

PERSPECTIVES

the journal of the American Probation and Parole Association



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Re-Engineering

IN COMMUNITY CORRECTIONS

PRESIDENT'S MESSAGE

Since my last president's message, I have had the opportunity to attend several national meetings and forums on community corrections. The meetings were well attended and they provided excellent opportunities for the attendees to get together and share information about the many aspects of our profession. Unlike many meetings that I have attended in the past, more often than not, there were senior policy officials, prosecutors, legislators, and judges in the audiences. In one sense, it was good to see that we were not once again only "singing to the choir."

On the other hand, I was concerned that those not in the choir – those with a stake in the work of probation, parole, and community corrections were hearing a confusing, if not the wrong message from some of us – the practitioners. What I am referring to specifically are comments that were made that were highly critical regarding traditional practices in probation, parole, and community corrections.

My initial reaction was one of outrage. Then, I began to reflect on what it was that was actually being said. The real message from the critics was that what we often "do" in the name probation and parole flies in the face of what the public expects from us. Moreover, it is contrary, at its very core, to the kinds of practices that practitioners in the field would like to see. In my view, some examples of the failed practices that have persisted over time are: probation and parole caseloads of 100-500; drug testing that is scheduled, provides test results in two or more weeks after the test is administered, and is infrequent and both ineffective from a risk management and rehabilitation perspective; halfway houses that administer treatment in lecture format to over 150 residents at a time are not likely to ameliorate anti-social behavior; or that spending an average of three to five minutes per month with clients in a community-based supervision setting does not constitute any reasonable form of supervision. While it should be noted that not all probation, parole, and community corrections programs fit the examples just noted, there are many that do. And when they do, they dishearten the public and the professionals.

The pervasiveness of the discontent about poor practice was apparent when one of the conference speakers, in fact a respected and long-time probation colleague, somewhat jokingly stated that probation is a waste. It seemed that virtually the entire audience laughed and nodded in affirmation of the speaker's comments. In the immediate area where I was located, there was no doubt that the caustic comment resonated with a cross section of the attendees.

Indeed, there is a growing recognition in our field that business as usual just is not good enough. As well, it is recognized that the public is increasingly demanding, and rightfully so, outcomes that are important to them. In order to accomplish what needs to be done to bring an overriding credibility to the profession, we need to reinvent ourselves in a way that assures that the value of our work is apparent to insiders and outsiders alike.

Coincidentally, at the same time that I was being reminded of the discontent of stakeholders about our work, I was also getting involved with a group of respected community corrections professionals for the sole purpose of reinventing probation. The working group is co-chaired by Ron Corbett and John D'Iulio, and is funded by a group known as Public/Private Ventures.

The reinvention task force is attempting to develop a proposal for principled approaches to providing services that respond to core public values regarding probation and parole supervision. In my long career, I have never seen such a focused effort on this kind of critical self-evaluation. Ron's and John's efforts are to be commended.



Mario A. Paparozzi

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APPA *We see a fair, just and safe society*

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

Articles should be submitted in ASCII format on an IBM-compatible computer disk, along with five hard copies, to Production Coordinator, *PERSPECTIVES* Magazine, P.O. Box 11910, Lexington, KY 40578-1910, in accordance with the following deadlines:

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| 1 Spring 1999 Issue – December 11, 1998 | 1 Fall 1999 Issue – June 20, 1999 |

Unless previously discussed with the editors, submissions should not exceed 6 typed pages, numbered consecutively and double-spaced. All charts, graphs, tables and photographs must be of reproduction quality. Optional titles may be submitted and selected after review with the editors.

All submissions must be in English. Notes should be used only for clarification or substantive comments, and should appear at the end of the text. References to source documents should appear in the body of the text with the author's surname and the year of publication in parentheses, e.g., (Jackson, 1985: 162-165). Alphabetize each reference at the end of the text using the following format:

Anderson, Paul J. "Salary Survey of Juvenile Probation Officers." Criminal Justice Center, University of Michigan (1982).

Jackson, D.J. "Electronic Monitoring Devices." *Probation Quarterly* (Spring, 1985): 86-101.

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(President's Message, Continued)

It is my sincere hope that by next year's annual APPA Institute in New York City, the reinvention task force will be able to unveil its proposals. In the meantime, all of us must remain open to hear the criticisms of our detractors and serve as staunch supporters of the positive aspects of what we do. It is no less important to convey the importance of what might be accomplished if we worked differently.

In closing, let me say that we all have a tremendous responsibility on our shoulders. It is incumbent on us all to provide professional leadership

in shaping practices that contribute to individual and community well being. Let us all respond to the wake up call and become part of the solution to the credibility crisis that has plagued us for too long.



PROJECT ANNOUNCEMENT

APPA to Provide Training and Technical Assistance for Implementation of Substance Abuse Testing within the Juvenile Justice System

The American Probation and Parole Association is pleased to announce the receipt of a \$200,000 award from the Office of Juvenile Justice and Delinquency Prevention under the Juvenile Accountability Incentive Block Grants Program. The project primarily will provide training and technical assistance to juvenile justice agencies receiving JAIBG funds. Among the requirements for receiving JAIBG funds is the stipulation that agencies must implement "a policy of controlled substance testing for appropriate categories of juveniles within the juvenile justice system."

APPA will conduct four national teleconferences devoted to presentations on subjects related to drug testing in the juvenile justice system. Possible topics may include Legal Issues in Drug Testing; Technology for Drug Testing; Development of Appropriate Responses to Drug Testing Results; and Experiences of Agencies That Have Implemented Juvenile Drug Testing Programs. Each teleconference will last 90 minutes and be available to 125 agencies through toll free dial in telephone access. Each agency may include as many individuals at one site as they wish. The first 60 minutes of each teleconference will be a presentation of the topic and will be followed by 30 minutes to address questions from the audience.

The project will also conduct two training seminars in 1999.

Each seminar, Implementation of Substance Abuse Testing within the Juvenile Justice System, will be approximately two and one-half days long and will be taught by staff and consultant trainers. One training program will be geared particularly for State-level personnel who are developing statewide programs and policies on drug testing. The other training event will be targeted to agency-level administrators and practitioners who will be implementing drug testing at the local level.

It is anticipated the training will include the following topics: major indicators of need for programs in this area, key elements of a drug testing program, major steps essential to program implementation and potential obstacles, potential impact of drug testing programs on juvenile justice system components, potential impact on accountability of youth, and illustrative projects/approaches in this program area.

The project will provide limited Technical Assistance, will develop written materials to assist agencies with policy development, and will create a manual to assist agencies in planning and developing drug testing programs.

To obtain further information about this project, please contact Linda Sydney, APPA, P.O. Box 11910, Lexington, Kentucky, 40578, (606)244-8192 (voice), (606)244-8001 (fax), or lsydney@csg.org (e-mail).



Request for Site Proposals APPA Institute – Bringing People Together

Our society has a strong tradition of coming together to decide what to do, both individually and collectively, to achieve common goals for ourselves, our workplace, our children and our communities. The APPA Institute unites people together for a common purpose— to boost performance and effectiveness of correctional programs, define national priorities for community corrections, create alternative ways to resolve the overcrowded prison systems, link people with information and answers and build safer communities for our future. Hosting an APPA Institute can be a rewarding and exciting experience. We invite you to join together with APPA as we chart a course for innovation, excellence and growth.

Applications are being accepted to Host Future APPA Institutes

Applications to host future APPA Winter and Annual Institutes are now being accepted. Any board member, affiliate association or state agency wishing to request consideration of a particular city must complete an application. In order to be considered by the site selection committee, APPA must receive completed applications by December 1, 1998. Further information and applications may be obtained from:

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EDITOR'S NOTES

A recurring focus in recent editions of *Perspectives* has been on public perceptions of community corrections. In this connection, surely part of regaining public confidence in our work entails a commitment to introducing sound and cutting-edge business practices into the administration of our own agencies.

Galvanized by the landmark publication of Osborne and Gaebler's *Reinventing Government* in 1992, public sector administrators have increasingly worked to adopt the principles and practices that animate the private sector. As one example, it is common now to hear correctional executives speak of "customer service" in a way unheard of in earlier periods.

Maricopa County Probation's Mark Hendershot follows in this trend with his feature article on "Re-engineering," a technique first developed in the early 1990's by consultants for private industry. Hendershot introduces our readership to the key concepts, requirements and mechanics of re-engineering, along with illustrations of its potential value to the public sector. Hendershot's presentation is all the more compelling because of the success of a re-engineering approach in his own agency.

In her piece, Assistant U.S. Attorney General Laurie Robinson reminds us of the urgency and challenge associated with supervising sex offenders. In addition to vividly discussing the dilemmas and trade-offs inherent in working with this volatile caseload, Robinson provides some very useful information on the newly created Center for Sex Offender Management. In partnership with APPA, the Center is in business to provide training and technical assistance to interested agencies. Information on accessing these services is provided in the article.

Two additional articles also focus on sub-groups within the community corrections caseload. Editorial committee member Arthur Lurigio and his co-author James A. Swartz focus on drug offenders in their report on research undertaken for Cook County (Chicago) Probation. Lurigio and Swartz offer some particularly compelling observations on the value of front loading services to substance abuse probationers and the rise of the drug "entrepreneur," who sells but does not use drugs. Ruth Triplett and Tony Ross examine trends in gang involvement and related activity in Texas. Their findings suggest that, despite continuing reports nationally of declining rates of violence, gang-related crime (at least in Texas) is perceived by law enforcement authorities as growing, both in amount and seriousness.

We encourage our readers to submit articles on interesting new initiatives, legislation or opinion areas. Write on!



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Minnesota Corrections Association Announces 65th Annual Fall Training Institute

The shores of Lake Superior will be the site of the 65th Annual Fall Training Institute hosted by the Minnesota Corrections Association in Duluth, Minnesota. Come join your friends and colleagues as they "Portage to Superior Corrections" from October 28 to October 30, 1998. The three-day training institute will feature a kick-off session with guest speaker, Zach Clements, whose topic is "Prescription for the Positive." A keynote address will be delivered by Dr. Mario Paparozzi, President of the American Probation and Parole Association, on "Vision for Corrections" and Mal Morgan will present "Interviewing and Interrogating" as well as "Personal and Professional Resilience." Jim Gondles, Executive Director of the American Correctional Association, has been invited to join in the recognition of persons who are the "Best in the Corrections Business in Minnesota."

The Institute will include about 39

workshops and 15 extended training opportunities covering topics such as: the Psychology of Cultism, Gambling and Youth, Gambling Among the Incarcerated, Crimes Against Children on the Internet, Defusing Hostile Situations, plus many more. Rapping up the Institute will be an uplifting session presented by Sisters Kay O'Neill and Michelle Meyer entitled "Ouch that Hurts, Dealing with Criticism."

The Resource Fair (exhibit hall) will provide an opportunity to learn more about approximately 80 correctional programs, resources and products. Cost for the training institute will be \$90 and registration forms are now available.

Evenings will be filled with a unique entertainment package. Wednesday night will include a variety of foods, dance music, fire pits and hay rides at Spirit Mountain Lodge overlooking the beautiful lights in the Duluth harbor. Buses to the lodge will run from the

Canal Park area hotels every 30 minutes. Thursday evening, the entertainment will be held at the Radisson Hotel and will include hospitality areas, as well as other exciting entertainment. A raffle will be held for cash prizes and there will be many great door prizes.

Participants are encouraged to make hotel reservations early. Special institute rates have been established with: 2nd Home Suites (218-727-4663); Comfort Suites (218-727-1378); Hampton Inn (800-HAMPTON); the Inn on Lake Superior (888-668-4352); Canal Park Inn (800-777-8560); Radisson Harborview (800-333-3333); and the Holiday Inn (800-477-7089).

For more information regarding the program call Robin Franklin at 612-348-9211 or Beth Peters at 612-348-3974; regarding the Resource Fair, call Karen Thorsen at 612-496-4488; or regarding registration, call Don Sorbey at 218-485-5042. [p](#)

Robert L. Bingham Elected as NAPE President

The National Association of Probation Executives (NAPE) recently announced that Robert L. Bingham, State Family Division Administrator for the Oakland County Circuit Court, has been elected as its national president effective July 1, 1998.

Founded in 1981, NAPE is a professional organization representing the chief executive officers of local county and state probation agencies, with a current membership of approximately 143. NAPE is dedicated to enhancing professionalism and effectiveness in the field of probation by creating a national network for probation executives, bringing about positive change in the field, and making available a pool of experts in probation management, program development, training and research. NAPE assists in and conducts training sessions, conferences and workshops unique to the needs of probation executives, provides technical assistance to national state

and local governments, analyzes relevant research pertinent to probation programs and publishes position papers, assists in the development of standards and accreditation procedures, and in general, educates the public on probation issues.

Bingham received his undergraduate degree from Wake Forest University and his master's of social service degree from Bryn Mawr College. His probation career began in 1970, and since 1977 he has managed probation and court-related programs in Pennsylvania, Illinois and Michigan. Presently, he serves as Family Division Administrator of the Oakland County Circuit Court where a portion of his administrative responsibilities pertain to juvenile prevention and juvenile probation programs. Bingham is married and resides in Rochester Hills with his wife and three children. [p](#)

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Sea Changes

In March, three agencies — the National Institute of Justice, the COPS Office and the Office of Justice Programs' Corrections Program Office — hosted a conference on police-corrections partnerships in Knoxville, Tennessee. Featuring such collaborative efforts as Boston's Operation Night Light and Washington State's SMART Partnerships programs, leading practitioners engaged in broad discussions about how police and correctional officials could work together to improve public safety. A series of follow up activities are being planned, including some regional workshops.

In May, a group of academics, practitioners and policy makers met in Minneapolis, Minnesota for two days of discussion on sentencing and corrections agendas for the next decade. In a series of meetings sponsored by NIJ and the CPO, this group meets twice a year to wrestle with the connections between societal values, sentencing policies and the state of correctional practice. Participants are also writing papers and articles that elaborate upon some of the key themes. These writings will start appearing in public forums in a few months.

June brought a third event: a national sentencing and corrections conference in St. Petersburg, Florida sponsored by the Office of Justice Programs, the Corrections Program Office, and the National Institute of Justice. Some 250 officials from 50 states attended the two day event. The conference stressed the need for aligning policies and resources and the value of communications within and across states. Judges, legislators and state executives spent most of their hours in facilitated small group discussions, expressing the challenges faced in their various roles and sharing with colleagues the various approaches and solutions they had tried.

NIJ Director, Jeremy Travis promised on behalf of OJP agencies to follow the conference with broadly based technical assistance on the sentencing and corrections concerns and needs expressed by attendees. About 25 requests from 15 states have been received so far. A substantial number asked for help in improving state planning capabilities through modeling of prison

population projections or implementing various data support systems. Another group of requests asked for assistance in developing specific programs or program areas such as restorative justice or intermediate sanctions. A third category was policy development — support for thinking through a wide range of sentencing issues including sentencing guidelines, juvenile sentencing options, and more collaborative policy formulation.

I believe that these events signal important sea changes for American corrections.

Let's look at the commonalities. First, all events were collaborative. They were hosted by multiple organizations and they brought together people of markedly different perspectives to discuss common interests. Second, the events were exploratory. Each event

Having just spent the better part of two decades tacitly rejecting the viability of probation and parole, politicians are not about to embrace traditional community corrections. Rather, they are listening for programs that offer something more.

confronted challenges through inquiry rather than through advocacy of specific solutions. Third, the meetings are each elements of a bigger picture: some series of activities intended to continue and sustain efforts in improved sentencing and public safety. Fourth, they all involve the future directions of probation and parole.

In my opinion, many states have turned the tide on knee-jerk expansions of prison terms and prison populations. They realize that throwing the prison door keys away incurs significant costs and reaps dubious benefits. As was evident in St. Petersburg, many policy makers are ready to discuss other options.

While this change in mood is good news, contemporary politics seem to demand that the options be fresh approaches. Having just spent the better part of two decades tacitly rejecting the viability of probation and parole, politicians are not about to embrace traditional community corrections. Rather, they are listening for programs that offer something more.

The seventies signaled the demise of rehabilitation as a focal point for systems activities. The nineties are signaling a rebirth of communities at points of concentration. The challenge for the corrections field is to forge alliances that promise and deliver safer communities. Some promising efforts have emerged already, and more are ready to debut.

The judiciary has been a prominent leader of change. Many judges are no longer content to simply hear cases; they want to alter behavior. Drug courts, community-oriented courts, drunk driving courts, and spouse abuse courts indicate new ways to harness the power of the justice system to meet community concerns, not just over safety, but also over finding more permanent solutions to problems. These community- and behavior-oriented experiments offer community corrections officials new chances to combine therapeutic efforts with credible vigilance.

Some communities are experimenting with new justice paradigms. Restorative justice programs address victim concerns — both individual and communitarian — more fully. They also shift the focus of outcomes from the offender to people and neighborhoods. Community justice centers combine oversight with community reparations. In the process, they open the door for all members of a community to participate in defining just outcomes.

Police-corrections partnerships are just starting to take shape. Current examples largely

BY ED ZEDLEWSKI

team police and probation officers in oversight of offenders, but bigger things are clearly happening. Police officials find these partnerships to logical extensions of community policing and they are bringing their orientations toward neighborhoods into corrections thinking. Community corrections officers have been able to engage their caseloads in police presence and are breaking down the “we-they” attitudes toward offenders frequently held by police. Look for increased connections from police to parole officers and to prison officials.

All of these changes share some common characteristics: they stress flexible inquiry and

response as a way of doing business; they involve multiple organizations in their solutions; and, they will continue to develop relationships over time. The challenge to correctional leaders is just that — to be leaders, not administrators. Executives need to sit at tables where the majority of the attendees come from outside the corrections field. Managers need to not only embrace partnerships but to seek them out. They need to work at more conceptual levels where the problem and not the process dominates. Most importantly, managers need to encourage flexible thinking on the parts of staff members engaged in these partnerships.

Intelligent, problem-solving departures from “policy” and personal initiative should be encouraged, not punished.

These experiments represent early indications of change, and not necessarily national trends. In some places the tide continues its focus on incarceration. The forces for a sea change are surely in motion, however, in many ways and in many communities. Will community corrections rise with the tide? **P**

Edwin Zedlewski is with the National Institute of Justice in Washington, DC.

Department of Justice Press Release

Probation and Parole Population Reaches New High

Washington, D.C. — More than 3.9 million adult men and women — a new record — were on probation or parole at the end of 1997, the Justice Department’s Bureau of Justice Statistics (BJS) announced today. The 2.9 per cent increase of about 110,000 people almost matched the average annual increase of 3.0 percent since 1990.

The total federal, state and local adult correctional population—incarcerated or in the community—reached a new high of 5.7 million at the end of 1997. About 2.9 per cent of the U.S. adult population, or about one in every 35 adults, were incarcerated or on probation or parole.

There were 3,261,888 adults serving a probation sentence at the end of last year, with felony convictions accounting for more than half (54 percent). More than one-quarter of adult probationers (28 percent) had been convicted of a misdemeanor. Fourteen percent were on probation for driving while intoxicated or under the influence of alcohol, and 4 percent for other offenses.

