positive should have affected the decline in the number of specimens collected in that those testing positive should have had their testing frequencies increased. Both are valid assumptions, except that study findings demonstrated that increased frequency of testing resulting from positive test results was not routinely imposed.

Sites experiencing a decline in the number of positive drug test results must have been doing something right. The rudimentary knowledge that testing is being conducted can discourage drug use among some offenders. A combination of factors will most likely produce a more favorable and steady decline in positive rates. Those factors include:

- establishing and maintaining minimum testing frequencies;
- allowing latitude for increasing testing frequency as appropriate;
- unscheduled testing policy;
- administering rewards and punishments for positive and negative results;
- applying sanctions consistently; and
- sure and timely enforcement of drug testing conditions.

Endeavoring to give careful attention to these and other issues of drug testing protocol can produce a decline in

positive rates. Offenders are quick to perceive if the courts, agency or supervising officer take drug testing seriously or whether the program exists merely to fill in squares. Several of the sites were able to successfully incorporate one or more of these factors into their program.

Inconsistencies. A number of factors may have been responsible for the four sites experiencing an increase in positive rates. It is difficult to attribute the increases to any one particular factor. Six of the 20 sites had major fluctuations in the average number of specimens collected each month. Moving from a scheduled pattern of testing to unscheduled testing, failure to confront and consistently apply sanctions for positive results, and the inability or unwillingness of agencies, parole boards and/or courts to administer punitive measures for noncompliance to conditions of supervision are just a few of the possibilities.

Many programs failing to experience any degree of effectiveness among their drug-involved populations could reverse that experience by following through with the fundamental practices presented in APPA's Drug Testing Guidelines. Sixteen of the 20 sites experienced a decrease in positives over the six-month period. Eight of the sites demonstrated a steady decline in the number and percentage of positive results. They also demonstrated a consistent pattern in administering sanctions. The sites exhibiting erratic results in the overall decline of drug positive rates had inconsistent patterns in testing, a low frequency of testing and/or inconsistent practices in administering sanctions for positive specimens.

Recommendations

Agencies can avoid most of the headaches and frustration associated with their drug testing program if they will give careful attention to six basic program fundamentals:

1. Develop and implement clear and succinctly written policies and procedures governing drug testing program practices. This should include proper chain-of-custody procedures.

2. Select drug testing methodology(ies) that best serve the agency's needs and resources.

3. Ensure that reliable and defensible confirmation procedures are used when appropriate.

4. Establish sensible criteria for identifying who should be tested, when and how often, and which drugs should be screened.

5. Develop stringent controls pertaining to how drug test results should be reported and shared.

6. Institute judicious and expedient procedures relating to the use of drug test results (sanctioning).

Each of these fundamentals entail associated elements. If these fundamentals are properly adhered to, most problems agencies encounter in their drug testing endeavors can be drastically reduced or eliminated.

Conclusion

A close examination of the results obtained from this project might cause one to surmise that program strength and effectiveness among participating sites were in close correlation to the extent agency policy and procedures addressed essential program elements and were enforced. This may well have been the situation. Essentially, the responsibility for effective program management rests with agency administrators and supervisors. Some blame program weaknesses on the manner in which drug testing was thrust upon them. Many agencies may have been instructed by a governing authority to establish a drug testing program, but were provided with little or no guidance for its establishment. Therefore, a program was haphazardly created using whatever resources were available in order to implement the program as quickly as possible. Such an approach is inherently problematic. Drug testing programs established solely to satisfy directive requirements and which are not viewed as an appropriate supervision tool will almost certainly fail. The program must be recognized as a viable and valuable program by agency personnel at every level of administration.

In spite of the obstacles we have faced and overcome or succumbed to over the last decade or longer, can we say that we are more knowledgeable, or that we are continuing to improve in our efforts to incorporate drug testing as part of our supervision strategies? If we were to carefully examine the data collected from this project for the purpose of using it as a cross section study, most would say we have not progressed very far. Others would argue that although much remains to be done, important inroads have been made. In some instances, it may be sufficient for staff to sharpen their skills and make better use of existing resources. Other scenarios clearly call for more drastic measures. Many of the agencies participating in this project have made serious efforts to correct program deficiencies. Some are still involved in this process. As with the establishment of any program in the criminal justice system, a program is only as strong as the degree of commitment extended by its staff. Weaknesses or problem areas identified by the data collected from any of the agencies in this study are a direct result of a breakdown somewhere in the chain of responsibility. If agencies do not plan to give careful attention to the essential elements of their drug testing program, available resources might be better utilized

by other programs that will support the community corrections concepts of punishment, supervision and rehabilitation of the offender. However, with more than 50 percent of males and females arrested for charges other than sex offenses or traffic offenses testing positive for illicit drugs,¹ it is difficult to conceive how an agency could ignore such a valuable tool.

