



the journal of the American Probation and Parole Association

PERSPECTIVES

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Community

Corrections of



Place

PRESIDENT'S MESSAGE

It seems that with the passing of each month, our Association gains prominence as a national voice for community corrections amongst policy makers. Since my last message, I have literally traversed the nation spreading our message. Most significant among the opportunities for the advancement of our profession was the national policy conference on substance abuse and corrections presented by U. S. Department of Justice's Corrections Program Office (CPO).

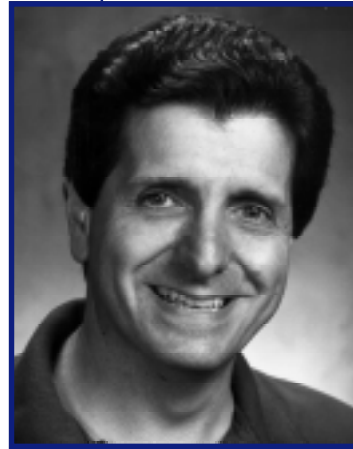
The conference took place in Los Angeles, and was largely the brain child of CPO Deputy Director, Dr. Stephen Amos. Dr. Amos' Director, Larry Meachum, provided extraordinary support for this initiative both on a personal and agency level. If I had to identify one theme for the conference it would be that effective substance abuse and alcohol treatment enhances public safety. The conference provided a balance of information including speakers on adult corrections, juvenile corrections, women's issues, institutionally based programs and community-based programs.

The importance of community-based corrections in the public safety equation came through loud and clear. Several major speakers at the conference, including Assistant Attorney General Laurie Robinson, made specific mention of the importance of community corrections in providing transitional supervision services. Moreover, the very fact that I was honored with serving as the conference moderator speaks overwhelmingly to the desire of the conference planners to assure that community corrections received the attention it deserves.

Attending the conference were teams of approximately eight people from each state and territory. The invitees included senior corrections and treatment officials, Byrne grant administrators, governors' policy advisors, and legislators. It was impressive to see how engaged the legislators were in the discussion. In fact, it appeared to me the most active constituency at the conference was the legislators from the various jurisdictions. In the main, the legislators were anxious to know more about the link between treatment and public safety. They (the legislators) often expressed their frustration that programs are often implemented that will ultimately not make the public as safe as it otherwise might be.

Many legislators approached me at the conference and several have followed up with calls since the conference. There seems to be a great interest on the part of certain legislators to continue the discussion that began in Los Angeles. It is my distinct impression that the time is right for practitioners to step up efforts to engage politicians in evidence-based public safety strategy sessions. In the end, there is every reason to expect that there can be a win/win (for the profession and for politicians) if we all stay focused on the public safety and cost-effectiveness demands of the general public.

I know that Director Meachum and Deputy Director Amos remain committed to continuing what was begun in Los Angeles. Materials, including video tapes of speakers, are being made available by the CPO.



Mario A. Paparozzi

(Continued On Page 5)

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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:

- **Winter 1999 Issue – September 21, 1998**
- **Summer 1999 Issue – March 19, 1999**
- **Spring 1999 Issue – December 11, 1998**
- **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.

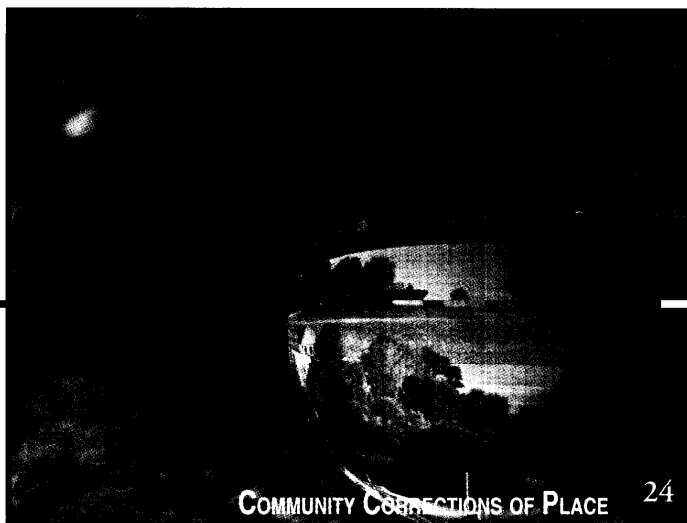
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FEATURES