Also serving time in the community at the end of 1997 were 685,033 adult on parole, which is conditional supervised release following a prison term. Nearly all parolees had been convicted of a felony (96 percent). One-half of the persons entering parole last year had received a mandatory release because of a sentencing statute or a good-time provision that released them from prison and 45 percent entered parole because of a parole board decision.

Almost one-quarter of all persons being

supervised in the community during 1997 were in Texas or California. Texas led the nation with 538,500 persons on probation or parole at the end of 1997, followed by California with 408,900.

West Virginia had the nation’s lowest rate of community supervision at the end of last year, with about one-half of 1 percent of its adults on probation or parole (502 offenders per 100,000 adults), followed by Kentucky (554) and North Dakota (584). Four states had more than 3,000 adult offenders per 100,000 residents on probation or parole—Texas (3,884), Delaware (3,332), Washington (3,189) and Georgia (3,098).

Four states reported an increase of 10 percent or more in their probation population during 1997—Nevada (up 11.7 percent), Maine (10.7), New Hampshire (10.5) and Arizona (10.4). Nine states reported increases in their parole populations of at least 10 percent. Colorado led the nation with parole population increase of 25.7 percent, which may have largely resulted from a state law that mandates a period of parole supervision for all persons sentenced to prison for crimes committed on or after July 1, 1993.

Women represented a larger fraction of both the probation and parole populations in 1997 than they did in 1990. Twenty-one percent of all probationers in 1997 (524,200) were women, up from 18 percent (408,000) in 1990. Eleven percent of all parolees in 1997 (75,300) were women, up from 8 percent (39,400) in 1990.

Blacks represented more than a third of

probationers (775,600) at year-end 1997, and nearly half of parolees (281,000). Two-thirds of probationers (1,413,100) and more than half of parolees (339,000) were white. Persons of other races accounted for about 1 percent of each population (30,000 probationers and 8,200 parolees). Hispanics, who may be of any race, comprised 16 percent of probationers (287,100) and 21 percent of parolees (180,300).

More than 1.6 million probationers and over 400,000 parolees were discharged from supervision in 1997. More than three out of five of those exiting probation (708,200) and over two out of five of those exiting parole (179,900) had successfully met the conditions of their supervision. During the same year 18 percent of probationers (211,800) who were discharged from supervision in 1997 and 41 percent of parolees leaving supervision (168,000) were incarcerated because of a rule violation or new offense.

The data were collected and analyzed by BJS statistician Thomas P. Bonczar with assistance from Lauren E. Gaze. Copies may be obtained from the BJS fax-on-demand system (301-519-5550, document number 123), by calling the BJS Clearinghouse at 800-732-3277 (order no. NCJ 172216) or by downloading from the BJS Internet site at <http://www.ojp.usdoj.gov/bjs/>. Additional criminal justice information can be obtained from the Office of Justice Programs Internet homepage at <http://www.ojp.usdoj.gov>.

Interstate Compact for the Supervision of Parolees & Probationers An Issue of Public Protection - Nationwide

Background

Over a two year period the National Institute of Correction (NIC) Advisory Board heard concerns regarding the Interstate Compact. They reviewed survey information and conducted public hearings and identified two themes: public safety concerns and correctional systems accountability.

They concluded that only after governance issues are adequately addressed would it be appropriate to invest in initiatives to (a) improve communications between local agencies; (b) standardize data collection, measures and reporting; and (c) expand education, training and information exchange. They directed NIC staff to work on facilitating change in the Compacts' governance capacity; understanding that management and operation of the Compact should not be a federal function, and that the adult compact should be the primary NIC focus while collaborating where appropriate with OJJDP and state officials seeking to address similar issues with the juvenile compact. A Compact Advisory Group was formed and NIC concurs with their recommendation that the Interstate Compact should be amended.

What is the Compact?

Since 1937, the Interstate Compact for the Supervision of Parolees and Probationers (ISC) has provided the sole statutory authority for regulating the transfer of adult parole and probation supervision across state boundaries. Membership includes all 50 states, the District of Columbia, Puerto Rico and the Virgin Islands. While a nationwide issue, this is an instrument of the states and there is no federal involvement in its operation. Activities are managed by Parole and Probation Compact Administrators Association (PPCAA), the organization comprised of Compact Administrators from each state. Authorized by federal statute, states and territories passed identical laws to establish the Compact. They could pass identical laws to amend it as well.

Why is it vital to have an effective ISC?

Public protection, because absent an effective interstate compact there are no nationwide controls on the movement of state and local probationers and parolees. Consider the following:

Numbers of offenders

States reported in 1997 that over 115,000 adult offenders (3 percent of all active probation/parole cases) have been transferred from one state to another. It is estimated that an equal number of offenders are authorized to travel across state lines for various reasons. Therefore, a reasonable estimate of the number of adult probationers and parolees living or traveling in states other than where they were convicted is approaching a quarter of a million, and the number probably grows annually.

Fragmented system

On January 1, 1996, there were 3,285 local probation and parole offices operated by 861 separate agencies. This high degree of decentralization requires the establishment of protocols, guidelines and structure within which interstate and interagency probation and parole business (such as case transfers and investigations) can be conducted.

Public Trust and Confidence

Managing offender populations is becoming increasingly complex. State and local governments are passing measures dealing with special offender and high risk groups such as registration of sex offenders and notification to victims regarding offender locations. Probation and parole must be able to satisfy compliance requirements, track the location of offenders, smoothly transfer supervision authority, and when necessary return offenders to the originating jurisdictions. Interstate activity involving offenders must be governed by public policies that ensure equity and justice for all involved parties, including victims of crime.

Opportunities to Succeed

There are legitimate reasons why it is more likely that an offender will succeed in a certain location more than anywhere else. Those reasons generally relate to responsible family support and employment. The existing compact permits a probationer or parolee to reside in a different state if (a) the person is in fact a resident of or has family residing within the receiving state and can find employment there. The offender shall have an offer of employment or a visible means of support; or (b) though not a resident of the receiving state and not having family residing there, the receiving state consents to the probationer or parolee being sent.

Why does the existing compact require amendment?

The current ISC system is 60 years old, overwhelmed and outdated. Compact administrators join together through the PPCAA for the purpose of maintaining rules and managing activities under the ISC. While operating under language contained in the Compact, this is not a body that draws specific power and authority from the Compact itself. Symptoms of the problems include frequent violations of compact rules, no ability to enforce compliance, and difficulty in creating new rules. Routine data is not available and exchange of case information is slow and unreliable. There is no provision for staff or a reasonable provision for funding. Compact administrators are to be commended for their effort to manage a process that is overworked, underfunded and understaffed; however, this is a system badly in need of empowerment through clear authority, increased resources and a workable management structure.

What would an amended ISC include?

- A drafting committee presenting an amended compact document to state legislatures. It would take effect upon passage by a specified number of states.


BY KERMIT HUMPHRIES

- The establishment of an independent compact commission to administer ongoing compact activity, including a provision for staff support.
- Gubernatorial appointment representation of all member states on a national governing commission which meets infrequently (annually?) to elect the compact commission and attend to general business and rule making proposals.
- Rule making authority, provision for significant sanctions and meaningful enforcement.
- Mandatory funding mechanism sufficient to support essential compact operations (staffing, data collection, training/education, etc).
- Compel collection of standardized information.

What is needed?

Support and ideas about amending the Compact from individuals and associations or groups is needed. Copies of formal actions and any written comments or suggestions should be directed to the attention of:

Kermit Humphries
NIC Community Corrections Division
320 First St., NW
Washington, DC 20534
Phone: 202/307-3995, ext. 136
Fax: 202/307-3361
E-Mail: khumphries@bop.gov

Responders will be provided updates and may be contacted when specific support would be useful. Relevant project documents may be viewed at www/nicic.org. 

Kermit Humphries is with the National Institute of Corrections Community Corrections Division in Washington, DC.

Position Available

Boulder County, Colorado is accepting applications for the position of Community Corrections Manager in the Department of Community Services. The division has a staff of 65 and the manager is responsible for a wide range of juvenile and adult programs, including a 20-bed juvenile detention center and pre-trial bonding. To obtain the position opening announcement, contact the Boulder County Human Resources Division at (303) 441-3508, or e-mail www@co.boulder.co.us.

ADE AD

Legal Issues in Probation and Parole

The Exclusionary Rule

Individuals convicted of crime, whether on probation or parole, do not enjoy the same rights as the average citizen. Consequently, courts have consistently upheld probation and parole conditions which restrict the Fourth Amendment right to be free from unreasonable searches and seizures. There are several justifications for imposing probation and parole conditions, including protection of the public, reducing recidivism through deterrence of criminal conduct by the client, promoting alternatives to incarceration, and possible rehabilitation through closer supervision.

The exclusionary rule states that evidence obtained as a result of an illegal search or seizure may not be admitted at a criminal trial. The primary purpose of the exclusionary rule is to deter police misconduct.¹ The Supreme Court has made clear the rule is not a constitutional right, but merely a means of enforcing the Fourth Amendment prohibition against unreasonable searches and seizures by deterring police misconduct. As the purpose of the rule is limited to deterrence of police misconduct, it does not mandate exclusion of all illegally obtained evidence. Indeed, the Court recently stated that the rule should be applied only in "those instances where its remedial objectives are thought to be most efficaciously served."²

Thus far, the Court has applied the exclusionary rule only to instances of police misconduct. The Court has also been reluctant to extend the reach of the exclusionary rule to proceedings other than a criminal trial. The Court has refused to apply the exclusionary rule to evidence seized by private parties, if they are not acting as agents of the police. The rule does not apply to evidence presented to the grand jury.³ The rule is inapplicable in both civil tax assessment proceedings⁵ and civil deportation proceedings.⁶ The Court has thus been consistent in its message that the exclusionary rule is of limited application.

Application of the Exclusionary Rule to Probation and Parole

Until recently, it was unclear whether the

exclusionary rule applied to probation and parole revocation hearings, which are generally considered extrajudicial proceedings. The Supreme Court has upheld warrantless searches and searches based on less than probable cause of probationers and parolees under the "special needs of law enforcement" exception to the warrant requirement. In *Griffin v. Wisconsin*,⁷ the Court held that a state regulation allowing warrantless "reasonable" searches and searches based on "reasonable grounds" of probationers was constitutionally valid, on the ground that the warrant and probable cause requirement would unduly hamper the effectiveness of the state's probation system. Lower courts have been split on the applicability of the exclusionary rule to probation and parole revocation hearings where probation and parole officers conduct illegal searches.

Finally, during the 1997 term, the high court issued a decision involving the applicability of the exclusionary rule to probation and parole revocation hearings. In *Pennsylvania Board of Probation and Parole v. Scott* (DN 97-581, decided June 22, 1998) the court in a 5-4 decision held that the exclusionary rule does not apply to parole revocation hearings. This is a major victory for probation and parole officers.

Pennsylvania Board of Probation and Parole v. Scott

Keith Scott was released on parole in September, 1993, after serving ten years for third-degree murder. One of the conditions of his parole was that he would neither own nor possess any weapons. Another condition was that he consent, in advance, to warrantless searches of his person, property and residence by agents of the Pennsylvania Board of Probation and Parole. Furthermore, he agreed that any evidence seized during such searches could be used in a parole revocation hearing.

About five months after Scott was paroled, three parole officers obtained an arrest warrant for Scott, based on evidence that he had violated several terms of his parole. After arresting Scott, they went to his residence,

where he lived with his parents, and searched it. In a room adjacent to Scott's bedroom they found several weapons. These were introduced at the revocation hearing. Scott objected to the introduction of the evidence seized during the search of his home, claiming the seizure violated the Fourth Amendment because it was conducted without at least "reasonable suspicion" (as required by *Griffin*). He also claimed that his prior consent to a warrantless search was invalid because it was obtained involuntarily, as a requirement of parole eligibility. The hearing examiner rejected his claims, admitted the seized evidence and recommitted Scott.

On appeal, the Commonwealth Court of Pennsylvania ruled: (1) the search was unlawful because it was conducted without Scott's consent and was not authorized by any state statutory or regulatory framework ensuring the reasonableness of the officers (per *Griffin*), and (2) the illegally seized evidence should not be admitted at the revocation hearing because the exclusionary rule applied to such proceedings. The Pennsylvania Supreme Court affirmed the lower court, holding that Scott's consent to warrantless searches did not extend to searches conducted without at least "reasonable suspicion," and that the exclusionary rule should apply to parole revocation hearings when parole officers are aware that the subject of their search is a parolee.

The United States Supreme Court granted certiorari to determine: (1) whether the exclusionary rule applied to parole revocation hearings and (2) whether a search of a parolee's residence must be based on "reasonable suspicion" even when the parolee has already consented to warrantless searches as a condition of parole.

The Supreme Court's Decision and Rationale

On June 22, 1998, the Supreme Court, by a narrow 5-4 vote, reversed the decision of the Pennsylvania Supreme court and held that the exclusionary rule does not apply to parole revocation hearings.⁸ This decision is not

BY CRAIG HEMMENS

surprising, given the signals the Court had sent previously regarding the limited applicability of the exclusionary rule outside the criminal trial arena. What was surprising was the limited reach of the ruling. The Court chose not to address the larger question of whether a parolee could consent to any search, despite the fact the Court had specifically asked the parties to brief and argue that issue in addition to the exclusionary rule issue. The Court did not explain why it chose not to resolve this issue.

Writing for the majority, Justice Thomas emphasized the costs associated with the exclusionary rule, and downplayed the benefits of the rule, particularly in parole revocation hearings. As parole is a “variation on imprisonment of convicted criminals”⁹ and parole revocation deprives a parolee “only of the conditional liberty properly dependent on observance of special parole restriction,”¹⁰ Thomas determined that applying the exclusionary rule to parole revocation hearings would significantly alter the revocation process, transforming revocation hearings “from a predictive and discretionary effort to promote the best interests of the parolee.”¹¹

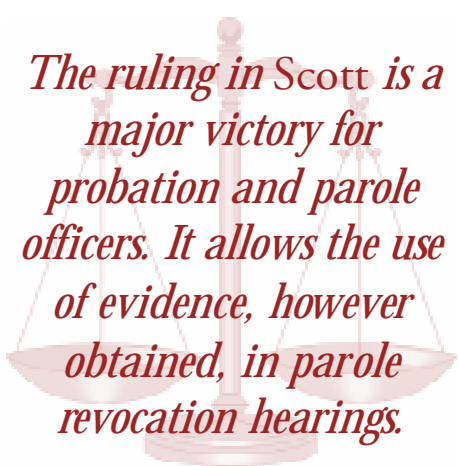
Thomas stated that the exclusionary rule should not be applied to parole revocation hearings because the purpose of the exclusionary rule is deterrence of unlawful police conduct in the investigation and prosecution of crime, while the purpose of parole is different—to rehabilitate the offender while at the same time protecting the community. Since extension of the exclusionary rule to revocation hearings would not serve these dual purposes, and would in fact hamper the effective administration of a parole system it has no place in revocation hearings.

Writing in dissent, Justice Souter criticized the majority opinion for characterizing the parole officer-parolee relationship as non-adversarial, particularly in instances such as this case, where the parole officers went to Scott’s house to search only after they had already arrested him. Souter also noted that deterrence is important when parole officers realize that a criminal trial is unlikely and that all they need to do to have their client returned to prison is to find evidence of a parole violation. In such instances, the parole revocation hearing is likely to be the only forum in which the illegally obtained evidence will ever be offered. Souter’s position mirrors that of the minority of lower courts which had held the exclusionary rule applies to parole revocation hearings in large part because parole officers today are more akin to law enforcement than social workers, and

hence involved in investigation of criminal activity with the intent to incarcerate the parolee.

Conclusion

The decision in *Scott* is unsurprising, given the high court’s reluctance to extend the exclusionary rule beyond the confines of the criminal trial. In *Morrissey v. Brewer*¹² the Court said that revocation hearings “. . . should be flexible enough to consider evidence including letter, affidavits and other material that would not be admissible in an adversary criminal trial.”¹³ This language did not directly mention the exclusionary rule, but did suggest the revocation hearing need not be treated as equivalent to a criminal trial. Furthermore, an overwhelming majority of states already held that the exclusionary rule generally does not apply to probation or parole revocation hearings. The decision in *Scott* not to apply



The ruling in Scott is a major victory for probation and parole officers. It allows the use of evidence, however obtained, in parole revocation hearings.

the exclusionary rule follows logically from these prior cases.

The ruling in *Scott* is a major victory for probation and parole officers. It allows the use of evidence, however obtained, in parole revocation hearings. This is an important decision, as parole revocations are becoming increasingly common as more and more individuals are placed on parole. There are currently in excess of 3 million people on probation or parole. And while this case dealt only with parole revocation hearings, it is likely the Court would similarly hold the exclusionary rule does not apply in probation revocation hearings.

Whether probation and parole officers will now choose to routinely ignore the Fourth Amendment prohibition on unreasonable searches and seizures remains to be seen. The

answer is likely dependent on the likelihood of being sued by the parolee for violation of their civil rights, or being disciplined by his or her department.

The larger issue in this case was whether a parolee can give valid consent to warrantless searches as a condition of parole, and whether “reasonable suspicion” was still required, even if such consent was obtained. The high court chose not to resolve this issue in *Scott*, for reasons unknown. It is likely to revisit this issue soon, as virtually all jurisdictions have consent to search as a condition of parole. Regardless, even if the court declares that such consent is invalid, so long as the exclusionary rule does not apply to parole revocation hearings, parole officers are free to search a parolee and use any evidence they uncover in a revocation hearing.

Endnotes

¹ A second purpose of the exclusionary rule is to promote the integrity of the judicial process by purging it of the taint of unlawful activity by state actors. See *Map v. Ohio*, 467 U.S. 643 (1961). While the Court in *Mapp* enunciated two rationales for the exclusionary rule, the Court in recent years has paid little attention to the promotion of judicial integrity, focusing almost exclusively on deterrence of police misconduct.

² *United States v. Calandra*, 414 U.S. 338, 348 (1974).

³ *Burdeau v. McDowell*, 256 U.S. 465 (1921).

⁴ *United States v. Calandra*, 414 U.S. 338 (1974).

⁵ *United States v. Janis* 428 U.S. 433 (1974).

⁶ *INS v. Lopez-Mendoza*, 468 U.S. 1032 (1984).

⁷ 483 U.S. 868 (1987).

⁸ *Pennsylvania Board of Probation and Parole v. Scott*, DN 97-581 (June 22, 1998).

⁹ *Morrissey v. Brewer*, 408 U.S. 471, 477 (1972).

¹⁰ *Id.*, at 480.

¹¹ *Pennsylvania Board of Probation and Parole v. Scott*, DN 97-581 (June 22, 1998) citing *Gagnon v. Scarpelli*, 411 U.S. 778, 788 (internal quotation marks omitted).

¹² 408 U.S. 471 (1972).