The White House Conference for a Drug-Free America issued a final report that offers a realistic assessment of just who is losing the war on drugs:

"Our forces are outmanned, outgunned and outspent ... Our losses include our children born addicted, and other children recruited to crime before their teens by drug lords who use them to build a business of terrible violence and tremendous profit. We have drug dealers on our street corners, in our offices, on our college campuses, and grade school playgrounds."²

Certainly, we cannot place the full burden of this battle on our drug testing programs. However, neither can we ignore the importance of its significance and potential. It is time we carefully weigh and evaluate where we are and where we need to be. Drug testing is effective, but not as effective as it could

be due to the manner in which most agencies are implementing drug testing within their jurisdictions. If drugs are the enemy in this war, how well we deploy the "weapon" of drug testing may have life or death consequences.

Footnotes

¹ Clayton, R.R., Walden, K.P., and Bennett, G.T. (1990, June). Surveillance and treatment on probation (*STOP*) in Lexington: An evaluation. Unpublished Manuscript. Center for Prevention Research.

² National Institute of Justice, Drug Use Forecasting - 1991 Annual Report, December 1992.

³ The White House Conference for a Drug-Free America: Final Report (Washington, DC: June 88).

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Vito, G.F., Wilson, D.G., and Keil, T. J. (1990, September). Drug testing, treatment, and revocation: A review of program findings. *Federal Probation*, 37-43.

Tedder, E.G. (1989, October). Drug testing report for Department of Corrections. Miami, Florida. Unpublished Report. Probation and Parole Services.

Call for Papers on Victim Services/Issues in Probation and Parole

The National Victim Center estimates that 35 million Americans a year are "touched by crime." 13 states have passed victim rights constitutional amendments.

In recognition of the importance of the role played by probation and parole to the well-being of crime victims, the American Probation and Parole Association will develop a **Special Issue** of *Perspectives* devoted to victim services and issues in probation and parole. The American Probation and Parole Association invites professionals in community corrections, victim services, and academia to submit papers for possible inclusion in this vital publication. Papers selected for this issue will reflect a diversity of topics (e.g., sexual assault victims, domestic violence, immigrant and minority populations) and show the balance of services currently available and those that should be available to victims through probation and parole agencies.

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Tim Matthews, APPA Staff Director
American Probation and Parole Association
c/o The Council of State Governments
P.O. Box 11910
Lexington, KY 40578-1910

The deadline for receipt of articles is November 12, 1993.

The Corrections Game: Deja Vu All Over Again

by **Senator Ralph Rosenberg, Iowa State Senate**

The recent "Community Corrections: Saving Dollars and Lives" conference sponsored by The Council of State Governments and the American Probation and Parole Association was an excellent and well-organized meeting. It did not promise to reveal a game-winning plan in the struggle to "cure crime." But it did present an abundance of positive programs offering alternatives to the tried, but not quite true, game strategy of building more prisons.

Such conferences typically provide a mixture of specifics with generalities, of rhetoric with reality. And conference participants know that what works in Miami and Oakland may fail miserably in River City, Iowa. Even though I have 12 years of legislative experience in Iowa - serving as both chair and vice-chair of the appropriations committee for prisons and courts, as vice-chair of the judiciary committee, and as chair of interim committees on criminal sentencing - and even though in my other life I have been a prosecutor and a director of a non-profit law center that represents juveniles, I went to the conference looking for new, fresh ideas. What I found was that the good old ideas are still being discussed because, for the most part, they have yet to be widely implemented.

The conference offered great breadth, and I attended many workshops and roundtables with promising titles: "Active and Cost-Effective Sanctioning and Supervision Strategies for Delinquent Offenders;" "Community Service: A Sentencing Alternative That Works;" "Drug Courts;" "Youth Violence and What To Do About It;" "What Works with Juvenile Offenders;" "Reinventing Juvenile Justice;" "Implementing Ef-

fective and Appropriate Intermediate Sanctions: Lessons from 25 Jurisdictions;" and "Intensive Community-Based Aftercare for High Risk Juvenile Parolees."

Over 700 dedicated legislators, judicial personnel, and corrections officials discussed methods for addressing current and future prison overcrowding and other criminal justice challenges. They heard presentations about community corrections innovations that may actually correct the offender. At these sessions, certain phrases repeatedly surfaced: "Doing It Right" ... "Dealing Effectively" "Creating Models of Planning and Coordination."

And the assumptions underlying most of the sessions were that: (1) you cannot build your way out of a prison overcrowding crisis; (2) community corrections meet the public's demand for safety, victim reparation, offender accountability, and future deterrence; and (3) prevention of crime is the most cost-effective policy.

Yet, for all the good intentions of the conference, we - the criminal and juvenile justice systems players - are not getting ahead in the corrections game. We talk the game talk of community corrections and alternatives to prisons, but when game time arrives, we fall back on "bricks and mortar" and promises to "lock up the Willie Hortons" (philosophies preached and praised by a few conference speakers). We do this knowing full well that these approaches to crime have batting averages below .200 because our country has the highest rates of crime and incarceration of any industrialized nation.

Ironically, while the conference attendees were being exposed to com-

munity correction approaches in Tampa, the Florida legislature was meeting in Tallahassee in special session and debating whether to build 10,000 or 25,000 more prison beds.

The ongoing prison debate is not relegated to Florida alone, however. If our entire country does not take to heart the philosophies and programs espoused at this conference, we will all be guilty of letting a cost-effective response to crime - community corrections - roll through our legs like a misplayed ground ball.

Those who feel that bricks and mortar and "getting tough" are the solution to crime do not understand that, while it's good to play hard ball, the best pitching comes from finesse, technique, and variety - not just raw power.

In 2003, we may very well have another conference in Florida at which we will probably still be bragging about our scattered achievements, trying to convince the media and elected officials that these achievements really do serve public safety and, unfortunately, using new names to tout programs that are outdated and unsuccessful. Simultaneously, the media will be reporting on another legislative special session in Florida, or some other state, on the need for more prison beds. In short, it will be the 1993 conference all over again.

Convening conferences will not deter crime any more effectively than more prison beds, harsher criminal laws and tougher sentencing. But conferences can at least produce thoughtful programs that will help. I propose a three-step approach to be used at future corrections conferences. My proposals are modest and easy to implement:

1) Create true success stories in community corrections. Establish a 15- or 20-person committee whose job is to pick winners. There can be play-offs at the annual conference for the top four "semifinalists" and conferees can vote. And 5- or 10-year birthday parties can be thrown for those programs still alive and successful at the ends of those periods.

2) Ask the 50 states to present their

best 50 programs, which could be independently evaluated or monitored as to success, failure and applicability to other states.

3) Give awards to the five media sources that most fairly and objectively cover corrections issues.

Yogi Berra, the baseball great who first uttered "It's deja vu all over again," produced many other misstatements and malapropisms. But he was also a

Hall of Fame catcher and an underrated manager. He knew the game was never over until it was over, but he also knew you cannot win if you get behind and stay there. It's time to win the game by implementing the corrections game plans that we are now willing only to talk about.

Note: Dr. Nancy Brooker Bowers, former administrative assistant to Sen. Rosenberg, assisted in this article.

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May 23-26, 1993 • Tampa, Florida

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A Look Back at COMMUNITY CORRECTIONS: SAVING DOLLARS AND LIVES

Tampa, Florida • May 23-26, 1993

More than 700 participants converged on Tampa, Florida for Community Corrections: Saving Dollars and Lives, A Symposium for Legislators, Judicial Personnel and Corrections Administrators. Registration (which was twice the anticipated turnout) vastly exceeded the expectations of the American Probation and Parole Association and The Council of State Governments, the co-sponsors of this event.

As Don Evans said in his luncheon address, "The Community Justice Approach to Crime Control," the Symposium was comprised of participants who "want to save lives, to change lives - to make this country a better place to work and to live ... to improve the quality of life for everyone." Such goals represent a tall order for the field of community corrections, but there seemed to be a general consensus among those in attendance that this Symposium brought us all one step closer to realizing these lofty aspirations.