¹³ *Id.*, at 480. □

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Managing Sex Offenders in the Community: Challenges and Progress



Laurie Robinson

Today, a much-discussed topic within criminal justice—and among citizens at large—is the question of sex offenders and how best to respond to this population. It is not surprising that in recent years we have seen emerge countless newpieces of legislation, stiffer sentences, and, in some communities, turmoil over the presence of these offenders. One of the biggest challenges we face in criminal justice today is ensuring that the response to this public policy issue — how to deal with sex offenders — is a rational one.

Several months ago I read with interest an article in a Maryland suburban newspaper. The story described a 60-year-old man who had recently been convicted and placed on supervised probation for sexually molesting his step-daughter. With the barrage of stories in the media today about sex offenders, these kinds of articles are hardly unusual. But this story was different; in many ways, it brought to the fore the very real challenges those of us in criminal justice face in dealing with this offender population.

The focus of the story was on the offender's employment. The offender had recently lost his job. When he reported for probation, his probation officer rightly set stringent employment requirements. The offender secured employment with a sales company, and, shortly thereafter, was asked to represent the company at a business conference in another state. However, in order to leave the state, the offender needed the court's permission. At a court hearing, the sentencing judge was asked to weigh the importance of the offender's employment against the risk the offender posed to public safety, particularly in a far away community.

The employer was not aware of the offender's offense or probationary status. The nature of his work did not bring him into contact with children who could be victimized. The offender had no known history of predatory sexual abuse and, at 60 years of age, his only known victim was a child family member. The issue that unfolded in the hearing process was whether participation in a work-related, out-of-state conference would increase this individual's risk of reoffense. Should the community in the other state be alerted to his arrival? Should the offender be forced to inform his employer of his situation, risking job loss, in order to seek the assistance of the employer in establishing an accountability system while he was out of town? Should the request to travel be denied, jeopardizing the offender's employment? And a basic question—is there any way to accurately assess the risk a sex offender poses to the community?

The Unique Challenge Posed by Sex Offenders

With more than 234,000 sex offenders under the authority of corrections agencies in the United States today, and some 60 per cent of those under some form of supervision in the community, these are some of the very difficult questions we face every day in criminal justice—and particularly in probation and parole supervision—as we struggle to come to terms with this unique offender population and our critical obligation to safeguard the community from the risk of further victimization. No other offender population confronts us with such unique dilemmas. As this story illustrates, many sex offenders are very different from the "typical" offender population with whom we in criminal justice are accustomed to working. Many sex offenders do not have lengthy criminal records, severe substance abuse histories or unstable lifestyles. So in almost every way—from the nature of their offense, to the nature of the offender, to the difficulties posed in protecting the community from these crimes—sex offenders pose a unique challenge.

In the last decade, we have witnessed a veritable wave of legislative activity responding to the unique challenge of sex offenders. Ten years ago, community notification was nearly unheard of. Today, 48 states have community notification legislation and states across the country are working to establish automated computer systems to track registered sex offenders. These efforts reflect our country's recognition that sex offending is among the most egregious of crimes. Its impact on its victims is severe and long lasting. Yet the reality is that most sex offenders—even those with long sentences—will be back in the community at some point. And without some kind of informed, rational response, no amount of legislating will eliminate sexual offending.

This poses a critical challenge for the criminal justice system and the broader community at large—how can we effectively manage these offenders without risking public safety and without undercutting the offender's ability to get back on a crime-free path?

To further complicate this issue, we know that many citizens want to know who is living in their midst and that sex offenders are usually unwelcome neighbors. Yet, in order to successfully turn their lives around, sex offenders must maintain productive lifestyles, with stable housing, gainful employment and other positive activities. Hostile communities, ostracization and even acts of vigilantism hinder sex offenders' successful transition to crime-free behavior. How can we in criminal justice help balance these competing interests?

BY LAURIE ROBINSON

Drawing on “Lessons Learned”

Two years ago I decided to try to find an answer to this critical question. With the able assistance of my special counsel, Marlene Beckman, I began by calling on a number of dedicated professionals from the justice, treatment and science communities to determine what knowledge already existed and what conclusions could be drawn from “lessons learned” in the criminal justice, science and treatment fields on the issue of sex offenders. As a result of our discussions and exploration of this very complex issue, we decided to convene a National Summit on Promoting Public Safety Through the Effective Management of Sex Offenders. We brought together both criminal justice and treatment professionals, as well as leaders from the crime victims’ advocacy community, and state and local government officials, and asked their advice on how the Justice Department could play a leadership role in promoting the effective management of sex offenders who are under criminal justice supervision in the community.

A number of important recommendations emerged from the summit, and the Justice Department’s Office of Justice Programs has already sponsored a number of new initiatives as a result—ranging from a variety of new research projects designed to develop juvenile sex offender typologies, testing the usefulness of the polygraph and national surveys of probation and parole supervision practices. But one of the most persuasive recommendations emerging from the summit was that we need greater collaboration across the various disciplines involved in this issue. As a number of jurisdictions around the country have already discovered, business as usual just does not work with sex offenders. Traditional supervision methods—such as having offenders routinely report in to the supervising agent’s office, as opposed to conducting field checks, and allowing offenders to maintain a veil of secrecy about their “private” activities—does not work with sex offenders. Simply sending an offender to a qualified mental health professional does not ensure appropriate treatment, and simply monitoring participation in treatment is ineffective. Moreover, when prosecutors plea bargain sex offense cases, they often diminish the likelihood that a sex offender will receive the necessary supervision. And when judges fail to support the supervision agency by allowing it to put into place the controls needed to maximize public safety, probation and parole staff cannot effectively do their jobs.

Over 20 years ago, Sam Olsen, a parole officer in Jackson County, Oregon, first sounded the alarm about these kinds of ineffective sex offender management practices. To remedy this situation, he brought all of the local system actors together and helped them to see that a criminal justice system that does not collaborate does not serve the public well. He helped them to realize the impact they could have on sex offenders if they all worked together to coordinate the criminal justice response. Working collaboratively, Jackson County practitioners established a system for closely examining and monitoring the policies and practices that determine how sex offenders will be handled. Today, 20 years later, Sam’s collaborative approach stands as a model for jurisdictions across the country in effectively responding to the challenges posed by sex offenders.

Building on Progress

At the Office of Justice Programs, we are committed to building on this progress. As part of this effort last year, OJP, together with the National Institute of Corrections and the State Justice Institute, established the Center for Sex Offender Management, which provides training and

technical assistance to state and local agencies around the country on developing effective strategies to manage sex offenders in the community. The Center works closely with the American Probation and Parole Association in this initiative.

With the assistance of the APPA, the Center for Sex Offender Management provides training programs at national conferences, individually tailored training programs for state and local professionals, on-site consulting services, monitors the progress of a number of experienced sites, and synthesizes and disseminates information to the field on key policy and practice issues. OJP is committed to continuing support for this important project and to expanding this effort, as future funding allows, to focus on improving the response to sex offenders in Indian Country and other areas. Our goal is to provide assistance to jurisdictions as they attempt to better understand this unique offender population, and to work together to make our communities safer.

Conclusion

Today, although we continue to wrestle with the policy dilemmas sex offenders pose for our nation, we are seeing progress across the country in dealing with these difficult issues. Criminal justice no longer shies away from dealing with the issue of sex offenders. Despite the public’s very real fears—and our own—the criminal justice system is meeting the challenges posed by this special population. More and more, criminal justice, treatment and other professionals are working collaboratively to improve the management of sex offenders, while at the same time helping these offenders to build the internal controls needed to manage their own behavior.

In particular, probation and parole staff are mobilizing their colleagues to reexamine traditional practices and forge new approaches to managing offenders. Probation and parole staff are no longer anchored to their desks, but are going out into the community to more closely supervise offenders, to participate in community meetings to respond to citizen concerns, and to build partnerships with law enforcement, treatment providers and victim advocates.

There is no single group of individuals for whom I have more respect than the men and women who are dedicating themselves to this field, unraveling its complexities, and rising to its challenges. They are among our greatest public servants. □

Laurie Robinson is the Assistant Attorney General under the Office of Justice Programs, U.S. Department of Justice in Washington, DC.

A note to readers: For further information about the Center for Sex Offender Management, contact Madeline M. Carter, Project Director, or Carl Wicklund, Executive Director, American Probation and Parole Association, at the following:

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Re-Engineering

IN COMMUNITY CORRECTIONS

RE-ENGINEERING IN COMMUNITY CORRECTIONS

A presentence investigations unit consisting of 59 officers, completing over 1,000 reports per month is growing at a rate it had not previously experienced. Seven units in three regional offices cover a county of the second largest court system in the country. How can they continue to handle this incredible demand? They also know the organization needs to add a comprehensive offender assessment component at the presentence investigation stage, as minimal objective measures are being used to identify risk and need. Management could continue to throw human resources at this division and demand more from its staff, but to what end? If so, within five years the division will double its staff. Budgets are already stretched too thin, and personnel requests are the last area the Office of Management and Budget is willing to expand. At the same time, the need to address growth in resulting field officer caseloads and assist the county effort to reduce jail overcrowding is mounting. All of this at a time of reduced funding and low staff morale.

This was the predicament Maricopa County Adult Probation in Arizona faced in 1994. Instead of throwing more staff at the problem, the organization did what most community corrections agencies are reluctant to do. They looked at proven corporate business practices and applied those to traditional probation work. Specifically, management's approach was to apply business process re-engineering (BPR) to solve their process problems. BPR has become a management tool utilized by private industry to dramatically improve mission performance gains, and has been associated, sometimes negatively, with corporate downsizing and reduction in work force.

WHAT IS "RE-ENGINEERING"?

For a good definition of re-engineering one should turn to the father of the term, Mike Hammer, author of *Re-engineering the Corporation*. He writes, "Re-engineering means radically changing how we do our work." And by work Hammer means, "the way in which we create value for customers, how we design, invent and make products, how we sell them, how we serve customers."

Russell Linden, author of *Seamless Government: A Practical Guide to Re-engineering in the Public Sector* states, "Re-engineering requires us to challenge the fundamental assumptions on which bureaucracies are built and radically redesign these organizations around *outcomes* rather than *functions* or departments." These two definitions have one word in common: radical. BPR is not incremental improvement or simply improving upon existing processes. True re-engineering effort results in dramatic changes in work processes, organizational thinking and how we see the world. These concepts or management approaches have traditionally been ignored in community correction agencies. Restorative Justice, prevention initiatives and community justice philosophies will push community corrections policy development in the decade to come. Re-engineering will become an important tool for agencies struggling to adapt.

By ZACHARY DALPRA AND MARK J. HENDERSHOT

Figure 1 identifies the differences between process improvement and re-engineering. Depending on the type of improvement needed, incremental or quantum, and what is possible in the organization in terms of design potential (has it already been reached?) one would choose re-engineering or improvement.

PREREQUISITES FOR SUCCESSFUL CHANGE

To successfully change an operation using re-engineering principles, the following values must be in place:

- **Vision:** The agency must have a clear picture of **what** it will look like.
- **Purpose:** A compelling justification **why** a need exists to make operational change.
- **Strategy:** **When, where** and **how**.
- **Leadership:** The body of leaders must subscribe to being agents of change.

STAFFING AND GARNERING SUPPORT FOR RE-ENGINEERING

Once your organization has determined re-engineering is the right solution for your circumstances, careful assembly of the teams is crucial. Successful re-engineering requires a unified effort from many levels of the organization. Warren Bennis & Michael Mische in their book “The 21st Century Organization – Reinventing Through Re-engineering” list the following individuals or groups needed to successfully complete a re-engineering effort:

The first is the Executive Sponsors who exist as guarantors of the effort and who set the direction. Their objectives should be driven by the agency mission. They also serve to motivate staff. They must be well versed on the difficulties involved and prepared to keep operational decisions congruent with the re-engineering themes.

The second tier team is the Re-engineering Steering Committee. This group is comprised of director and supervisory staff who can establish the parameters, develop strategies and policies, eliminate barriers and resolve issues of scope and impact. These people should be creative thinkers who can “get out of the box” and anticipate futuristic trends.

Leading the endeavor is the Transformational Leader. This is your “big picture” person who is well versed in the literature and concepts of Re-engineering, and coordinates all of the re-engineering projects. They are the source of knowledge: the “guru.” They lead the Design Team in keeping the group focused.

The Process Champion works in conjunction with the Transformational Leader and is most knowledgeable of the system to be redesigned. This person has a firm grasp of the day-to-day operational mechanics, is a member of the Design Team and becomes the leader of the Implementation Team.

The Re-engineering or Design Team is comprised of individuals from the various disciplines of the system to be redesigned. Diversity is a plus. Diversity of position, personality, knowledge level and even buy-in is important. Often times, the benefit of rookies, challengers, cynics and questioners are overlooked when assembling a team. They will ask hard questions, forcing you to examine your system. Their primary function is to carry out the steps of mapping, analyzing and redesigning your system. Try to keep your team limited to seven to ten members. The team is lead by the Transformational Leader and Process Champion.

The Implementation Team is crucial to the success of your project. People who are flexible and creative are ideal. Get your team schooled on Re-engineering principles and keep the team informed of each change as it occurs. The Implementation Team was not included by the referenced authors, but was added as a necessarily targeted group, who carries the responsibility to carry out the redesigned process. This team requires the most attention and greatest resources as this change in business culture and thinking requires focus and care.

PRINCIPLES OF RE-ENGINEERING

Linden provides a number of principles underlying Re-engineering which are critical to understand in any effort of this nature.

Organize around outcomes, not processes.

Building your new system to cater to the final product will ultimately give better results than constructing processes which prefer traditional methods for achieving goals.

Substitute parallel for sequential processes.

Traditionally, work is performed one step at a time. The more steps in the process, the greater likelihood for errors. New technology allows for simultaneous contribution by multiple workers. Many tasks and processes can be performed in parallel.

Bring downstream information upstream.

Gather your information as soon as it is available. Information can be assessed anytime, any place; but it is most valuable when gathered up front.

Capture information once, at its source.

Identify the best source for information and capture it once. With the flexibility of today's databases and data sharing capabilities, application of data gathering for the purposes of verification is counterproductive and expensive.

Provide a single point of contact.

The more people we encounter in obtaining a service, the more dissatisfied we become. This requires an organizational mindset shift, from a “specialist” to a “generalist.”

Ensure a continuous flow of the main sequence.

Speed and user friendliness is the key to consumer satisfaction. When re-mapping your system, emphasize the steps your customers would find valuable and eliminate those they would not.

FIGURE 1

	Continuous Improvement	BPR
<i>Improvement</i>	<i>Incremental</i>	<i>Quantum Jump</i>
<i>Process Map</i>	<i>“As-is” - “Should Be”</i>	<i>“As is - “Could Be”</i>
<i>Duration</i>	<i>Long, Ongoing</i>	<i>Short, high intensity</i>
<i>Success Rate</i>	<i>60% to 70%</i>	<i>30% to 40%</i>
<i>Analogy</i>	<i>Hitting Singles</i>	<i>Grand Slam</i>
<i>Key question</i>	<i>How can we improve what we do?</i>	<i>Why do we do what we do?</i>

Don't pave cow paths; first re-engineer, then automate.

When automating, it is important not to replicate traditional, familiar or comfortable processes. Technology is wonderful but it only amplifies the traits of your design. This applies equally to weaknesses as it does strengths. Automation is a last, not a first step.

HOW TO CARRY IT OUT

Identify who you are as an agency and your customers.

Conduct an evaluation of your programs to determine your customers, goals, activities and desired outcomes. Most important are your customers' desired outcomes. Consult with subcommittees from each function within your department comprised of a representative from each level, from typist to manager. Don't be afraid to consult with the customers you identify in the process if you have any doubt what it is they need and expect from your organization.

Map your current processes.

Use a flow chart software package to plot each detailed step necessary to produce your outcome. First identify every activity conducted by each employee in your process. Then, using different symbols and color coding, identify the type of activity; description, unit type or department conducting the activity; interfaces with adjoining agencies, departments and customers; and the point in which each unit completes their contribution to the process.

Analyze the results of your mapping.

This is where your Design Team steps in. Look for patterns in work flow, i.e., identify the number of times work changes hands (hand-offs); number of times a name is written or entered into a system; the number of times documents are photocopied; the time it takes to complete the task, etc. This analysis is important to identify the strengths and weaknesses of the current process.

Start over with a clean sheet of paper.

Using your stated mission and identified goals, list your desired outcomes and work backward. Design a new work process utilizing re-engineering principles that center on obtaining your desired outcomes.

WARNINGS

Re-engineering is a gigantic leap requiring full commitment from management. It is not a pilot project nor is it an experiment. It cannot be stated in a tentative manner. If an agency must first pilot the process to learn how its change will work, the agency must first make a firm commitment and involve many people; not just those in the pilot. The new design is (and should be) a radical departure from the way work was conducted in the past. Preparing staff for the changes and managing the unavoidable chaos which requires considerable management skills and attention to the concerns of individuals. Re-engineering is a culture change. There may be no tougher culture to change than that of community corrections.

The time it takes to re-engineer and the resources necessary are considerable. As you begin to make redesign changes, other systemic deficiencies will become glaring. These will play a factor in your overall implementation.

CLOSING

Maricopa Co. Adult Probation's experience with business process re-engineering has proven successful and continues to play a significant role in its management approach to business issues. Maricopa County

Adult Probation has not experienced the negative effect of layoffs or loss of jobs, which have been connected to other re-engineering efforts. The presentence division continues to effectively handle a significant rate of growth in offenders serviced (25 percent increase in 1997) while limiting, and in some cases reducing, the number of staff in the division. One dramatic difference is that para-professionals are now conducting all of the fact-finding work of presentence investigations including offender interviews. Probation officers are now responsible for evaluating the data and developing a sentencing recommendation. This has reduced the need for officer positions in the division, allowing more resources to be used in supervising offenders.

Not only has the department seen a benefit, but the court and jail system also benefits as presentence reports, which typically took 28 days to complete, are now taking 21 or fewer days. This promises a dramatic saving to the County in daily jail beds saved. This is directly a result of re-engineering efforts.

Agencies wanting more information on how to re-engineer are encouraged to investigate both private and public agencies that have experienced these projects. These include IBM, The San Diego Zoo, Lakeland Regional Medical Center in Florida and many others. Numerous books and articles have been written on the subject. We found two books absolutely invaluable: *Seamless Government: A Practical Guide to Re-engineering in the Public Sector*, Russell Linden Jossey-Bass Publishers, 1994 and *The 21st Century Organization – Reinventing Through Re-engineering*, Warren Bennis and Michael Mische Pfeiffer & Company, 1995.

The process of re-engineering has allowed Maricopa County Adult Probation Department to address the increasing demands of the justice system and the community by looking within the organization rather than asking for more from its funding sources. It has opened dialog with numerous community and government agencies, both creating new and strengthening established partnerships. It is clear that business practices can apply to how government agencies operate and at the same time save taxpayers precious resources and funds.

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Field Test of the

LSI-R

A Study Of Offenders Under Intensive Community Supervision

The assessment of risk for re-offense continues to be an important concern for governmental agencies assigned the task of providing adequate supervision and treatment to offenders. O'Leary and Clear (1984) assert that concern for risk for re-offense involves both attempting to change the basis for the risk and managing the risk imposed by offenders even when change is not possible.