Symposium co-chairs, Tim Matthews and Al Schuman, and the Program Committee worked diligently to ensure that this conference would represent a wide range of substantive issues and concerns facing the criminal justice community. In addition to that, every effort was made to include participants from as many branches of government, social service agencies, and the criminal justice community as possible. As a result, attendees included judges, legislators, corrections and social service administrators, and members from the academic community. This approach allowed a vast array of perspectives to be brought to the Symposium, and fostered a unique and comprehensive, system-wide approach to problem solving.

For those who were unable to attend the Symposium, APPA/CSG staff would like to present a random selection of highlights and salient issues that were raised during a few of the workshops and plenary sessions. A *Resource Guide* is also available and rep-

resents many of the accompanying materials that were presented in conjunction with the workshops. Additionally, each session at the Symposium was recorded. These audio tapes are available for purchase through Convention Recordings International, Inc. (see advertisement).

Developing Partnerships for Community Corrections: Legislative, Judicial and Executive Perspectives

This was the first plenary session of the Symposium, and it established a tone of collaboration and partnership that lasted

throughout the entire event. It also provided participants with concrete partnership-building strategies that they could later apply in their own jurisdictions. The presenters were Carole Carpenter of the Maricopa County Board of Supervisors; Cecil Steppe, the Director of the Department of Social Services for San Diego County; and the Honorable Reggie B. Walton, an Associate Judge of the Superior Court of the District of Columbia. As Moderator, Al Schuman (APPA President-Elect) said in his opening remarks, "we cannot afford to work as separate entities any more."

Carpenter's discussion focused on the legislative function of partnerships. Often, criminal justice professionals communicate with each other, but do not consider politi-

cians to be a part of the profession. It is critical that they be pulled into the process, because they are the key players who can see the entire spectrum (e.g., corrections costs, health care, education, environmental factors); they have what Carpenter called the "big screen t.v." view of the system. Any attempt to "invade" the political world with research must take into account the needs of the politicians. These needs encompass three areas: safety, cost, and effectiveness. If criminal justice professionals want to sell politicians on justice reform, they have to be willing to step



Left to right: Cecil Steppe, director, Department of Social Services for San Diego County; Carole Carpenter, member, Maricopa County Board of Supervisors; and the Honorable Reggie B. Walton, associate judge, Superior Court of the District of Columbia.

in and help them market it. Carpenter supplied participants with six rules for working with legislators and policymakers to implement justice reform.

1. Keep the information short, simple, and visual. (For example, don't just supply a statistic, such as "1.2 million people in this country are incarcerated." Use a more vivid image, such as "the United States locks up more people per capita than the former Soviet Union, South Africa, or any other industrialized nation.")
2. The format is almost as critical as the content. Legislators are inundated with information, and have little time to pore over cumbersome research treatises. Question and Answer formats are helpful.
3. Anticipate where the decision-making points in the system are.
4. Form effective partnerships. *Everyone* must come to the table.
5. Have a "Willie Horton Contingency Plan." Something will go wrong. Be prepared for it.
6. Any Community Corrections Act needs to be linked to sentencing guidelines. The parts of the system must work together for the benefit of the whole.

Steppe and Walton confirmed many of Carpenter's points and strategies in their discussion. They both stressed that it is necessary for the system to re-focus priorities, to stop making finances the number one priority. Walton underscored the need for a holistic approach to solving the problems of the system. With such an approach in place, the citizenry will be positively affected; crime will be curbed; and dollars will be saved in the long run.

State-of-the-Art Interventions in Family Violence: What Works

Monday morning also featured an extremely dynamic and well-received workshop, conducted by Sarah M. Buel. Buel is the Director of the Domestic Violence Unit of the Suffolk County District Attorney's Office. She graduated cum laude from Harvard Law School, and in 1992 received both the Massachusetts Bar Association's Outstanding Young Lawyer Award, and the American Bar Association's Top Twenty Young Lawyer's Award. In the opening comments of her speaking engagements, however, Buel is quick to introduce herself as a former battered wife. The resulting perspective she brought to this workshop was extremely powerful.

Buel encouraged participants to "stop the silence," and acknowledge the realities of family violence. These realities include the statistic that more women seek treatment in emergency rooms

for being battered than for the combination of rape, muggings, and car accidents. In Massachusetts, a battered woman is killed every seven days, and they are one of the few states that is keeping track. Buel said that society's failure to recognize this has much to do with our desperate desire to believe that things "can't be this bad" - that we would all like to cling to the notion that we're more like the Cleavers or the Cosbys.

Society has to stop asking, "why do battered women stay?" The question we should be asking is, "why do we, as a society tolerate such extraordinary levels of violence, primarily by men against women?" It is also important to note that leaving does not mean safety for these women. More battered women are killed in attempting to leave than at any other time. Victims do not know how to leave, and once they are gone, they cannot afford to stay away. "This is not about stupidity," Buel stressed. Community education is critical.

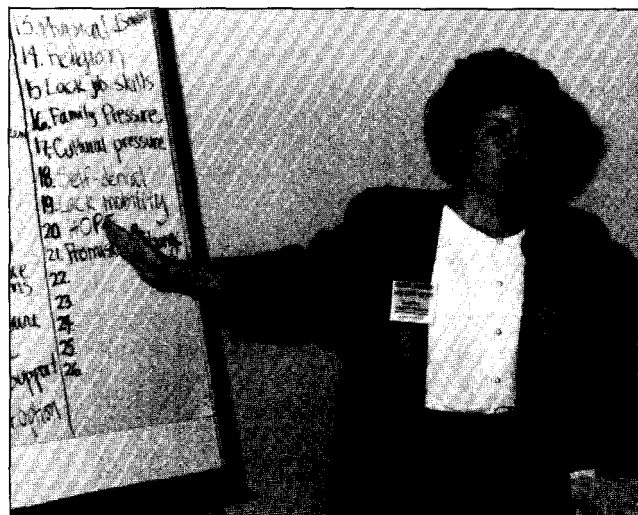
It is time to stop sanctioning this violence against women. It is often excused, and attributed to male "frustration," or misplaced anger. Frustrated men are not, however, beating up the police officer who gave them a ticket, or the boss who yelled at them. That is because society tells them that the sanctions for beating their wives and girlfriends will be different-that they will not be held accountable.

Buel told participants about speaking to a group of fourth-graders who were able to cite 21 reasons why battered women stay with their abusers. She ultimately came to

view that experience as incredibly disheartening, because it indicates how inextricably family violence has become woven into our culture. One of the best analogies she provided the participants about why battered women stay was the following statement:

"Every person in this room will be involved in an abusive relationship in your lifetime. If you're particularly blessed, it won't involve physical violence. But at some point, someone will treat you outrageously - a boss, a coworker, a family member. You don't immediately quit that job, or cease all contact with that family member. You hold out hope that they're going to see the light-see how wonderful you are - start to appreciate you."

She encouraged participants to go home and form Roundtables and Coordinating Councils who will deal with the issue of family violence. And above all, she urged everyone to "start keeping track." A great deal of funding has been earmarked to deal with this issue, but it will be critical for agencies and jurisdictions to be armed with information and statistics about the incidence of family violence when they apply for these funds.



Sarah M. Buel, director, Domestic Violence Unit, Suffolk County District Attorney's Office.

Beyond Bricks and Bars

This seminar featured outstanding speakers in Malcolm Young, the Executive Director of the Sentencing Project; Joseph Lehman, the Commissioner of the Pennsylvania Department of Corrections; and Chase Riveland, the Secretary of the Washington State Department of Corrections. The Sentencing Project has conducted vast amounts of research in this area, and Lehman and Riveland were able to provide participants with a perspective on Pennsylvania's and Washington's unique approaches to sentencing and crime control.

Washington examined Minnesota's efforts in sentencing reform and moved to incorporate many of its tenets. For example, parole and the parole board were eliminated. Probation was reconfigured as community supervision. Incarceration's purpose was defined as "for punishment." Incarceration was reserved, then, for violent offenders. The new statute espoused "simplicity and truth in sentencing." At one point, prison capacity actually exceeded the prison population, and Washington sponsored a "Rent A Cell" program which increased state revenue.

The situation changed considerably in Washington with the advent of mandatory sentencing and sentencing guidelines. For example, in 1987 the first-time offender waiver was no longer available to first-time drug offenders. The "good news" for Washington, according to Riveland, is a new governor who is committed to sentencing reform. The past legislative session, for the first time in 53 years, did not pass a law that increased the impact on jails and prisons.