Additionally, O'Leary and Clear (1984) noted that appropriate offender control requires it be based upon a valid method of determining individuals who require special treatment. They also posit that statistical prediction uses information in a systematic way and have proven useful in probation supervision. However, static risk prediction remains subject to the effect of situational contingencies, both personal and social (O'Leary & Clear, 1984).

Statistical risk prediction has evolved as a means to allocate resources appropriate to level of concern for re-offense. Jones (1994) stated that statistical risk prediction:

...has changed from a somewhat esoteric and academic exercise, rarely applied outside the study of delinquency or parole decision, to center stage of criminal justice policy and decision making...Applications of prediction research have broadened to include predictions of decision-making (sentencing, pretrial, parole, probation supervision, custody level and juvenile referral/disposition) as well as behaviors (recidivism, violence and even suicide)...The increased demand for predictive research has created some problems, most notably a plethora of poorly conceptualized and/or conducted research studies, and a tendency among practitioners to accept, almost without question, 'off the peg' risk instruments that were

developed in different settings, for different population, and even with different predictors...Whatever the data, and whatever the approach used, it is critical that a prediction device is validated.

The LSI-R (Level of Service Inventory - Revised) has been reported to systematically assess both dynamic and static risk for re-offense, which successful case management strategy demands (Motiuk & Bonta, 1985; Motiuk, 1993). Some scholars and practitioners have proven that criminal activity is related to dynamic variables including attitude, values and beliefs, which may change over time (Andrews & Bonta, 1994; Bonta, Parkinson, Pang, Barkwell & Wallace-Capretta, 1994). Furthermore, research has shown that a careful monitoring of change in risk over time to determine appropriate level and intensity of supervision of offenders "works" (Andrews, Zinger, Bonta, Gendreau & Cullen, 1990).

Intensive community supervised settings provide a somewhat unique arena where both punishment and treatment are often coupled to promote public safety by limiting opportunities for re-offense, holding offenders accountable for crime and providing treatment and educational services. Intensive supervision "would be reserved for those who are classified as posing a significant risk in terms of committing a new offense" (O'Leary & Clear, 1984). As offenders are intensively supervised and treatment is provided, over time their individual dynamic needs are subject to change. Reductions in need have been associated with reductions in risk for re-offense. The necessity of monitoring the change in static and dynamic risk over time is critical to successful supervision and offender rehabilitation.

BY BONNIE KIRKPATRICK



Data Gathering Process

Information was gathered from the case management files of each case and from selected tests administered to offenders upon intake into the program. Information was coded for entry into the SPSS version 6.1, a statistical software package. The relevant documents included presentence investigation reports, screening reports, resident rosters, contact logs, participant interviews, electronic daily summaries, weekly schedules, the LSI-R interviews, written violations and incident reports. Due to escape and early termination, some offenders were released from supervision without having been tested or interviewed.

Findings

Basic demographic information including age, gender, race and presenting offense status was retrieved and analyzed in order to further assess the ability of the LSI-R to differentiate between various subgroups. Additionally, total LSI-R scores, risk categories and needs categories were separated and monitored over time to assess their individual contributions to predictability of outcome.

Age

The range of ages of offenders studied was 17 to 69 years of age. The mean age of an unsuccessfully terminated offender was 31.12 years with a standard deviation of 8.53 years (93 cases). On the other hand, the mean age of an offender released successfully was 32.77 years with a standard deviation of 9.59 years (209 cases).

Furthermore, when using the LSI-R, correlations between scores and age were found to be weak to moderate ($r = .11$ to $.29$); however, these correlations were statistically insignificant at a .05 level.

Gender

During the period under study, about one-fifth of the offenders were women and four-fifths were men. Of the 93 cases where offenders were terminated early due to violations or escape, about 38.9 percent of all females (or 28) were unsuccessfully terminated. On the other hand, 28.3 percent of all the males (or 65) failed. These results were not statistically significant at the .05 level.

Additionally, the LSI-R was able to differentiate between male and female offenders who were supervised up to three months. Females scored a mean of 25.85 on the LSI-R, compared to males who scored a mean of 20.04. This result was statistically significant at a .0002 level. The LSI-R was not able to successfully differentiate male and female offenders who were supervised for longer periods of time. While there were small differences in the means between the groups (less than 2.5), the results were statistically insignificant at a .05 level.

Race

Race categories included white, black, Hispanic and Asian. Of the 93 terminated offenders, and at a statistically significant level less than .05, it was determined that 65.6 percent of the terminated offenders were black, 30 percent were white, and 4.3 percent were Hispanic. In comparison, the blacks represent 43.1 percent of the total population, while 52 percent of the population were white and 4 percent of the population were Hispanic. With 138 reported cases of offenders under supervision for up to three months, the LSI-R did not successfully differentiate blacks from whites. The difference in means was less than .3 and was statistically insignificant at a .05 level. For offenders under supervision for up to nine months, the difference in means between blacks and whites was .7 at an insignificant level. However, for offenders

Aims Of Study

This study was intended to field test the LSI-R and investigate the relationship between offender static risk, dynamic needs and both pre-release and post-release outcomes in an intensive community supervised setting. Furthermore, the study attempted to clarify the ability of the risk prediction tool to differentiate between subgroups.

Sample Selection

There are two statutes in Indiana used by Allen County Community Corrections for placement including IC 35-38-2.5 et seq., which applies to suspended sentences, and IC 35-38-2.6 et seq., which applies to a commitment order that is suspended (non-suspendable offenses). The sample of cases for the study included every individual under supervision of home detention in one northeastern Indiana county from October 1996 to January 1998. This population included 484 male and female offenders. Some of these individuals are still under supervision; therefore, references to release outcome and post-release outcome of these individuals has been eliminated from discussion and analysis. At the completion of this study, 302 offenders had been released from intensive community supervision. Eighty-two of these individuals had reached the six-month post-release date and were included in post-release analysis. Eligibility guidelines for entry into an intensive community supervised setting that was established by Indiana State statute limited the sample generally to offenders who did not have a history of violent crime (including sex crimes), who had a permanent place of residence with working phone service and who were mentally stable.

TABLE 1

Response frequency and failure rate (%) by items on the Risk Scale

Item (category)	Frequency		Supervision Failures		
		r	%	n	p
Prior adult convictions	82.7	.15	33.0	76	**
Two or more prior convictions	67.5	.07	32.0	60	ns
Three or more prior convictions	49.8	.11	34.8	48	ns
Three present offenses	13.0	.03	33.3	12	ns
Arrested before age 16	30.7	.03	31.7	24	ns
Previous incarceration	62.8	.24	38.5	67	***
History of escape	3.0	.13	60.0	6	*
Punished institutional conduct	16.0	.03	33.3	15	ns
Previous revocation	49.4	.22	40.1	55	***
Official record of assault	39.4	.05	33.0	36	ns

Note: ***<.001, **p < .01, *p < .05; ns=nonsignificant

supervised up to one year (17 cases), blacks scored a mean of 22.25 compared to whites who scored 14.67. This difference was significant at a .03 level.

Presenting Offense Status

Of the 484 offenders under intensive community-based supervision, about 90 percent of the offenders were serving sentences for B,C and D class felony crimes (excluding violent assaults). Another 10 percent were serving sentences for A, B, C and D class misdemeanors. About 44.2 percent of the convicting causes involved drug and alcohol offenses, including such crimes as possession of controlled substances, operating while intoxicated and possession of drug paraphernalia.

Risk Prediction

With results taken from the initial LSI-R interview, Table 1 shows the percentage of responses for each category of item on the risk scale of the LSI-R, the corresponding failure for adults under intensive community-based supervision, and the relationship between each item and release outcome. Overall, the study established the predictive validity of the risk scale. With 277 offender cases contributing to the correlational analysis, the relationship between the risk scale and release outcome was $r = .18$. This correlation was statistically significant at a .003 level. However, only four of the items on the scale by themselves were both statistically significant at least a .05 level and had at least weak to moderate correlations to outcome. These items included previous adult convictions,

previous incarceration upon conviction, escape history and previous revocation. While "three or more prior convictions" was found to have a weak correlation, it was insignificant at a .05 level.

The table further indicates that two-thirds of the offenders were previously incarcerated and had a history of two or more adult convictions. Also, the table suggests that over four-fifths had a history of adult conviction and that about half of the offenders had three or more adult convictions. About two-fifths indicated a previous history of assault or violence including battery and resisting law enforcement.

The low frequency of some of the remaining items and the very weak correlations of the items to release outcome limit their ability to be individually predictive.

With results taken from the initial LSI-R interview, Table 2 shows the number of offenders who indicated a need in each specified need area. For each identified need area, the table shows the distribution of early terminations and successful releases associated with each need area. Cross tabulations demonstrated that five of the nine dynamic need areas were statistically significant, including employment/education, finance, leisure/recreation, companions, and emotional/personal. Furthermore, the need area that affected the largest percentage of the population was companions. About 95 percent of the offenders suggested that they identified with criminal others. Similarly, about 93.3 percent of the offenders indicated problems in maintaining employment and educational requirements. Difficulty with family and marital relations impacted about 88.7 percent, while about 86.3 percent reported problems with drug and alcohol.

TABLE 2

Response Frequency and failure rates (%) by items of the Needs scale

Dynamic Need Item	Frequency		Supervision Failures	
		r		p
Employment/Education	93.1	.25	32.6	*
Finance	76.0	.16	41.5	*
Family/ Marital	88.6	.13	34.6	*
Accommodations	53.6	.11	33.3	ns
Leisure/Recreation	81.8	.19	37.1	*
Companions	92.3	.18	32.0	*
Alcohol/Drug	86.5	.09	26.9	ns
Emotional/Personal	62.4	.15	48.3	*
Attitude	65.3	.10	31.8	ns

Note: ns=nonsignificant; *p<.05

TABLE 3

Release Outcome and LSI-R Score			
Test administered	r	n	p
LSI-R *interviewed at intake	.27	138	*
LSI-R *interviewed at 3 months supervision	.40	88	*
LSI-R *interviewed at 9 months supervision	.29	31	ns
LSI-R *interviewed at 12 months of supervision	.60	17	*

Note: ns=nonsignificant; * $p<.05$

About 36.1 percent of the offenders were currently unemployed, 42.6 percent indicating less than a twelfth grade education. Admission of current drug problems were indicated by 41.8 percent, with another 26.4 percent of the population describing current alcohol problems. Furthermore, a statistically significant relationship ($p<.05$) between attitude toward supervision and release from home detention was determined. About 23.4 percent of the 474 offenders interviewed indicated an attitude poor toward supervision. However, of this 26 percent who reported a poor attitude toward supervision and need for treatment, 40.3 percent (or 29) of these offenders, ultimately violated the conditions of home detention and were terminated from the program.

The LSI-R was administered every three months while offenders remained under supervision. It was discovered that the correlational relationship between need categories and release outcome from intensive supervision changed over time, as measured by each LSI-R interview. A statistically significant correlation of .25 at the .05 level was found between employment/education and home detention release when offenders were initially interviewed at the beginning of their supervision. This relationship remained stable at the second point of interview and after three months of supervision, but two additional need categories paralleled in significance and strength at that time with attitude and leisure / recreation categories demonstrating a .24 correlation. However, at the third interview after six months of supervision no significant correlations between the need categories was demonstrated. Thereafter, when offenders were interviewed the fourth time at nine months of supervision, stronger correlations to outcome emerged. Financial and companions correlated at a statistically significant ($<.05$) .59 and .51 respectively.

Table 3 highlights that statistically significant moderate to strong relationships (.27, .40, .60) were demonstrated between overall scores on the LSI-R and release outcome at first, second and fourth

interview. The third interview, although moderately correlational, was not statistically significant. Since offenders were interviewed every three months while they were being supervised, the last LSI-R score obtained, which was indicative of the offenders' recent needs, was correlated to supervision outcome.

Table 4 indicates that the LSI-R score of offenders (supervised up to three months), who did not violate the conditions of intensive supervision and were subsequently successfully released were at a statistically significant level lower than those of offenders who recidivated post-release. Releases were categorized as pre-release, satisfactory, conditional and unsatisfactory. Due to court order, pre-released offenders were allowed to leave supervision prior to previously assigned release. Conditionally released offenders are those offenders who have not paid fees associated with provision of supervision. Fees are imposed to cover cost of treatment services, electronic monitoring services and educational programming and associated supplies.

For this study, post-release recidivism is defined as arrest within six months of release from intensive supervision. Previous research with this population suggested that 60 percent of the recidivists who were initially successfully released from intensive community-based supervision recidivated within six months of release (Kirkpatrick, 1996). Therefore, six months was utilized to compare LSI-R score means between release types.

The lowest means, suggesting fewer need and risk factors, included satisfactorily released offenders. The means of conditionally released offenders demonstrated static risks and dynamic needs higher than those of the successful satisfactory released offenders, but lower than pre-released offenders.

Table 5 demonstrates that the LSI-R scores of offenders who were under supervision for up to six months were at a statistically significant level and were generally lower for nonrecidivists. Conditionally released offenders were the exception. The mean LSI-R score of conditionally released offenders who recidivated post-release was 24.0 compared to 26.0 of conditionally released offenders who did not recidivate within six months of release.

Furthermore in comparing offenders supervised for up to three months with those supervised for up to six months, all release types supervised up to six months demonstrated higher means. For example, the mean of a satisfactorily released offender who was supervised less

TABLE 4

Post Release Outcome and Mean LSI-R Score of Offenders Released with up to 3 months Supervision			
Outcome	Mean LSI-R	Std. Dev	Cases
6 mo. recidivism after satisfactory release	19.27	7.98	11
6 mo. recidivism after prerelease	25.50	9.19	2
6 mo. recidivism after conditional release	20.00	1.41	2
no recidivism after satisfactory release	15.37	5.6	16
no recidivism after prerelease	20.00	*	1
no recidivism after conditional release	18.00	11.31	2

Note: significance .005

TABLE 5

Post Release Outcome and Mean LSI-R Score
of Offenders Released with more than 3 and less and 6 months Supervision

Outcome	Mean LSI-R	Std. Dev	Cases
recidivism after satisfactory release	19.33	6.48	12
recidivism after prerelease	20.00	*	1
recidivism after conditional release	24.00	*	1
no recidivism after satisfactory release	17.47	6.09	21
no recidivism after prerelease	19.00	7.07	2
no recidivism after conditional release	26.00	*	1

Note: significance= .02

than three months was 15.37. In contrast, the mean of a nonrecidivating satisfactorily released offender who was supervised up to six months was 17.47. Since length of time under supervision is related to type and class of entering offense, the difference in mean needs and risks scores suggests that the severity of crime committed is related to measured needs and risks.

The LSI-R provides for a maximum of 44 points for all nine large areas of need. Employment/education is weighted most heavily providing for a possible 10 points. Alcohol/drug problem allows for an additional 9 points. Next heavily weighted is companions and emotional/ personal categories, allowing a possible 5 points each. Family/marital and attitudes/ orientation provided 4 points. Accommodations awarded 3 points, and leisure/recreation and finance awarded 2 points each. Therefore, the categories most likely to impact the total need score are the employment/ education and alcohol/drug need areas.

Table 6 demonstrates that offender needs declined over time, at each successive administration of the LSI-R. Every three months offenders were interviewed to monitor their need changes. Table 6 indicates that 464 offenders were interviewed one time only. Another 238 were interviewed a second time at their third month of supervision, while 79 offenders received a third interview at their six month of supervision. Sixty-nine offenders, who were supervised from nine months to up to one year, received a fourth interview.

Table 6 also indicates that the statistically significant relationships to program release were moderate to strong, with correlations ranging from $r = .28$ at the first administration of the LSI-R to $r = .61$, which was the last interview done between the ninth and twelfth month of intensive community-based supervision. Furthermore, the most limited change in needs represented by $-.07$ occurred at the point of the third interview. At the fourth interview, an importantly large change in need of -2.61 that corresponded with another large change ($+.26$) in correlation to release outcome was demonstrated.

TABLE 6

Relationship between Mean Need and Outcome upon Successive Interviews

Administration	Mean	Std. Dev	n	r
Need (1)	17.67	6.54	464	.28
Need (2)	16.27	5.81	238	.38
Need (3)	16.20	6.38	79	.36
Need (4)	13.59	6.54	69	.61

Note: significance= .05

Discussion

The results of the study confirmed the ability of the LSI-R to predict outcome of offenders under intensive community supervision. More specifically, the findings of the study indicated a consistently moderate to strong relationship between the identified need areas and release outcome. However, while a statistically significant moderate correlation to outcome was defined using the risk scale on first interview, further assessments of risk were not significant and demonstrated low correlations. Furthermore, by separating the items of the risk scale, the study reinforced those static risk variables that might serve to indicate

limiting criteria policy for entry into a community-based supervised setting, such as history of previous revocation.

Further investigation is warranted regarding the relationship between release outcome and length of time under supervision. In particular, the limited ability of the LSI-R to predict outcome of individuals supervised from six to nine months is problematic. It would appear that other variables not sufficiently measured by the LSI-R impacts offenders at this point of their supervision.

Finally, this study suggests that case management based upon level of risk as measured by the LSI-R is recommended.

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Developing Partnership for Gang Intervention:

The Role for Community Corrections

Introduction

After nine years of rising rates of violent juvenile crime, public concern over juvenile crime is at a high. Even with recent downturns in the overall violent juvenile crime rate and the juvenile homicide rate in particular, there is little indication of any tempering in the public's call to the criminal justice system to "do something" about juvenile crime. At the center of public concern, as a factor associated with the increase in violent juvenile crime, are youth gangs. With research reporting increases in the number of juvenile gangs, important organizational changes and the contribution of gangs to the juvenile homicide rate, reasons for concern may be valid.

Criminal justice agencies across the nation are responding to the public's call to do something about violent juvenile crime and youth gangs. The typical response of the criminal justice agencies is suppression. However, a growing number of programs initiated by these same agencies combine suppression techniques with a wide variety of innovative programs that focus on prevention, opportunity provision and mobilization of community resources. One key feature of many of these programs is the partnerships they establish with other criminal justice and social service agencies and the community. Of the various agencies of the criminal justice system, it is the police who are at the forefront in developing partnerships. The move toward community policing provides a general framework within which partnerships for dealing with youth gangs can emerge.

In this paper we discuss the problem of youth gangs today and the

need for continued development of programs that utilize partnerships among the agencies of the criminal justice system and the community. In particular, we examine the role community corrections can play in dealing with youth gangs by the development of partnerships with both the other agencies of the criminal justice system and the community. The paper begins with a discussion of recent research on juvenile gangs that points to important changes in past years. The discussion then turns to a review of traditional and developing responses of the police and community corrections. The paper ends with a presentation of results from a recent survey of Texas cities on juvenile gangs.