Beyond Bricks and Bars stressed the nation's need for a "new sense of justice," for a "return to valuing people's capacity to change." Policy that is appropriately centered on sentencing is the solution. Crime will not just go away. Lehman discussed the national trend towards taking sentencing away from the judiciary and giving it to legislative policymakers. Lehman, who has been involved with Pennsylvania's Sentencing Reform Act, stated that the unfortunate effect of this trend has been a "politicizing" of the issue of crime.

All of the presenters stressed their commitment to *The Call for a Rational Debate on Crime and Punishment*, an initiative which currently has about 600 signatures. It focuses on society's need to find solutions to crime which do not involve building and filling more prisons.

Building Coalitions that Support the Legitimate Roles of Community Corrections

This plenary session brought many perspectives to the concept of building coalitions in speakers William Ide, President-Elect of the American Bar Association; Catherine Abate, the Commissioner of the Department of Correction for the City of New York; and Todd R. Clear, a Professor at the School of Criminal Justice at Rutgers University, and Vice-President of the National Council on Crime and Delinquency. George Keiser, Chief of the National

Institute of Corrections' Community Corrections Division, moderated the session.

Keiser began the session by articulating the concept of the legitimacy of community corrections. Community corrections is not an alternative to jail or prison—it occupies its own place, its own responsible role—and it needs to be available as defined by a jurisdiction's policy. It is critical that all phases of the criminal justice system define the "what it is" and the "why it is," before leaping into the "how it is." To accomplish this, the focus must be shifted from "I" and "me," to "us" and "we."

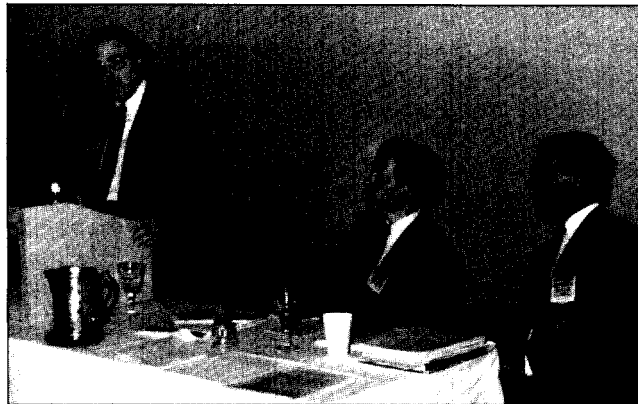
Ide began his segment of the session by stating outright that we have a justice system that *does not* work. The fear of crime is corroding our national spirit. All of our resources have been funnelled into drug-involved offenders, while we turn violent offenders out into the streets. Ide further suggested that the American public's concept of the criminal justice system is that of a "big battleship." Those who are involved with the system, however,

know that this is not an accurate metaphor. The criminal justice system is more like a "flotilla" of small ships, comprised of judges, lawyers, probation and parole officers, health and treatment agencies, and the list goes on and on. What is happening now is that these small ships are randomly bumping up against each other, in a non-marshaled effort.

Catherine Abate noted that it is critical that the system reach a consensus about just who it is that should be imprisoned, and how long they should stay there. We must begin to forge coalitions and partnerships between corrections and communities.

Understanding Ourselves and Others

This motivational closing session was conducted by Dr. Jim Kern, a nationally-known educator, writer and speaker. He intro-



Left to right: Joseph Lehman, commissioner, Pennsylvania Dept. of Corrections; Malcolm Young, executive director, the Sentencing Project; and Chose Riveland, secretary, Washington State Dept. of Corrections.



Left to right: Todd R. Clear, professor, School of Criminal Justice, Rutgers University; William Ide, president-elect, American Bar Association; and Catherine Abate, commissioner, Dept. of Corrections, City of New York.

duced the session by telling participants, "if you like people, you're going to go a long, long way." He then articulated his five central truths throughout the course of the presentation. According to Kern, it is these truths that are the cornerstones for how we relate to other people.

1. *People are more important than things.* Unfortunately this is often not practiced today. It is true that we often treat those closest to us with less kindness and courtesy than we would show a clerk in a convenience store.
2. *Kids are people too.* It is problematic that America's parents are not raising America's children. We will pay a terrible price for this, if we are not paying it already. It takes a community to raise a child.
3. *We are all different, and there is a gift within every human being.* Different does not mean better, it does not mean worse. To paraphrase Kern, we could live with the jerks in this world, if they would just admit when they're wrong.
4. *We can change ourselves, but we cannot change others.* We need to find meaningful tasks for our young people. More people die from overeating than from overworking in this country. It is important to find rewarding, fulfilling work for



Jim Kern, nationally-known educator, writer and speaker.

youth, so they do not feel the need to hurt other people, and to behave destructively.