Youth Gangs Today

Given the possible role youth gangs play in overall juvenile crime rates, information on the number and nature of youth gangs is important for those interested in the control and prevention of juvenile crime. Though it is difficult to assess the number of gangs, obtaining reliable estimates of gangs and their activities is important for policymaking. A recent bulletin from the National Institute of Justice reports on two estimates, based on law-enforcement reports, of the number of gangs, gang members and gang-related crimes – one they call a "conservative estimate" and the other a "reasonable estimate" (Curry, Ball and Decker 1996). The conservative estimate places the number of gangs in 1993 at 8,625, the number of gang members at 378,807 and the number of gang-related crimes at 437,066. Using this estimate, 1993 saw an increase from 1991 of 76.7 percent in the number of gangs, 51.9 percent in gang

BY RUSH TRIPLET AND TOBY ROSS

members and 843 percent in the number of gang-related crimes.

As striking as the increases suggested by the conservative estimate are, the reasonable estimate of each of these figures is substantially higher. The reasonable estimate of the number of gangs in 1993 is 16,463, with 555,181 gang members and 580,331 gang-related crimes. Taking this estimate as the comparison, 1993 saw an increase over 1991 of 241 percent in the number of gangs, 122.7 percent number of gangs members and 1,152 percent in the number of gang-related crimes. Whichever figure is used – the conservative or the reasonable estimate – the report finds a substantial increase in the number of gangs and their activities.

Recent years have brought more than an increase in the number of gangs and gang activity. Researchers have also uncovered a number of important changes since the 1950s and 1960s in the nature of gang activities and the structure of gangs. In terms of gang activities, there are two particularly striking findings. First, a number of researchers have found evidence that gang activities are becoming more lethal because of the increased sophistication of their weaponry (Klein and Maxson 1989; Spergel 1990; Miller 1975). Second, research also suggests that youth gangs are becoming increasingly involved in drug use and drug trafficking (Klein and Maxson 1990; Fagan 1990) with more involvement of individual gang members in drug use and sales (Spergel et al., 1994).

Structural changes in gangs have also been indicated. There is evidence that youth gangs, once considered a phenomena of large urban areas, are developing in smaller towns and cities (Hagedorn 1988; Klein and Maxson 1989; also Spergel 1990; Curry, Ball and Fox 1994). Research also finds that more youths are remaining in gangs well into their adult years (Klein and Maxson 1989; Hagedorn 1991) rather than aging out as in previous years. In terms of gender, while it is estimated that males outnumber females 20 to 1 (Spergel et al. 1994), research indicates an increasing involvement of females though there are few all female gangs. Finally, Spergel (1990) reports on changes in the racial composition of gangs. Unlike the past, today "...mixed race/ethnic membership patterns are not uncommon in many states although black gangs tend to be all black" (Spergel 1990: 212-213).

Community Policing and Response to Youth Gangs

Over the years, a wide range of activities developed as the public and the criminal justice system began to respond to the problem of youth gangs. Spergel and Curry (1990) list five different strategies that have been used: (1) community organization or neighborhood mobilization; (2) social intervention, which involves youth outreach and street work counseling; (3) opportunities provision, which involves jobs, job training and education; (4) suppression, which involves arrest, incarceration and supervision; and (5) organizational development, which involves adapting organizations to facilitate dealing with gangs; for example, the development of gang units in police departments. The 1980s and 1990s have seen a revival of interest in youth gang programs and a corresponding increase in their numbers and diversity. Much of the attention on criminal justice response focuses on the police as the front line criminal justice agency dealing with youth gangs. Research into their response shows that the police rely a great deal on traditional tactics.

Spergel (1995) identifies three traditional tactics or responses used by the police. The first set of tactics are those that focus on police organizational arrangements – for example, the gang detail or gang unit. The development of specialized information systems to be used by multi-agency law enforcement task forces are the second set of tactics. A final

strategy traditional to the police is police anti-gang tactics such as street sweeps, saturation policing, selective enforcement, implementation of nuisance abatement campaigns and anti-graffiti units.

Despite this, Spergel (1995) also notes that some agencies are developing new approaches in addition to the more traditional response. This emerging police response to the gang problem goes hand in hand with the larger movement to community-oriented policing. "This more complex, multidimensional, citizen-involved and not always police-directed approach is not as widely accepted or practiced as the traditional police suppression approach. The newer strategy or set of strategies assumes that an arrest and lock-em up strategy is not sufficient" (Spergel 1995: 199). The community-oriented policing strategy involves new police structures and programs as well as an expanded role of the police officer. The expanded role includes not only suppression but "...social intervention, obtaining information that will ensure proper prosecution and conviction, preventing youth gangs crime, helping members leave the gang and in a variety of ways contributing to their social functioning" (Spergel 1995: 204).

Within this expanded role, partnerships with other criminal justice and social service agencies and the community play an important part. Partnerships with other criminal justice agencies include such common responses as information sharing and multi-jurisdictional task forces. The "GREAT" (Gang Resistance Education and Training) program and school resource officers are two examples of partnerships with schools. Community partnerships include neighborhood watches and storefront agencies. There are even indications that some police departments have developed coalitions that have members from a variety of agencies and the community.

Little is known about the effectiveness of these expanded programs in dealing with youth gangs. The most suggestive and complete work comes from Spergel and his colleagues. Spergel and Curry (1990) in their study of 45 cities found suppression the most common response to gangs though not the one perceived by the community to be most effective. In later continued analysis, Spergel et al. (1994) found that, for chronic gang problem cities, the combination of community organization and opportunities provision was the strongest predictor of perceived improvement in the gang problem. The second strongest predictor was proportion of local respondents networking with each other.

Based on their findings, Spergel and his colleagues (1994) recommended that cities with chronic gang problems use an approach with two key features. The first feature is a comprehensive approach that includes a leadership established within an agency such as probation or a special unit in the mayor's office, association with all criminal justice agencies, and support from schools, churches, businesses and local community groups. A second key feature is that "multiple strategies including social intervention and suppression, but with emphasis on social opportunities and community mobilization, should guide the development of program activities and the roles of various personnel." (Spergel et al. 1994: 20). For cities with emerging problems they recommend intervention based in, and organized by, a local educational administrative unit which would work with law enforcement, family court, social agencies and community groups.

Partnerships and the Role of Community Corrections

Like the police, community corrections traditionally emphasize suppression tactics in dealing with juvenile gang members. So me

probation departments have special units in which the officers have exclusively gang member caseloads. The explicit goal of these units is to apply intensive supervision and return the offender to incarceration when necessary (Klein and Maxson, 1989). California's Specialized Gang Supervision Program in the Los Angeles County Probation Department is one such program. Its aim is strict supervision, visitation to and search of homes as necessary, with a minimal emphasis on traditional counseling, job referral or social development programs (Spergel, 1995).

Recent successes in the area of community policing have prompted the argument that community supervision officers should adopt similar community-oriented strategies in the supervision of offenders in an effort to promote the ideals of adequate offender accountability and increased public safety (Dilulio 1997; Evans 1997). Though less widespread than with the police, there is some indication of a growing interest in a broader based approach that involves partnerships with other criminal justice and social service agencies and communities.

In California, for example, there are two programs that express this broader interest: Early Gang Intervention Program for first time offenders with peripheral gang involvement and GAPP (Gang Alternative and Prevention Program). In Philadelphia, there is the Crisis Intervention Network, developed in the 1970s. This program "...integrated local community groups and a probation unit with a street work program for integrated purposes of providing services and opportunities as well as control and supervision of both younger and older influential gang members." (Spergel, 1995: 253). It has since then been transported and attempted in Los Angeles under the name "Community Youth Gang Services".

One example of the way that partnerships with other criminal justice agencies can work to intervene with gang members is "Operation Night Light". In 1992, "Operation Night Light," a specialized unit designed to address the increase in youthful offenders in inner city Boston, Massachusetts, was initiated (Corbett, et al. 1996). This program focused on two goals: curbing gang violence and enforcing the court ordered conditions of probation. The program involves probation officers accompanying police officers on patrols. The "team" conducts visits to the homes of offenders to insure compliance with mandated curfews and other terms of supervision. Such programs have the potential to eliminate the "blind spots" caused by the communication gap between police and probation agencies (Concannon 1996, 6). The "Operation Night Light" program, which expanded in 1995 and is now termed "Operation Tracker," has been successful enough for similar initiatives to be created throughout Massachusetts (1996).

Solutions such as these have not eluded some jurisdictions in the state of Texas. Several jurisdictions within the state have established specialized caseloads to deal with gangs (Ross 1997). In addition, El Paso County criminal justice professionals have taken what appears to be a pro-active stance to deal with their growing gang problem. Three officers from the El Paso County Community Supervision and Corrections Department work specifically with identified gang members in the department's intensive probation unit. These officers work closely with local law enforcement officers and a gang task force that meets weekly, and information is routinely shared regarding El Paso's gang activities. Police officers from both the local police department and the county sheriff's office are provided with a list of probationers participating in the gang program. In turn, if the police officers make contact with a participant, they provide probation officials with a written report of the incident regardless of whether or not the incident results in the arrest of the probationer (Cardenas 1997). This increased communication

provides the community supervision officer with a valuable tool in the detection of community supervision violations - violations that many times would otherwise go unreported.

As in the area of policing and gang intervention strategies, we know little about the effectiveness of these alternative programs. Also as with community policing, there are many issues to be resolved if a move is made to a broader-based approach that involves both partnerships with various agencies and the community, and techniques other than suppression. One issue that arises, as it did with community policing, is with regard to the role of probation officers. An ambiguity surrounding this role has long persisted: are probation officers law enforcement agents or social workers? This question has been disputed for many years and will remain in dispute for some time. However, it is clear that a movement toward broader-based community programs and increased partnerships with other criminal justice and social service agencies calls for an expansion beyond the traditional law enforcement role of probation officers. It is also clear that a change to increased partnerships with the community would require new agency structures and professional specializations. The demands for new agency structures and greater specialization will increase problems of staffing and funding that already tax community corrections departments.

If community corrections officials respond to the youth gang problem by implementing such strategies and increasing probation officers' presence on the streets, one area of concern which must be addressed is the identification of dangerous individuals or situations. Gang members and gang activity certainly pose a risk. To enhance safety, probation officers must be equipped with the knowledge and techniques to identify the presence of gang activity. One method of obtaining such knowledge is increased communication between the various agencies that make up the criminal justice system, most specifically, between community corrections and law enforcement officers.

Historically, the sharing of information between these factions of the criminal justice system has been reactive and frequently shared only when requested. For instance, unless an offender contact with law enforcement officials results in an actual arrest, probation officers may never become aware of the contact. Large caseloads and other job requirements regularly prohibit probation officers from detecting these violations on their own. At the same time, probation information is not routinely shared with law enforcement officials unless requested. Therefore, if a police officer does make contact with a probationer, the officer may not be aware of the fact that the person is on probation or is in violation. The communication gap between agencies needs to be closed to enhance offender accountability.

Even those who promote the idea of an expanded role for community corrections warn of possible negative impact. One such negative possibility - netwidening - arises from the establishment of programs not aimed at youths on probation (Spergel, 1995). Programs which target such youths risk stigmatizing them and unnecessarily involving them in the criminal justice system.

Despite the need to deal with issues of the role that community corrections can take in this broader framework for dealing with youth gangs, changes in gangs might demand such a move.

The Survey

A survey was constructed to examine youth gangs in Texas, the numbers and the nature of their organization and offending. The survey was sent to police departments and sheriff's departments in 50 cities across the state, 38 of which returned the completed survey.

The Prevalence of Youth Gangs and the Seriousness of Youth Gang Activity

The first series of questions in the survey asked respondents to report on the prevalence of youth gangs in their jurisdiction and the seriousness of youth gang activity. All of the respondents report that youth gangs have been identified within their department's jurisdiction. However there is a great deal of variation across jurisdictions in the number of youth gangs. The number ranges from 2 to 797 with an average of 49 youth gangs per jurisdiction. Approximately one third of the responding agencies reported having 10 or fewer youth gangs, another third reported 10 to 50, and the remaining third reported the existence of over 50 youth gangs in their jurisdiction.

In table 1 are the respondents' answers to a series of questions concerning the seriousness of youth gang activity and the change in numbers and activities in the past five years. Respondents were asked to indicate the percent of all arrests made of juveniles that involved a member of a youth gang. Fifty percent of the respondents reported that gang members represented 0-25 percent of all arrests of juveniles. Another 42 percent reported youth gang members accounted for 26-50 percent of all juveniles arrests. A final 3 percent of those surveyed reported that gang members represent 76-100 percent of all juvenile arrests in their jurisdiction. When asked how serious a problem youth gangs are in their jurisdiction in comparison to other crime problems, 29 percent of the respondents indicated that youth gangs were a "very serious" problem, 55 percent said they were "serious," while 11 percent indicated that they

were "not serious at all." Thus, for 84 per cent of the surveyed police departments youth gangs were perceived by the police department to be a serious problem in the community.

In terms of change in youth gangs and their activities in the past five years, 84 percent of the respondents reported the number of youth gangs in their jurisdiction had increased in the last five years. Another 11 percent reported a decrease in the number of youth gangs in the past five years and 5 per cent reported their numbers remained the same. Following the same pattern, 84 percent of the respondents reported the number of crimes had increased, 11 percent said they had decreased, and 5 percent reported that they had remained the same. With regard to changes in the past five years in the level of seriousness of youth gang activity, 82 percent of respondents reported that the last five years had shown an increase in the seriousness of youth gang activity. Another 13 percent reported the level of seriousness had decreased, and 5 per cent said it remained the same.

Gang Membership and Structure

To discover if Texas youth gangs have experienced changes in organizational structure similar to those seen in other states across the nation, each agency was asked to report more detailed information on the five most serious youth gangs in their jurisdiction. From the 38 agencies, information was obtained on 175 different gangs. Of the 175 gangs named in the survey, the average number of members in each gang is 204. However, it should be noted that there is a wide range in the number of members per gang. Table 2 displays findings that indicate changes in membership since the gang's inception. Of the 175 gangs, 63 percent are reported to have a membership that has increased, 9

Table 1: The Seriousness of Youth Gang Activity

Approximately what percent of all arrests made of juveniles by your agency involves a member of a youth gang?

0%-10%	18%
11%-25%	32%
26%-50%	26%
51%-75%	16%
76%-100%	3%
Missing	5%

How serious a problem are youth gangs in your jurisdiction compared to other crime problems?

Very Serious	29%
Serious	55%
Not Serious	11%
Missing	5%

How has the number of crimes committed by youth gang members in your jurisdiction changed in the last five years?

Increased	84%
Decreased	11%
Same	5%

How has the seriousness of crimes committed by youth gang members in your jurisdiction changed in the last five years?

Increased	82%
Decreased	13%
Same	5%

Table 2: Gang Membership and Structure

Change in Membership	
Increasing	63%
Remain the Same	23%
Decreasing	9%
Unknown	5%

Age Range	
Adult and Younger	91%
17 and Younger	6%

Gender	
Male and Female	63%
All Male	36%
All Female	<1%

Ethnicity	
Mixed Ethnicity	42%
Hispanic	34%
African American	17%
Caucasian	2%
Vietnamese	2%
Other	3%

Organization	
Somewhat Organized	45%
Unorganized	20%
Organized	18%
Very Unorganized	12%
Very Organized	5%

percent decreased and 23 percent remained the same.

In terms of the structure of the gang, respondents were asked to report on the age range of the gang's members, gender and ethnic composition and their perception of the overall level of organization (see Table 2). There is a wide range in the age of members in the gangs reported supporting research that suggests gangs increasingly include members in their young adulthood. A majority of all the gangs, 91 percent, had members whose ages ranged from under the age of 10 to adulthood. Only a small percentage, 6 percent, had a membership that was limited to youths under the age of 18.

In terms of gender composition, the findings support the idea that female participation in gangs is growing. While gangs that are exclusively female are uncommon, less than 1 percent of the 175 gangs reported, gangs that consist of both males and females are the most common, at 63 percent of the sample. Exclusively male gangs make up 36 percent of all those reported in the survey. In terms of ethnicity, there are gangs whose members are exclusively of one race. Exclusively Caucasian gangs make up 3 percent of the total, Hispanic, 34 percent, African American, 17 percent, Vietnamese, 4 percent and other 5 percent. However, the majority of the gangs, 42 percent, consist of individuals from more than one ethnic or racial group. Respondents were also asked to report on the level of organization of the gang. Twelve percent were reported to be very unorganized and 20 percent unorganized. The majority of the youth gangs, however, are perceived by respondents to have achieved some level of organization. Forty-five percent are reported to be somewhat organized, 18 percent organized and 5 percent very organized.

Establishment and Area of the Gang

Respondents were next asked a series of questions about the establishment of the gang and the size of its territory. Table 3 displays the results for these questions. According to respondents, none of the gangs that they identified as one of the five most serious in their

jurisdiction were established less than six months ago. Five percent were established six months to a year ago, 18 percent between a year and two years and 33 percent between two and five years ago. The largest percent, 42 percent, however were established more than five years ago.

Two questions were next asked to determine the territory in which the youth gang was established and its relationship to a larger set. Respondents reported that 10 percent of the gangs they identified as the most serious in their jurisdiction were limited to only one neighborhood. Thirty-five percent had a territory which respondents identified as covering two or three neighborhoods, while the territory of the remaining 55 percent is believed to cover the agency's entire jurisdiction. In terms of connections to another gang or a larger set, the majority of the youth gangs identified in the survey, 53 percent, are specific to the agency's jurisdiction and do not have connections to a state-wide, region-wide, or nation-wide gang. Though over half the gangs are identified as jurisdiction specific, 4 percent are reported to have connections to a state-wide, 16 percent to a region-wide and 22 percent to a nation-wide gang.

Gang-related Crimes

Respondents were also asked to indicate the types of criminal offenses for which the gang is thought to be involved and for which gang members have been arrested. As table 4 indicates, the gangs identified in this survey are believed to be involved in a wide variety of criminal activities. The most common offense indicated is weapons offenses with 92 percent of the gangs thought to be involved in this offense, followed by serious assault (89 percent of the gangs) and auto theft (86 percent of the gangs). The least common offenses are prostitution, with only 5 percent of the gangs reported to be involved, home invasion (14 percent of the gangs) and sexual assault (39 percent of the gangs). Though murder is not the most common offense, as the most serious offense it is interesting to note that 55 percent of all the gangs are thought to be involved in this offense.

When it comes to actual arrests of gang members, the most and least common offenses remain the same though the percent arrested is smaller than the percent thought to be involved. Members in 86 percent

Table 3: Establishment and Area of the Gang

When did the gang first become established in your jurisdiction?

Less than 6 months ago	0%
Between 6 months and a year	5%
Between a year and 2 years	18%
Between 2 and 5 years	33%
More than 5 years ago	42%
Unknown	2%

How would you describe the territory of the gang?

Limited to one neighborhood	10%
Across 2 or 3 neighborhoods	35%
City or jurisdiction wide	55%

Is this gang specific to your jurisdiction or does it have connections to a state wide, region wide or nation wide gang?

Jurisdiction	53%
State	4%
Region	16%
Nation	22%
Unknown	5%

Table 4: Percent of Gangs Thought to be Involved in Crimes and Percent of Gang Members Arrested

	% Involved	% Arrested
Murder	55	45
Serious Assault	89	82
Sexual Assault	39	29
Robbery	78	69
Burglary	76	70
Theft	85	78
Auto Theft	86	79
Drug Sales	72	57
Drug Use	83	68
Prostitution	5	3
Criminal Mischief	65	54
Public Disorder	72	66
Weapons Offenses	92	86
Home Invasion	14	9

of the gangs have been arrested for weapons offenses followed by serious assault (82 percent of the gangs) and auto theft (79 percent of the gangs). The least common offenses for which members have been arrested are still prostitution, at 3 percent of the gangs, followed by home invasion (9 percent of the gangs) and sexual assault (29 percent of the gangs).

Jurisdictional Responses to Youth Gangs and their Effectiveness

Though traditional police practices center around suppression and organizational development, the recent perception of growth in gangs and their activities has led to an expansion in the number and types of programs the police use in response to gangs. As table 5 shows, there are a wide range of programs used by police departments to deal with the problem of youth gangs that the departments perceive as effective.

As the literature suggests, the most common of these additional programs are those that fall under the category of traditional police-based programs. The most common of these is the existence of a gang officer or a gang unit and participation in a multi-jurisdictional task force. There are, however, indications that police departments in Texas are developing a number of non-traditional programs in response to the youth gangs in their jurisdictions. There were several community-based programs initiated by the police, the most common of which is some version of a gang awareness program. This category also included such non-traditional and innovative programs as police store-front officers, resident officer programs, neighborhood watches and a juvenile crime coalition. In the schools, police departments are also developing a number of programs. The most common school-based program reported to be effective was the school resource officer. This was followed by programs such as GREAT and DARE and several different types of programs which involve the presentation of anti-gang messages to students. While programs that involved the police with the family were rare among the departments surveyed, there were a few that were mentioned. The most common was a gang awareness and education program for parents. Finally, youth-based activities programs that involve the police directly with at-risk youths were popular in the departments surveyed. The most common type of youth activities program was the police activity league.

Conclusion

The data from this recent survey relay important information to community corrections personnel. In particular, findings in two areas impact on community corrections personnel. First, the data provide information on changes in the composition of gangs and changes in their activities, which might assist probation officers dealing with gang members. The data suggest that youth gangs in these Texas cities, similar to cities across the nation, are different in some important ways from the gangs of the 1950s and 1960s. In particular, they involve a wider age range of youths and young adults and a greater participation of females and mixed ethnic composition.

Second, the data reveal that gang activity in these cities continues to grow and become more serious. This problem warrants a more proactive response from the criminal justice system than is typical. Jurisdictions throughout the nation are attempting to take a more proactive approach to gang delinquency and the crime problems that it causes. Many of these strategies are centered around "partnerships" among criminal justice agencies, while others involve interaction with other members of the community as well, such as clergymen (Evans 1997; Radin 1997).

Table 5: Police Responses to Youth Gangs

Traditional Police-Based Programs

- Gang Unit or Officer
- Curfew
- Participation of a multi-jurisdictional Task Force
- Gang Enforcement Patrol Detail
- Crime Prevention
- Drive by Shooting Response Team (DSRT)
- Serious habitual offenders Comprehensive Action Program (SHOCAP)
- Nostros Unidos - Gang Intervention
- Impact program - officers meet in a group setting with all gang members of all gangs
- Patrol Officer Training - continual training of patrol officers to assist in dealing with gang members from an approach of building rapport and information gathering
- City and County joint data base listing gang members
- Periodic Violent Crime Task Force Units
- Youth Enforcement during evening hours during school year 3 investigators and 1 sergeant assigned to patrol youth frequented areas.
- GRITS (gang related incident tracking system)
- SID (suspect image database - Houston pd, ATF and Harris County Sheriff share information)
- Mandatory detention on all arrests

Community Based Program

- Gang Awareness program - aimed at PTA, teachers, civic groups
- Police Store Front Officers
- Resident Officer Program
- Neighborhood Watch
- Citizens Patrol
- Juvenile Crime Coalition (groups consisting of community leaders, cj agencies, school. Etc. to organize all aspects of the local community to intervene and interact with youth crime as well as develop resources in aid of directed special efforts)

School Based Programs

- School Resource Officers - SRO
- DARE
- GREAT
- Gang in-service training for school staff and administration
- Arlington ISD mentor program
- Slama Bama Jama (School presentations)
- Lets (Law Enforcement Teaching Students) drug prevention of 5th grade students
- Safety Officer - provides programs for elementary school kids
- School Services Officers (intervention - assist in identifying gang members and perform education based intervention with younger children)

Family Based Program

- Gang awareness Parent Education
- Parenting Training
- Parental referral letter sent to parents of at-risk kids telling them of their child's contact with police and offering to meet with them to assist in working with the child
- Counseling 1 on 1 or family

Youth Activities Based Program

- PAL - Police Activities League
- Police Sponsored Youth Boxing Club
- Boys and Girls Clubs
- Mentoring program
- Evening with a cop (companion to ROPES) day camp
- Ropes challenge course that encourages teamwork and self esteem
- Police Explorers (Boy scouts of America)
- Midnight basketball
- SNAP -(Supporting Neighborhoods and Parents) - summertime youth activity program focused on building relationships between police and youths in high risk areas

The role that community supervision can play in gang intervention by establishing broader community based programs is still emerging. As Spergel (1995) writes that "the question of how to structure and implement integrated suppression and social intervention strategies, whether in the institution or the community has not yet been satisfactorily resolved" (p. 229). Yet, if the bridge of communication can be opened among agencies, it seems clear that the goals of offender accountability and public protection have a greater probability of being reached. If stronger connections to the community can be established, the possibilities increase even further.

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TRAINING ANNOUNCEMENT

Promising Victim-Related Practices In Probation And Parole: Satellite Video And Audio Teleconferences

Background

The American Probation and Parole Association (APPA) is pleased to announce that it has been awarded funds from the Office for Victims of Crime (OVC) to continue its efforts to provide training and information to community corrections practitioners on promising victim-related practices in probation and parole. With over two-thirds of the offender population in the United States under some form of community supervision, community corrections agencies and practitioners are facing incredible challenges – including decisions on how to implement effective practices and strategies for serving victims of crime. A critical barrier to program and professional development, however, appears to be the lack of training resources available for practitioners, especially those working in rural probation and parole offices.

Regardless of how substantive traditional training seminars are, or how frequently they are offered, they often are not available to probation and parole practitioners located in rural offices. These officers face unique resource and logistical problems

when addressing staff training and client programming. For example, attending training events may not be possible because the agency may not be able to afford the absence of one or more staff due to the need to have adequate back-up to cover daily routines. Also, smaller community corrections departments typically have limited funds available for staff training. In addition, geographically, rural offices often are located a long distance from traditional training events.

Project Description

In 1996-1998, the American Probation and Parole Association, with support from the Office for Victims of Crime, developed a compendium entitled *Promising Victim-Related Practices in Probation and Parole Agencies* and conducted three Victim Assistance in Community Corrections training seminars (i.e., Nashville, Tennessee; San Diego, California; Lake Ozark, Missouri). In its ongoing effort to provide access to training information for rural probation and parole agencies and practitioners on promising victim-related practices in probation and pa-

role, APPA will be conducting one satellite video conference and two audio teleconferences, sponsored by the Office for Victims of Crime. The satellite video conference will be broadcast during APPA's Winter Institute in Phoenix, Arizona on January 11, 1999. It is anticipated the audio teleconferences will be scheduled during the spring and early summer of 1999.

For More Information:

Individuals interested in receiving more information about the satellite video and audio teleconferences, or other project activities and products, should contact:

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Recidivism Rates of Drug Offenders on Probation:

Selection



Supervision



and Intervention



The prison population in the United States has been exploding since the 1980s. From 1980 to 1997, the prison incarceration rate tripled (Bureau of Justice Statistics, 1997). Between 1990 and 1998, the prison population grew an average of 15,000 new prisoners per year (Beatty & Siegel, 1998). During this time, the United States was among the world's leading countries in per capita incarcerations (Macken, 1998). The prison population increase was primarily attributable to dramatic changes in the nation's drug statutes and drug control strategies, including more severe laws, harsher sentences, more stringent prosecutorial guidelines, and more aggressive street-level enforcement, such as sweeps and sting operations by police (e.g., Brown et al., 1998; Davis, 1997).

A number of community corrections programs were instituted to stem the alarming growth of drug-related incarcerations. A popular example of one such program is drug courts (Wagner & Inoué, 1994). Drug courts are specialized courts commonly designed to handle only felony drug cases—usually those of adult, nonviolent offenders with substance abuse problems. They can involve expedited case processing, intensive monitoring, drug testing, outpatient treatment and support services (e.g., job skills), counseling, and/or all of these options and often operating in conjunction with probation supervision and services. Other drug court programs are designed to divert minor offenders through deferred prosecution or suspended sentences, providing little or no direct supervision and expunging offenders' charges from the records following the successful completion of their sentences (Smith, Davis, & Lurigio, 1994; United States General Accounting Office, 1997).

This study was part of a broader initiative known as the Substance Abuse Intervention Project, a two-year effort funded by the Chicago Community Trust. The goal of the Substance Abuse Intervention Project was to expand services for substance users charged with criminal offenses. In addition, it was designed to identify substance using offenders at different points in the criminal justice process (e.g., arrest, pretrial, probation, post-sentence) and at different stages in their criminal and addiction careers. After the project identified offender groups that were most appropriate for services, its goal was to recommend cost-effective interventions for reducing their recidivism and drug use.

1410/710 Probation

One population that the Substance Abuse Intervention Project targeted for drug services consisted of offenders placed on 1410/710 probation in Cook County (Chicago, Illinois). The Illinois Cannabis Control Act and the Controlled Substances Act, both enacted in 1973, specified two special types of probation sentences for offenders convicted of possessing either marijuana or other controlled substances. For those convicted of Controlled Substances Act violations (e.g., possession of less than fifteen grams of cocaine, heroin or morphine), the sentencing option was known as "1410 probation" and for those convicted of marijuana possession or delivery, it was known as "710 probation."

Only offenders with no prior felony convictions—probations or supervisions, including those resulting from previous violations of either Act or of similar laws in other states or at the federal level, were eligible for 1410/710 sentences (see, for example, Chapter 570, § 410(a) of the Illinois Revised Statutes). In addition to having no prior felony convictions, 1410/710-eligible defendants also must have pled or been found guilty. The principal incentive for defendants to accept sentences to 1410/710 probation was that at the end of five years following their sentencing dates—a period that included the successful completion of their probation terms—they could petition the court for expungement of their convictions. According to the project's unstated rationale,

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1410/710 offenders have relatively short criminal careers and have committed less serious offenses and so they are also likely to be in the initial stages of substance abuse or dependency. Hence, early interventions might prevent them from becoming more deeply entrenched addicts and criminals. By the same token, failure to provide preventive services could lead them to commit more serious crimes and to develop more serious addictions.

Through much of the program's history, no special efforts were made to select potential candidates for these sentencing dispositions apart from a review of their charges and conviction records. Sentences to 1410/710 probation are typically recommended by judges by defense attorneys or prosecutors during pretrial conferences or sentencing hearings and last between one to two years. Both statutes permit a full range of probation conditions such as fines, medical and psychiatric evaluations, drug testing, and treatment or vocational training. During the program's initial years of operation, such conditions were attached infrequently, and most 1410/710 probationers were not required to report to probation officers. The situation has since changed. The majority of the probationers in the program now must report to their probation officers, complete community service mandates, participate in drug tests and attend outpatient treatment sessions.

In December 1997, there were 2,983 adults in Cook County on either 1410 or 710 probation, with a substantial majority of them (92 percent or 2,774) on 1410 probation. Approximately 2,270 (76 percent) of these offenders were sentenced in the county's high drug courts or in Chicago-based felony courts, and the remainder were sentenced in Cook County suburban courts. These numbers and proportions have been typical of the 1410/710 caseload since 1990, which has fluctuated around 2,000 new probationers each year, with the preponderance of offenders sentenced to 1410 probation for possession of small amounts of cocaine.

Current Study

No studies have examined the types of offenders who have received 1410/710 probation sentences or their recidivism rates. If significant numbers of 1410/710 probationers are committing new crimes during or after their probation sentences, new interventions would be warranted to reduce recidivism and its attendant costs to the system. On the other hand, if the recidivism rate for this population is low, that is, if 1410/710 probationers do not return to the system by committing new crimes, scarce resources could be dedicated to other offender populations.

The present research examined the criminal activities of a sample of participants in the 1410/710 drug program. Our focus on crimes was both practical and substantive. Since the program began, there have been few systematic or uniform requirements to participate in drug treatment, mandatory drug tests or in-office reporting. Therefore, no other reliable or long-term performance indicators were available to assess program success. Furthermore, offenders' status in the program is affected largely by their continued criminal activity. Under the circumstances, recidivism was the best choice for an outcome measure.

We gathered crime through official records. Fully cognizant of the limitations of criminal histories (e.g., Blumstein et al., 1986), we also realized that tracking offenders down for interviews would be extremely difficult, prohibitively expensive and time consuming. Due to the retrospective nature of the research file, we studied offenders whose probation had already terminated; we had limited access to their personal information and little leverage, through their former probation officers or other criminal justice staff, to encourage offenders to participate

in a self-report study of criminal behavior, which would present its own set of methodological problems (Osgood et al., 1989). Moreover, researchers have found that the relationship between offender characteristics and criminal behavior are the same irrespective of whether official or self-reported data are used (Hoot & Ageton, 1980; Hindelang, 1982). In short, we had sufficient justification to opt for criminal records analyses.

We focused on criminal records for other reasons as well. We agree with Deschenes and Greenwood's (1996) observation in their study of drug courts that "the primary goals of minor correctional programs are to reduce recidivism, protect public safety and often rehabilitate offenders. Thus, the success/failure of a program is often measured in terms of the proportion of offenders with new arrests" (p. 172).

We were interested particularly in patterns of criminal activity and in the correlates of arrest. For many street offenders, drug use precipitates criminal activity (e.g., Speckart & Anglin, 1986). For others, it simply accompanies crime and other risky behaviors (e.g., McBride & McCoy, 1994). In these cases, treating drug problems may do little to discourage criminal behaviors. Nonetheless, diversionary drug programs accept participants mostly on the basis of drug charges and clinical evaluations with less attention given to participants' propensity to commit future crimes while in the program and thereafter. In addition, such programs often fail to distinguish between participants who primarily sell drugs and those who primarily use drugs (see Swartz & Turpin, 1998). Although there is tremendous overlap between these two groups, their patterns of criminal behavior may differ along with the interventions that work best with each one. Thus, drug treatment programs in criminal justice settings would benefit from a careful assessment of how drug use, sales and crime vary.

This study was primarily descriptive for several reasons that we have already mentioned. No previous investigations of any kind had been done on 1410/710 probation, and we believed that a descriptive study would be the logical first step toward a more rigorous evaluation of program operations and outcomes. We were asked to collect data on the program after it had been operating for a few years, making it impossible to implement a prospective research design. Furthermore, identifying an appropriate comparison group for a quasi-experiment was a challenge because of the individualized nature of the program's interventions. It would also have been difficult to locate probationers who were first-time offenders convicted of similar drug crimes and who had not already been sentenced to 1410/710 probation. In other words, there was no equivalent control group readily identifiable or available. The interventions associated with 1410/710 for other types of probation (e.g., drug treatment, urine testing and reporting to a probation officer) are determined largely by judges' discretion with the input of attorneys and probation officers. Therefore, it would require a case-by-case analysis of 1410/710 and a comparison group of probationers to determine who received what services for how long—a task we were unable to undertake because of resource and time constraints.

Finally, an even bigger problem stemming from the uneven provision of program services is that there was no standard set of offender experiences in 1410/710 probation that constituted a definitive package of interventions, differentiating the program from standard probation or other services for drug-using probationers. In addition, over the course of the program's existence, reporting requirements and other conditions have changed significantly, making it all the more difficult to operationalize the program for evaluation and comparison purposes.

Table 1

Number of Arrests, Charges, and Release Compared to 1410/710 Probation Population

Charge	Time of Offense						Totals	
	Prior to 1410/710		During 1410/710		Over 1410/710			
	N	%	N	%	N	%	N	%
Armed Violence	19	0.8	1	0.4	0	0.0	19	0.7
Arson	2	0.2	0	0.0	0	0.0	2	0.1
Assault	29	2.6	14	5.0	14	4.9	57	2.9
Battery	95	7.0	26	9.3	29	15.1	150	7.8
Careful Sexual Abuse	5	0.4	0	0.0	0	0.0	5	0.3
Classical Sexual Assault	3	0.2	0	0.0	0	0.0	3	0.2
Murder Attempted Murder	2	0.2	4	1.4	11	5.4	17	0.9
Robbery Attempted Robbery	10	0.8	4	1.4	26	13.1	40	2.2
Weapons Offense	93	7.7	21	7.5	26	13.4	140	7.1
Violent Offense Totals	249	20.0	79	25.0	150	23.9	478	26.8
Delivery of Cannabis	4	0.3	2	0.7	0	0.0	6	0.3
Delivery of a Controlled Substance	13	1.1	23	8.3	35	17.6	71	3.8
Possession of Cannabis	100	8.3	9	3.2	8	4.2	117	6.0
Possession of a Controlled Substance	382	31.7	46	12.9	64	15.1	492	26.8
Other Drug Charge	11	0.9	2	0.7	3	0.7	16	0.8
Drug Offense Totals	510	42.3	79	26.4	113	21.6	702	38.8
Burglary Attempted Burglary	14	1.2	12	4.3	23	2.8	49	2.6
Forgery	2	0.2	0	0.0	4	0.0	6	0.3
Fraud	1	0.1	0	0.0	0	0.0	1	0.1
Photo Attempted Theft	156	12.9	27	9.6	52	11.9	235	12.1
Possession of a Motor Vehicle	6	0.5	5	1.8	1	0.2	12	0.6
Causing Criminal Damage to Property	129	10.0	40	14.1	33	7.7	182	9.4
Property Crime Totals	289	23.9	89	29.0	123	22.1	501	26.8
Child Neglect Endangerment	3	0.5	2	0.7	3	0.7	11	0.6
Childish Conduct	31	2.5	7	2.5	24	5.2	62	3.1
Gambling	9	0.7	1	0.4	6	1.3	16	0.8
Intoxication Offenses	10	0.8	1	0.4	3	0.7	14	0.7
Molestation	10	0.8	8	2.9	25	5.5	43	2.2
Prostitution	8	0.7	1	0.4	6	1.3	15	0.8
Rescue Conduct	2	0.2	1	0.4	0	0.0	3	0.2
Schooling Offenses	3	0.2	2	0.7	9	0.0	14	0.7
Other Charge	14	1.2	11	3.9	23	5.1	48	2.5
Other Offense Totals	95	7.7	36	12.9	89	17.4	200	10.7
Arrested But Not Charged	92	7.6	16	5.7	6	1.2	114	6.2
Offense Totals	1,290	100	290	100	360	100	1,940	100

Methodology

Subjects

A population of 2,089 former 1410/710 probationers, arrested for instant offenses committed in Chicago, was identified from court records. Because recidivism was a key measure in the study, having a follow-up period of sufficient duration was critical. Hence, the pool of eligible offenders was limited to those whose sentencing dates allowed for a follow-up period of up to four years subsequent to their 1410/710 probation sentences. The reason for restricting the sample to Chicago cases was pragmatic and methodological. For practical purposes, the criminal histories of individuals without a Chicago identification number (also known as an Identification Record number) simply could not be obtained within a reasonable period of time. For measurement purposes, we chose Chicago records because they are generally more accurate and up to date than state records and would provide a more trustworthy outcome measure.