5. *How a person feels is important.* This is just as important as what a person knows. It is important to see mistakes as a

learning opportunity. When we make a mistake, we can say to ourselves, "Well, good. I'm smarter now."

Kern concluded this enormously well-received presentation by articulating four needs experienced by everyone. He encouraged participants to keep these needs in mind when working with people. These central needs are:

1. To be loved;
2. To be important;
3. To be allowed to say no; and
4. To feel safe, in our cities, on the streets, and in our homes.

Conclusion

While the organizers of this event have accomplished a great deal with this Symposium, everyone came away with the recognition that the conference was only the beginning. The workshops, the plenary sessions, and the networking events can only serve as the foundation for a great deal of hard work that is yet to be done. It is to be hoped that the Symposium provided participants with the tools, the relationships, and the inspiration to continue this valuable work in their own jurisdictions.

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Tampa, Florida • May 23-26, 1993

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Probation and Parole Speaks Out:

A Report on APPA's Membership Survey

The true test of an organization's worth can be measured by how attentive that organization is to the concerns of its membership, and how effectively it responds to those concerns. The staff and leadership of the American Probation and Parole Association take great pride in carefully observing and responding to the needs of our constituency. Efforts in this area include methodical evaluations at all training events and annual institutes; Perspectives, providing members with a voice that can be heard throughout the field of probation and parole; and APPA's consistent endeavors in research, training, and technical assistance on vital issues to community-based corrections.

A recent demonstration of APPA's commitment to stay informed about what is on the minds of the constituency is the membership survey that was conducted last year. The staff and leadership carefully constructed questions designed to elicit responses on a wide range of community-based corrections issues. The responses of the membership have been entered into a database and quantified, but the following will provide our readers with a sampling of what has been expressed to be important to the field right now.

Charts which detail the results of some survey questions are included within this article. Readers will note that, in most instances, the numbers do not add up to 100 percent. Only a representative sampling (the top five responses) is depicted.

Membership Question 1

What do you believe is the major issue confronting community corrections professionals in the next two years? More than 33 percent answered diminishing or inadequate resources/budget cuts. This did not come as a great surprise to APPA staff as this issue was explored in some detail in APPA's Fiscal Survey of the membership two years ago. When broken down by cate-

gory, it is worth noting that this issue evoked a higher percentage of concern among administrators (41.2 percent) than among line officers (24.6 percent). It was still the number one concern among both groups, however. Other responses that received significant percentages include alternatives to incarceration/intermediate sanctions (21.2 percent) and caseload sizes/increasing caseloads/workload (19.1 percent).

APPA has conducted significant study on the issue of diminishing resources. Early conclusions indicate that part of the solution lies in community-based corrections doing a better job of documenting the value of the work done by probation and parole professionals. An important key to this documentation is the development of alternative outcome measures. In other words, recidivism rates cannot continue to be the only barometer of success; to date, many potential indicators of success have been ignored or neglected. In recognition of this, APPA is currently conducting a project entitled *Alternative Outcome Measures for the Evaluation of Intermediate Sanctions*. The primary product of this project will be the development, in conjunction with a number of experts from the research community, of a monograph that defines alternative outcome measures for the field of probation and parole.

Membership Question 2

List three areas in which you feel APPA should take a position. The five issues listed most frequently were: alternative sentencing/alternatives to incarceration; funding for community corrections; arming of officers; caseload sizes; and field safety/officer safety.

APPA recently completed a position paper on staff safety standards (*Perspectives*, Spring 1993). Upcoming papers can be expected in the areas of arming officers, adult basic education, the role of probation and parole in fa-

cilitating drug treatment, and possibly a paper on adequate pay for probation and parole officers. The APPA Issues Committee also conducted research and presented their findings in a report on Caseload Standards in the Summer 1991 issue of Perspectives.

Membership Question 3

List three topics that you feel APPA should provide training on during the next two years. The top five vote getters in this subject area were: field safety/officer safety; addiction training/drug training/substance abuse; management skills and techniques; sex offenders; and legal liabilities.