The study sample was chosen by randomly selecting 15 percent of the 2,089 cases, resulting in a final sample of 310 subjects. This sample size yielded reliable estimates of population recidivism rates without being prohibitively large in terms of the study's time and costs. The demographic characteristics of the sample and the 1410/710 probation population from which it was derived were very similar (i.e., differences between sample and population characteristics were within expected margins of error given the sample size), suggesting that the study sample yielded accurate population estimates.

As with most criminal justice populations, a majority of the 1410/710 probationers (84 percent) were males. More than three-quarters (83 percent) of the 1410/710 probationers were African American, 7 percent were Hispanic and 10 percent were White. The average age of the 1410/710 probationers was approximately twenty-six years old and nearly half of them were under the age of twenty-five. A large percentage of young persons in the 1410/710 sample was expected because sentences

on these options are reserved for those with first-time convictions. Perhaps more surprising is the fact that 17 percent of the sample was thirty-six years of age or older. However, slightly more than one out of every six 1410/710 probationers was a middle-aged adult who had just been convicted of a first felony offense.

A substantial majority of the subjects (91 percent) were sentenced to 1410 probation; only 7 percent were sentenced to 710 probation. (In another 7 cases (2 percent), we were unable to determine the subjects' probation sentences.) That is, most of the probationers had been charged

with violating the Controlled Substances Act and relatively few had been charged with violating the Criminal Control Act. Of the 319 subjects placed on 1410/710 probation, 196 (61 percent) were originally charged with drug possession and 116 (37 percent) were originally charged with drug delivery. All of the 116 delivery charges were eventually tried as possession charges. A majority of subjects were sentenced to a twelve-month probation term (66 percent or 205 subjects); a small percentage (8 percent or 26 subjects) had received a probation sentence of two or more years.

Table 2

Number of Subjects Charged with Various and Related Probationable Offenses by Probation Sentence

Charge	Time of Offense							
	Previous 1410/710		During 1410/710		Post 1410/710		Total	
	N	%	N	%	N	%	N	%
Armed Violence	8	2.6	1	0.3	1	0.1	10	3.2
Assault	1	0.3	0	0.0	1	0.0	1	0.3
Assault	27	8.7	12	3.9	21	6.5	60	19.1
Battery	69	21.4	21	6.8	90	28.2	99	31.0
Criminal Sexual Abuse	5	1.6	0	0.0	0	0.0	5	1.6
Criminal Sexual Assault	3	1.0	0	0.0	1	0.3	4	1.3
Mental/Intempest Murder	2	0.6	1	0.3	1	0.3	4	1.3
Robbery/Attempted Robbery	7	2.2	4	1.3	14	4.3	25	8.1
Weapons Offense	60	18.9	11	3.6	17	5.3	88	27.8
Workout Cases Offenders	103	31.8	14	4.2	61	18.7	178	55.1
Delivery of Cannabis	9	2.8	2	0.6	3	0.9	14	4.3
Delivery of a Controlled Substance	52	15.9	20	6.3	16	5.0	88	27.2
Possession of Cannabis	78	24.2	2	0.6	1	0.3	81	25.1
Possession of a Controlled Substance	240	74.5	60	18.7	35	10.8	335	103.7
Other Drug Charge	19	5.9	3	0.9	5	1.6	27	8.4
Drug Charge Offenders	307	95.0	85	26.1	61	18.6	453	139.7
Burglary/Attempted Burglary	10	3.1	0	0.0	0	0.0	10	3.1
Burglary	2	0.6	0	0.0	0	0.0	2	0.6
Theft	1	0.3	0	0.0	0	0.0	1	0.3
Theft/Attempted Theft	76	23.5	25	7.7	28	8.6	129	39.8
Possession of a Stolen								
Motor Vehicle	6	1.8	5	1.5	1	0.3	12	3.6
Possession/Criminal Damage to Prop.	61	18.6	31	9.6	20	6.2	112	34.4
Property Crime Offenders	137	42.3	61	18.8	51	15.4	249	76.5
Child Neglect/Endangerment	0	0.0	2	0.6	1	0.3	3	0.9
Domestic Violence	25	7.7	7	2.1	19	5.8	51	15.6
Child Mole	8	2.5	1	0.3	0	0.0	12	3.6
Interference Construction	0	0.0	1	0.3	0	0.0	1	0.3
Motor Vehicle	0	0.0	8	2.5	20	6.2	28	8.4
Prostitution	5	1.6	2	0.6	5	1.6	12	3.6
Reckless Conduct	2	0.6	1	0.3	0	0.0	3	0.9
Subsiding (Municipal)	3	0.9	2	0.6	0	0.0	5	1.5
Other Charge	18	5.4	11	3.3	22	6.8	51	15.6
Total Suspending Other Cases	89	27.2	62	19.3	62	19.2	213	65.5
Total Suspending Any Cases	310	100.0	147	45.5	123	38.3	580	180.0

*The remaining 15 cases not adding to our delinquency total because one person was not even charged with a probationable offense in any of his or her cases. Therefore, the delinquency figure total is 310 because the other person was not charged with a probationable offense in any of his or her cases.

†The number of cases for the time of the offense that were not included in our total because of a technical error in the data file. The number of cases for the time of the offense that were not included in our total because of a technical error in the data file is 15.

Charge and Arrest Information

Arrest histories for each of the 310 subjects were gathered from the criminal records maintained by the Chicago Police Department (CPD). These records include age, dates of birth, arrest dates, names of arresting officers, arrest, judgment and conviction charges, and sentences. CPD continuously updates its arrest records as new information becomes available. Hence, the criminal histories examined in the current study were as accurate and as complete as possible through the month that they were obtained.

Charges were coded into a smaller set of categories. The category of murder, for example, included the following charges: first- and second-degree murders, attempted murders, conspiracy to commit murders, involuntary manslaughter and reckless homicides. The weapons offense category contained the unlawful possession, use or sale of weapons; possession of unlawful weapons or ammunition; no firearms ID card or registration; defacing the serial numbers on weapons; or aggravated discharge of firearms. In a similar manner, many of the other specific charges were realigned into broader offense categories. For each charge listed on a criminal history, the date of the arrest, the charge code and the nature of the offense (i.e., felony or misdemeanor) were recorded.

Results

The central questions of this study were which and how many 1410/710 probationers recidivate, when do they recidivate and what kinds of crimes are they re-arrested for. Table 1 shows the number of arrests for each different offense category by the time of the offense: prior to the 1410/710 probation period, during the 1410/710 probation period and after the 1410/710 probation period. Table 2 shows the number of individuals arrested for an offense in each time period, allowing for the fact that the same person could have committed multiple offenses. The data in both tables demonstrate that 1410/710 probationers were involved in significant numbers of crimes during and after their probation sentences.

The three time periods were unequal in length. The preprobation period, defined as the time between an arrest and a sentence to 1410/710 probation, was as short as one year and as long as four or more years. The longest preprobation period was six years. The probation period was typically between one and two years. The follow-up or postprobation period for most subjects was three to four years. Therefore,

the total number of arrests in each of the three time periods could not be used as a precise measure of criminality. I.e., subjects were not necessarily more criminally active during the preprobation period because they had the highest number of arrests during this time.

Criminal Histories

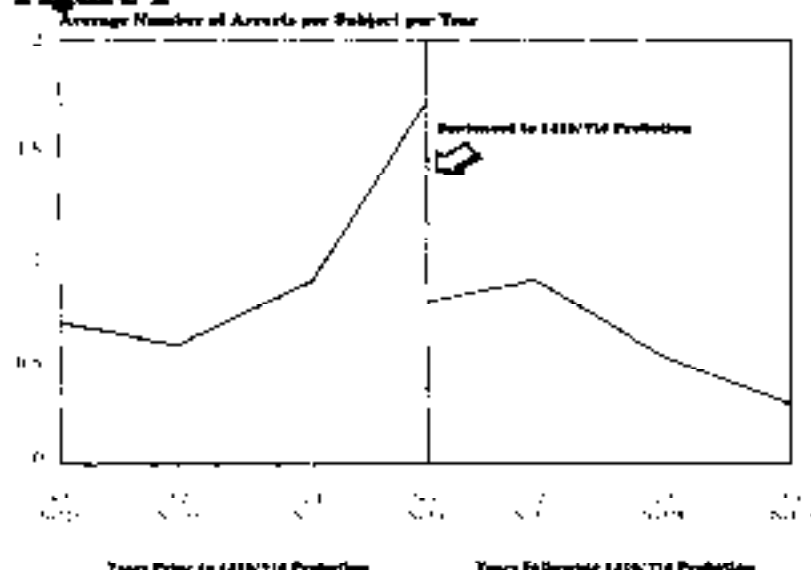
Subjects committed 1,990 offenses, 1,306, or 62 percent occurred prior to their sentences to 1410/710 probation. Although these subjects were considered "first-time felony offenders," many had lengthy arrest histories. The average 1410/710 probationer had been arrested nearly six times, with approximately four of these arrests occurring prior to their probation sentences. During this time, a large proportion of offenses were drug-related or drug-related, for example, 42 percent of the offenses committed prior to 1410/710 probation were for drug sales or possession. Another 24 percent, however, were for property crimes such as theft or burglary, which have been linked to drug use or dependency (Nisio, Bul, Shaffer, & Hanlon, 1995; Speckart & Anglin, 1986). Just over one-fifth of the crimes predating probation (41 percent) were for violent crimes, the majority of which were for batteries or weapons offenses (see Table 1). Table 2 indicates that nearly 100 percent of the subjects were convicted of drug crimes, a basic criterion for sentencing to 1410/710 probation. More than one-third of the sample (35 percent) had also been charged with violent offenses, primarily for batteries or weapons offenses. Almost 40 percent had been charged with property offenses, most commonly theft and, to a lesser extent, criminal trespass to property. In summary, subjects had more diverse and extensive criminal careers prior to their probation terms than might have been anticipated based on their first offender labels.

Recidivism

Table 2 shows that while subjects were on probation, 113, or 36 percent of them committed new crimes. During this time, 29 percent of the new offenses were for criminal trespass to properties, 13 percent were for possession of controlled substances, and 9 percent each were for batteries, thefts or deliveries of controlled substances (see Table 1). These same offenses were also among the ones most likely committed during the preprobation period. It appears that probation moderately suppressed subjects' criminal behavior and had a moderate effect on the overall pattern of crimes. Offenders committed nearly one-fourth fewer crimes during probation than they did before probation. While on probation, they were arrested on average of two times each compared with an average of four times each prior to probation. The percentage of drug crimes declined substantially from 42 percent before to 26 percent after sentences to 1410/710, whereas the percentage of violent, property, and other offenses increased an average of 5 percent.

An even higher proportion of subjects, 46 percent (143), committed an average of three offenses (a total of 460) following the completion of their probation terms, with the majority of these offenses clustering into the same categories as those they were charged with before their probation sentences (see Tables 1 and 2). Collapsing across the two periods subsequent to receiving probation— including the actual probation term and the follow-up period— 46 percent (143) of the 1410/710 probationers committed a total of 460 new offenses. These 143 criminally active subjects were re-arrested an average of four times after they were sentenced to 1410/710 probation. If a stricter definition of recidivism is used (i.e., one that excludes all misdemeanor crimes except those for violent and drug offenses),

Figure 1



dien 40 percent (g = 1.25) of the sample was arrested for new offenses. Thus, even using the stricter criterion, a substantial number of offenders continued their criminal activities during the postprobation period.

Changes in Offense Rates Over Time

Criminal behavior varies over time. For example, the criminal activities of drug users tends to peak in the year immediately preceding their arrests and convictions (Chaiken & Chaiken, 1990). This peak or spike in criminal behavior, in some cases brought on by an intensification of drug use, subsequently increases the chances of arrest. On the other hand, most offenders, even those with high rates of criminal activities, also have relatively quiescent periods in which their criminal behaviors diminish along with their chances of being arrested.

Because of this known variation and because the pre-, during, and postprobation time periods were unequal in length, we examined changes in the rates of criminal behavior over time.

The average number of arrests per subject for the preprobation years was computed by taking the total number of offenses in each year and dividing by the total number of subjects who were criminally active that year. The arrest rates of 1410710 probationers were calculated for a period of up to four years preceding and up to four years following their probation sentences. The number of years subjects had been criminally active prior to 1410710 probation was calculated by comparing their first arrest date with the date they were sentenced to probation, marking the beginning phase of their recorded criminal careers. The number of years postprobation was calculated by computing each subject's probation sentencing date with the last date that arrest information was available.

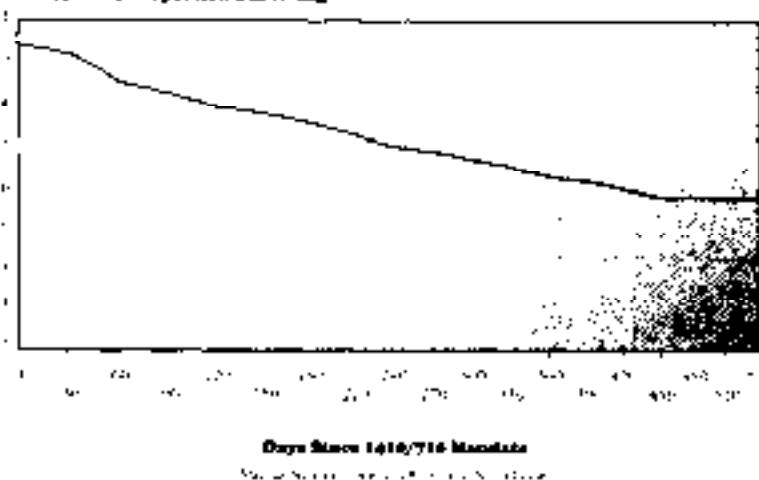
For example, if subjects were first arrested on January 1, 1992, arrested again in October 1993 and sentenced to 1410710 probation on January 1, 1994, then they would have a preprobation period of two years. If January 1, 1997, was the last date of data collection, these same subjects would have a three-year follow-up period, which includes the time—usually one to two years—that they were on 1410710 probation.

Figure 1 demonstrates that the highest offense rates occurred in the year immediately preceding 1410710 sentences. During that year, subjects were arrested 1.7 times computed with a rate of .8 arrests per subject two years prior to 1410710 sentences. Approximately half of the sample (n = 153 cases) had official criminal careers longer than two years prior to probation. For nearly one-third of the subjects, the crimes they were arrested for in the year immediately preceding their 1410710 sentences marked their first involvements in the criminal justice system. Figure 1 also demonstrates that subsequent arrests occurred most often within the two years following sentences to probation; hence, if rearrests are going to occur, they will happen fairly early in the postprobation period. The data in Figure 1 also support our earlier conclusion that probation sentences have only a moderate suppressive effect on criminal activity. Arrest rates in the years postprobation were the same as those found during the probation term.

These results were confirmed when we calculated lambdas for the three time periods. The average annual offense rate of probationers before their sentence was approximately two compared with average annual offense rates of less than one during and after the probation period.

Figure 2 presents the results of a survival analysis of 1410710 subjects' rearrest data. Time until rearrest was defined as the number of days between the date sentenced to 1410710 probation and the date of the first rearrest for any offenses including misdemeanors. Because the postsentencing period (i.e., the time between the date of their sentences

Figure 2
Cumulative Proportion Surviving



and the last date of data collection) for all of the subjects was at least 540 days, none of the observations was censored. Figure 2 shows that by 180 days postsentence, 25 percent of the sample had been rearrested. The median survival time was about 189 days, indicating that 50 percent had been rearrested within 2 years of receiving their sentences. These data again illustrate that if rearrests are going to occur, they are most likely to do so within two years of probation sentences.

Factors Related to Recidivism

The next series of analyses explored whether offender characteristics can be used to distinguish between probationers who were rearrested during and after their sentences to 1410710 probation from those who were not. Logistic regression analysis tested the significance of gender, age at probation sentence, race and number of prior arrests as predictors of recidivism. These data were obtained from arrest reports and criminal histories. The dependent variable in the logistic model was rearrest, recorded as a binary event (i.e., whether subjects were rearrested or not following their sentences to 1410710 probation). Only a few Hispanic subjects were in the sample, hence, race was recorded into two categories: African American and non-African American.

The top of Table 3 presents the final model statistics. All four of the independent variables were significant (i.e., each contributed to the odds of an offender being rearrested). Age at arrest was inversely related to the odds of being rearrested, indicating that younger probationers, especially those between the ages of seventeen and twenty, had the highest rearrest rates. The number of arrests prior to 1410710 probation was directly related to the odds of being rearrested; the higher the number of prior arrests, the more likely that rearrests would occur. Age and number of prior arrests were the most powerful predictors in the model. The effects of ethnicity and gender were also significant: Men were more likely to be rearrested than women (age and number of prior arrests being equal) and African Americans were more likely to be rearrested than Hispanics or Whites.

The predicted probabilities of rearrest for probationers with varying characteristics are shown in the bottom half of Table 3. For example, the probability that a twenty-year-old African American male with five prior arrests would be arrested is 85 percent; whereas a probationer with the same demographic characteristics but only one prior arrest has a 68 percent chance of rearrest following 1410710 probation. Probationers with the lowest probability of rearrest were older White or Hispanic females with only one prior arrest (29 percent chance of rearrest). The

Table 3

Logistic Regression Model for Factors Related to Recidivism Rates for 1410/710 Probationers

Model Statistics: Chi-Square = 71.02**						
Entered					95% Confidence	
Variable Entered	B	S.E.	Sig.	R	Upper Bound	Lower Bound
Age (0.0)	0.002	0.016	0.944	0.00	0.02	-0.08
Number of Prior Crimes (1.0)	0.262	0.057	0.000	0.21	0.30	0.16
Race (Controlled to African American) Non-African American (0.7)	0.063	0.142	0.647	0.01	0.40	-0.21
Gender (Comparison to Male) Woman (0.5)	-0.357	0.135	0.036	-0.10	-0.43	-0.21
Sig. = 0.01						
A Bivariate Analysis of Selected Subcategories of Model Factors						
Non-African American Female: 40.1 Prior Arrests = 2.24%; Non-African American Male: 30.1 Prior Arrests = 49.07%;						
Non-African American Female: 50.5 Prior Arrests = 25.45%; Non-African American Male: 40.5 Prior Arrests = 8.25%;						
African American Female: 20.1 Prior Arrests = 25.87%; African American Male: 20.1 Prior Arrests = 66.91%;						
African American Female: 20.5 Prior Arrests = 19.06%; African American Male: 20.5 Prior Arrests = 85.25%;						

examples presented in Table 3 demonstrate that a great deal of variation in subjects' probabilities of rearrest was explained by the four characteristics included in the model.