At APPA's upcoming 18th Annual Training Institute, workshops with the following titles are planned: *The Safety Spectrum: A Comprehensive Approach to Local Concerns of Staff Safety*; *Community Corrections and Treatment Professionals: Working Together for the Drug-Involved Offender*; *Total Quality Management*; *Monitoring Sex Offenders and the Community*; and *Lawsuits: Mechanics and Issues*.

Membership Question 4

What benefits would you like to receive as an APPA member? More than 32 percent of members would like to receive life insurance; 40.3 percent would like liability coverage; 59.1 percent would like to receive a monthly newsletter; 55.2 percent would appreciate a job referral service; and 44.6 percent were in favor of dual membership in state associations.

Although APPA has considered investigating the possibility of providing some of these benefits, it should be noted that none of the potential benefits listed were requested by an overwhelming majority. Given this, APPA must carefully weigh the benefits of pursuing the provision of these services in view of the fact that association resources are not limitless.

Membership Question 5

Rate the following aspects of Perspectives. Nearly 90 percent of respondents rated the quality of articles as above average or excellent. Fifty-one percent ranked its relevance to work as above average; another 25.2 percent rated it as excellent in this area. The overall design of Perspectives was thought to be above average by 44 percent, and excellent by another 17 percent of respondents.

Membership Question 6

Which column/feature would you like to see in future issues? Sixty-nine percent of respondents would not like to see member interviews in future issues. Pro and con debate topics received "Yes" votes from almost 50 percent of respondents (arming officers was selected most often as an issue for these debates). More than 64 percent of respondents would like to see news of research. Fifty-eight percent of those surveyed would appreciate job listings. When asked which issue of Perspectives was considered most interesting, the majority of respondents answered that all issues were interesting.

Perspectives' staff and editors are investigating the possibility of including features such as those listed. News of research is already a regular part of *Perspectives'* format, and Point/Counterpoint is an occasional feature as well.

So, What Happens Next?

The APPA leadership and staff are already in the planning stages of formulating responses to the concerns and issues that were voiced by the membership in this survey. You can expect to see action on many of the issues targeted in this survey within the next year. For example, APPA may develop a national strategy on probation and parole. This strategy would incorporate the association's already strong focus in the areas of intermediate sanctions; dealing with violent offenders; family issues; job training; overcoming addiction; and many others.

Many other concerns voiced in the survey fit in with long-range planning

Responses to Membership Question 1: <i>What do you believe is the major issue confronting community corrections professionals in the next two years?</i>		
Major Issue	Number	Percent
Diminishing or Inadequate Resources - Budget Cuts	226	33.7%
Alternatives to Incarceration - Intermediate Sanctions	142	21.2%
Caseload Sizes - Increasing Caseloads - Workload	128	19.1%
Accountability & Integrity - Program Evaluation	57	8.5%
Dealing with Dangerous, Violent Offenders	57	8.5%
Responses to Membership Question 2: List three areas in which you feel APPA should take a position.		
Position Area	Number	Percent
Alternative Sentencing - Alternatives to Incarceration	77	11.5%
Funding for Community Corrections	60	8.9%
Arming of Officers	60	8.9%
Caseload Sizes	53	7.9%
Field Safety - Officer Safety	52	7.7%
Responses to Membership Question 3: List three topics that you feel APPA should provide training on during the next two years.		
Areas for Training	Number	Percent
Field Safety - Officer Safety	103	15.4%
Addiction Training - Drug Training - Substance Abuse	85	12.7%
Management Skills and Techniques	61	9.1%
Sex Offenders	52	7.7%
Legal Liabilities	49	7.3%

for the Association. An example of this is APPA's Community *Justice Leadership Project*, which members will be hearing a great deal about in the coming months. This project was designed to promote a holistic approach to dealing with the many challenges faced by the field of community-based corrections. In Spring 1992, the leadership of APPA convened a committee that included representatives of probation and parole leadership from across the country.

Community justice is a concept which encompasses an overriding philosophy that embodies the principles of fair, equitable, and appropriate community-

based sanctions and responses to criminal conduct. Plans are under way to involve the APPA membership in this effort; more specific details about such opportunities will be provided at the 18th Annual Institute, which will feature a CJLP workshop.

One thing is clear, APPA shares the dedication and commitment of its constituency to finding innovative solutions to the pressing challenges facing community-based corrections. By listening carefully when the field speaks out, APPA is better equipped to assist the membership in fostering these solutions and meeting these challenges.