The effects of these variables can be explored further by using them to stratify the sample and then calculating separate pre- and postprobation offense rates for each of the stratified groups. Offense rates were calculated before, during and after probation for men and women offenders. During all three periods, men were arrested at higher rates than women. The gender gap in arrest rates widened in the two years following 1410/710 probation, as women had a much lower rearrest rate during this period than men. Similar patterns were found for younger (twenty-five years of age or less) versus older (twenty-six years of age and older) probationers, for those with higher versus lower numbers of prior arrests and for African Americans versus non-African Americans. The consistent results across all four of these variables appear to be largely attributable to the fact that offenders arrested at higher rates preprobation are arrested at higher rates postprobation.

The logistic regression results indicate that recidivism can be predicted with a fairly modest degree of accuracy. Overall, about 72 percent of the subjects were classified correctly on their likelihood of rearrest. Most of the classification errors were false positives, that is, the model overestimated the number of probationers who were actually rearrested. The model's false-negative rate was much lower, indicating a greater degree of accuracy in predicting who was not likely to be rearrested. This specific pattern of errors may be viewed as desirable because it means that the model is conservative and accurately predicts a high proportion of offenders who are likely to be rearrested at the expense of a few who are not.

Postprobation Arrest Patterns

As the previous analyses suggest, offenders with different demographic characteristics and arrest histories have different recidivism rates. Different groups of offenders can also be distinguished from one another according to the types of crimes they committed in the postprobation period. Demographic and arrest data were used to create four probationer groups on the basis of their postprobation arrest patterns. The first group was composed of offenders who committed no crimes or who had committed only relatively minor offenses in the "other" category. Offenders in the second group had committed only drug-defined or property crimes postprobation, whereas those in the third group had, in addition to drug and property crimes, committed violent crimes. The fourth group consisted of probationers

who had been arrested exclusively for violent crimes following their sentences to 1410/710 probation.

The data were consistent with the findings of the logistic regression analysis. Offenders who committed no crimes or only minor offenses postprobation were older, female and had fewer prior arrests. Offenders who committed violent, drug or property crimes were disproportionately young (average age twenty-two years old), African American (97 percent) and male (92 percent), and they were arrested for an average of seven new offenses while on or following 1410/710 probation. As we noted earlier, the majority of violent offenses in the sample consisted of batteries and weapons charges. The individuals in the drug-violent crime group (n = 93) were probably vocational dealers/entrepreneurs involved in selling drugs and carrying weapons to protect their cash and their sales territories (see Swartz & Lurigio, 1998). Individuals who were rearrested for only drug or property crimes were slightly older and probably were more involved in crime to support their own drug use than to make money from dealing drugs. These results and those obtained from the logistic regression analysis support the conclusion that 1410/710 probationers are a rather heterogeneous group with regard to recidivism. The reasons why they continue committing offenses following their probation sentences are also likely to be varied.

Discussion

Recidivism

Probationers sentenced to the 1410/710 drug program were more criminally active than their first offender labels would suggest. According to the official arrest data obtained in this study, probationers were arrested an average of four times before their probation sentences began. More

than one-third of the probationers were rearrested an average of two times during their probation terms and an even higher percentage of them were rearrested after their probation terms completed. A total of more than half were rearrested during the entire postprobation period, lasting up to six years following their initial probation sentences. Probation appeared to suppress moderate criminal behavior and to influence the patterns of crime that offenders committed during their sentences. Compared with their initial arrests, probationers were more likely to be rearrested for violent and property crimes and less likely to be rearrested for drug crimes. The individualized and highly varied nature of 1410710 probation precluded precise conclusions about the program experiences (e.g., in-office reporting, drug testing, community service mandates) that may have led to these results.

The percentages of probationers arrested during and after their 1410710 sentences were similar to those found in other studies of drug offenders. For example, a Bureau of Justice Statistics (BJS) (1989) study of drug offenders released from prison found that half had been rearrested within three years of leaving prison. In another BJS study, nearly half of the drug offenders on probation had been rearrested within three years of their probation sentences (Bureau of Justice Statistics, 1989).

With respect to offenders in special drug court programs, Goldkamp and Weiland (1993) reported that 35 percent of the drug court participants in Duval County (Florida) were rearrested during an eighteen-month period, a rate significantly lower than comparison groups of nonparticipants. In a study done in New York City, Belenko, Fagan, and Dornanovsky (1994) reported that 53 percent and 51 percent, respectively, of special narcotics court participants and nonparticipants were rearrested within two years following their arrests for drug crimes—a statistically significant but minor difference. However, a comparison of the two groups' arrest rates, adjusting for time-at-risk, demonstrated a sizable difference between participants and nonparticipants—the latter having a rearrest rate even higher than of the former (3.4 versus 6.6). Finally, in a series of randomized experiments across seven sites, Petersilia, Turner, and Deschenes (1992) reported that an average of 50 percent of the drug offenders on intensive probation supervision (IPS) were rearrested during a one-year follow-up period. Overall, no differences in rearrest rates were found between IPS drug offenders and control groups of those on routine supervision.

Although our rearrest results are similar to those reported in other studies of probation-based drug programs, interpreting the present findings in the context of prior research is difficult. In contrast to most of the drug-related community corrections programs described in the literature, 1410710 probation provided only minimal supervision during the period covered by the study. Future research should examine whether and how different levels of supervision and treatment affect offenders' drug use and criminal activity. To date, research has shown that the relationship between surveillance and recidivism largely nonsignificant (MacKenzie, 1997).

The current results are consistent with other studies indicating that criminal behavior fluctuates over time. Offenders are probably more active with respect to crime and drug use in the period immediately preceding their sentences to probation. In this study, those probationers who continued to be arrested during the probation period and thereafter were more likely to be arrested before being placed on probation. Arrests are likely to occur during the first six months of the sentence. Among offenders who are amenable to change, the crime-suppressive effects of probation may need time to take hold (e.g., offenders may need time to become accustomed to their sentences, to cultivate positive relationships with their officers or to benefit from treatment programs). This finding

suggests that "heavier dosages" of program interventions should be administered early in the probation process in order to have a crime suppressive influence.

The present findings are also consistent with a wealth of research on the correlates of risk among community corrections populations (Gendreau & Goggin, 1987; Morgan, 1994). Age, gender and prior arrests have always been prime predictors of recidivism in probation and parole studies (Olson, 1988). The effects of race on risk, however, are more difficult to interpret. Race is confounded with socioeconomic status and living in criminogenic environments, permeated with violence, economic deprivation, gangs, social disorder and physical inequalities (Bursik & Grasmick, 1992; Skogan, 1980). Underlaw neighborhoods have been the targets of aggressive police operations, which are more likely to net arrests in those areas because of the more public nature of drug dealing in poorer communities. Poor, African-American men have borne the brunt of spending activities and are disproportionately represented in drug arrests, prosecutions and prison sentences for drug crimes (Donziger, 1997; Mauer, 1996; Lomay, 1998). The higher number of drug arrests among African-American probationers, therefore, may be a function of police tactics rather than the higher prevalence of use and sales among this subgroup.

Fitting Interventions to Needs

Different persons commit crimes and become involved with taking or selling illegal drugs for different reasons (Walters, 1994). For some, drug use becomes an end in itself—a means of escaping an oppressive, unproductive and hopeless life. These individuals are enveloped in the psychological and physical concomitants of drug use, dependency and addiction. For others, drug use is a social activity, part of an exciting but potentially dangerous world of a street culture that provides a sense of identity and purpose (see Wright & Decker, 1997). For others still, involvement with illegal drugs is principally an economic endeavor that offers far greater opportunities for financial remuneration than any available legal options (Reuter, MacLennan, & Murphy, 1990). And for any given individual, each or all of these motivations may be operating at the same time. Furthermore, the relationship between drug use and crime is also complex, reflecting the interplay of numerous factors. Offenders' motivations for getting involved in drug use or in drug-related crime must be taken into account for interventions to be successful.

One subgroup of individuals emerging from this study, those committing both drug-related and violent crimes, stood apart from the rest, especially in terms of their average number of arrests. The subgroup, which consisted mainly of young (under twenty-two years of age), African-American males, may be continuing their criminal involvement primarily because of drug sales. This type of arrestee has been appearing with greater frequency in the Chicago Drug Use Forecasting (DUF) statistics. The average age of arrestees charged with drug offenses, who have also tested negative for recent cocaine use—the drug most commonly used by arrestees—has been declining since 1988. The current results, together with Chicago DUF data, may be indicative of a growing class of youthful entrepreneurial offenders who are selling but not using drugs. Similar findings from an earlier study done in New York (Johnson et al., 1985), suggest that these young dealers, many of them in gangs, became involved with drugs primarily for financial gain. Dealers often want to avoid heavy personal drug use because it can disrupt their businesses and diminish their profits (Johnson, Kaplan, & Schneider, 1990).

If a fairly large number of the 1410710 recidivists are primarily drug dealers, then agencies to detect illegal drug use would probably fail to identify them as clients because they have a relatively low probability

of testing positive for drugs. Moreover, drug treatment would fail to address the primary reasons that these youthful offenders are committing crimes. Instead, a specific intervention that works with drug dealers who are not abusing or dependant on drugs might be a more effective strategy for them. Such interventions should help offenders to eschew the subculture of violence that surrounds the drug trade, to gain legal employment as a replacement for drug sales, to reduce the need for stimulating and dangerous activities, and to cultivate a personal identity that does not rely on a street gang affiliation or other equally destructive lifestyles.

Criminal careers appear to accelerate with the onset of drug addiction (Chambers & Cleckley, 1990). For other offenders who start out being nonusers, the daily proximity to illegal drugs becomes a powerful inducement to start using drugs themselves. Our arguments, therefore, should not be interpreted as suggesting that drug treatment cannot benefit a significant number of 1-10th ID probationers. In fact, evidence suggests that the most effective programs for drug-using offenders combine treatment with surveillance (Hawes, 1993; Petersilia & Turner, 1993). Hence, we are suggesting that a range of options is necessary for interacting with individuals who are quite heterogeneous in their patterns of and motivations for continued criminal activities. A program with a variety of interventions, including those that effectively address offenders' lack of participation in services and the recalcitrant nature of drug addiction, is more likely to be successful than one that ignores these considerations. Finally, being able to distinguish among different types of offenders during the assessment phase of probation is extremely important. Our study demonstrates that using conviction status as a criterion for program entry is greatly problematic, especially for young men with a high number of prior arrests. Offenders without previous convictions can have very active criminal careers, very serious drug addictions and little motivation to participate in treatment. In short, it takes an in-depth evaluation to identify the most appropriate offenders for different programs.

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Authors' Notes

The sections and chapter numbers cited in the text, which pertain to the numbering system used in the Illinois Revised Statutes (1991), have been requalified under a new system that allows for broader publication copies of the criminal statutes. Under the new coding system, the Cannabis Control Act is in Chapter 550, with the statute pertaining to probation for first-time offenders contained in Section 10. The Illinois Controlled Substances Act is now contained in Chapter 570, with probation for first-time offenders detailed in Section 42.0. Because 142D/710 probation remains the shorthand for referring to both programs, we have chosen to use this label throughout. ▢

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AMERICAN PROBATION AND PAROLE ASSOCIATION 1999 WINTER TRAINING INSTITUTE



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Saturday, January 9

8:00 a.m. - 5:00 p.m. APPA Executive Committee Meeting
12:00 p.m. - 5:00 p.m. Institute Registration

Sunday, January 10

9:00 a.m. - 6:00 p.m. Institute Registration
10:00 a.m. - 4:00 p.m. Exhibit Installation
1:00 p.m. - 5:00 p.m. APPA Board of Directors Meeting
5:00 p.m. - 7:00 p.m. Exhibit Viewing
7:00 p.m. - 8:30 p.m. Opening Session
8:30 p.m. - 10:00 p.m. Opening Reception in Exhibit Hall

Monday, January 11

7:30 a.m. - 5:00 p.m. Institute Registration
8:00 a.m. - 8:30 a.m. Coffee Service and Exhibit Viewing
8:30 a.m. - 10:00 a.m. Plenary Session
10:00 a.m. - 1:30 p.m. Exhibit Viewing
10:15 a.m. - 11:45 a.m. Workshops
11:45 a.m. - 1:30 p.m. Lunch with Exhibitors
1:45 p.m. - 3:15 p.m. Workshops
3:30 p.m. - 5:00 p.m. Workshops
5:00 p.m. - 6:30 p.m. Reception in Exhibit Hall
7:00 p.m. - 12:00 a.m. APPA's Gala Event

Tuesday, January 12

8:00 a.m. - 10:30 a.m. Coffee Service and Exhibit Viewing
8:30 a.m. - 10:00 a.m. Workshops
10:15 p.m. - 11:35 a.m. Workshops
12:00 p.m. - 1:45 p.m. Lunch (on your own)
1:45 p.m. - 3:15 p.m. Workshops
3:30 p.m. - 5:00 p.m. Workshops

Wednesday, January 13

8:30 a.m. - 10:00 a.m. APPA Membership Meeting
10:15 a.m. - 11:45 a.m. Closing Session

Subject to change

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Payment in full or government purchase order for all Institute activities must accompany the registration form. Check, money order, Visa, MasterCard or American Express are accepted for payment of the Institute's registration fees. Sorry, neither credit cards nor purchase orders will be accepted as payment for the Gala Event – checks only please. Checks must be made out to the American Probation and Parole Association and payable in U.S. dollars. Payments received in Canadian dollars will be invoiced for the conversion difference plus a \$10 service fee. Registrations post-marked after December 18 are not eligible for "Early Bird" registration fees and must include the regular registration fee.

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WORKSHOPS

MONDAY, JANUARY 11, 1999

10:15 am - 11:45 am

- 12 Step Programs
- Utilizing Interagency Collaboration in the Management of Sex Offenders
- Strategies in Managing Detention Center Populations
- Blending Criminal Justice and Community Treatment Services: A Model for Effective Intervention
- The Legislature: You Can't Survive Without Them
- The Art of Problem Solving
- The Client Management Classification System: New Research Regarding an Old Standard
- It's Never Too Early, Never Too Late: Risk Factors And Successful Interventions For Serious and Violent Juvenile Offenders

1:45 pm - 3:15 pm

- Public Education/Awareness of Parole and Probation: Marketing the Agency
- Overwhelmed by the Challenges: Why Prevention Is a Critical Component, Part I
- Juvenile Administrators Desktop Guide
- Changing Behaviors Through Music
- Pay for Performance: A New Deal for Probation
- Collaboration and Coordination: Reducing Prison Overcrowding through Early Parole
- A New Way Of Doing Business/Job Profile Of A Community Restorative Justice Worker
- Current Community Corrections Initiatives And Projects Of The Office Of Victims Of Crime, U.S. Department Of Justice

3:30 pm - 5:00 pm

- Identifying, Assessing, and Planning for the Mentally Ill Parole Eligible Inmate
- Overwhelmed by the Challenges: Why Prevention Is a Critical Component, Part II
- How to Make Managed Care Work for Juvenile Offenders
- Juvenile Domestic Violence: Tucson's 12-Year History of Programs and Services
- The Correctional Crystal Ball: How North Carolina Framed a Vision for 2020
- Development and Evaluation of School-Based Probation Services in Pennsylvania
- What's Working: Innovative Approaches To Juvenile Justice/Holdover Programs
- Recent Information From The Bureau Of Justice Statistics: Community Corrections, Truth In Sentencing, And State Correctional Expenditures

TUESDAY, JANUARY 12, 1999

8:30 am - 10:00 am

- Classification and Assessment of Offenders, Part I
- Engaging Communities: Perspectives from Practitioners
- Juvenile Justice and Youth Violence: What's Next?
- Architectural Challenges in Detention Center Design
- A Vision of Law Enforcement Partnerships - More Than Can Be Imagined
- Family Case Management: A New Drug Treatment Option for Community Supervision
- Managed Behavioral Care: Friend Or Foe To The Criminal Justice System
- Researcher-Practitioner Partnerships: Knowledge Building To Improve Criminal Justice Practice And Policy

10:15 am - 11:45 am

- Classification and Assessment of Offenders, Part II
- Community Justice: The Oregon Experience
- Juvenile Drug Courts: Unique Challenges and Opportunities
- Sex Offender Treatment/Supervision - Arizona Style
- Keys to Newsworthy Publicity
- Emotional Survival
- Busting Agency Culture : Implementing a Performance Review System
- Community Corrections And Victims Services Partnerships

1:45 pm - 3:15 pm

- Responsible Thinking: An Intervention Applied to Community Corrections
- It's All in the Family
- We Need Help!: Collaboration Between Rural Departments and Private Providers for Treatment Services
- Management Development for a Diverse Workforce, Part I
- Who Do Ya Call? Peer Support/Critical Incident Response Teams
- Community Focused Justice
- Automated Risk Classification And Workload Balancing: Update On Florida's 'Risk Class' System
- Performance Based Standards In Juvenile Confinement Facilities

3:30 pm - 5:00 pm

- Public Policy by Hysteria
- Cognitive Self-Change for Juveniles
- Nite Hoops
- Management Development for a Diverse Workforce, Part II
- Leadership and Wellness
- Mapping For Strategic Criminal Justice Planning
- Probation-Policing Partnerships

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Primary Work Area

- ☐ Adult Probation & Parole
☐ Adult Probation only
☐ Adult Parole only
☐ Juvenile Probation
☐ Juvenile Parole/Aftercare
☐ Residential
☐ Other

Length of Experience in Corrections

- ☐ Less than 2 year
☐ 2-5 years
☐ 6-10 years
☐ 11-15 years
☐ 16-20 years
☐ 21-25 years
☐ More than 26 years

Highest Level of Education

- ☐ Graduate Equivalency Diploma(GED)
☐ High School Diploma
☐ Associate's Degree
☐ Bachelor's Degree
☐ Master's Degree
☐ Doctorate

Geographical Area

- ☐ Urban
☐ Rural

Gender

- ☐ Male
☐ Female

Professional Category

- ☐ Line Personnel
☐ Commissioner/
Director/Chief
☐ Administrator
☐ Consultant
☐ Trainer
☐ Parole Board
Member
☐ Judge
☐ Attorney
☐ Educator/Researcher
☐ Private Sector/Corporate
☐ Other

Race/Ethnicity

- ☐ African American
☐ Caucasian
☐ Hispanic
☐ Native American
☐ Asian
☐ Other

Mark Past Attendance at APPA Institute

- ☐ First Time
☐ 2-4
☐ 3-5
☐ 6-8
☐ 10 or more

Mark all Expenses that are Reimbursed

- ☐ Registration
☐ Travel-Air
☐ Travel-Ground
☐ Meals

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www.appa-net.org

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

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