24 COMMUNITY CORRECTIONS OF PLACE

By Todd R. Clear and Ronald- P. Corbett

33 YOUNG WOMEN IN THE JUVENILE JUSTICE SYSTEM

By Jay G. Zaslau

39 A DECADE WITH EXPERIMENTING WITH INTERMEDIATE SANCTIONS: WHAT HAVE WE LEARNED?

By Joan Pertersilia

45 A NATIONAL SURVEY AND STATE OF THE ART ASSESSMENT OF STRUCTURING DISCRETION IN NON-INCARCERATIVE SENTENCING DECISIONS: A PROPOSAL FOR FUTURE RESEARCH

By George S. Yacoubian Jr.

DEPARTMENTS

3 PRESIDENT'S MESSAGE

8 EDITOR'S NOTES

9 FOCUS ON AFFILIATES

10 COMMITTEE CONNECTION

12 NIJ NEWS

• *By Ed Zedlewski*

14 NIC UPDATE

• *By Rick Faulkner*

16 LEGALLY SPEAKING

• *By Craig Hemmens*

54 CALENDAR OF EVENTS

PLUS!

11 APPA Corporate Members

14 Project Announcement

17 Career Opportunity

**18 Call for Nominations-
APPA Elections**

**19 Call for Nominations-
APPA Awards**

22 APPA Scholarship

47 Request for Site Proposal

**48 A Look Back- 23rd Annual Institute
Recap**

50 1998 APPA Award

(President's Message, Continued)

One of the real joys of serving as the President of the American Probation and Parole Association is that I sometimes get to speak on behalf of community corrections professional from across the land. Presently, it gives me great pleasure to thank the CPO for the tremendous service that they provided to states and territories by highlighting the compelling need for a balanced approach to correctional programming across the full spectrum of correctional services.

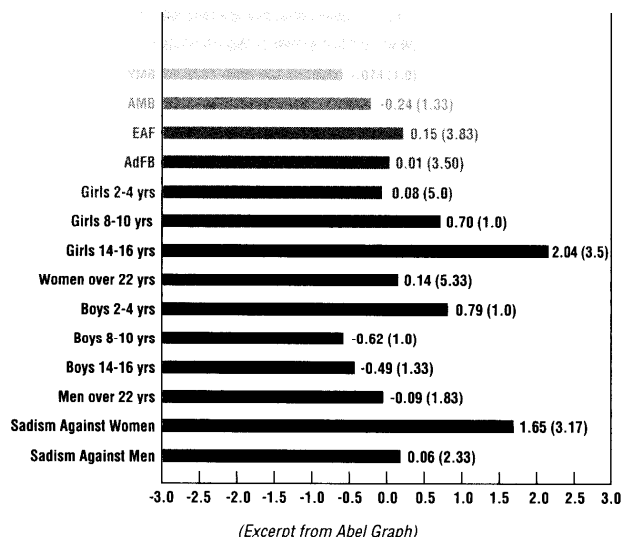
While there are certainly many people deserving of special mention, I do not want to close this column without making special mention of three people that assured that all corrections programs received appropriate attention. The quality of the Los Angeles conference would not have been possible without a strong supporting cast. In this regard, The Criminal Justice Institute, Inc. headed up by George and Camille Camp helped produce one of the most substantive and visually spectacular conferences I have ever attended. Finally, Virginia's corrections Director Ron Angelone provided the conference attendees to hear first hand how inextricably intertwined the continuum of incarcerative and community-based correctional program are. Director Angelone also helped maintain a focus on assuring the public is afforded a maximum amount of protection at all times.

Maria A. Paparozzi

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EDITOR'S NOTES

The past year's issues of *Perspectives* have contained a number of articles dealing with themes associated with reexamining and reinventing community corrections. This focus continues in this issue.

The lead article, contributed by Todd R. Clear of Florida State University and Ronald P. Corbett, Jr., Deputy Commissioner of Probation for the commonwealth of Massachusetts and a member of the faculty at the University of Massachusetts at Lowell, encourages a neighborhood-based perspective in the delivery of probation and parole services. The authors argue that the community corrections profession could learn from the efforts of the community policing movement and that local resources must be leveraged to effectively respond to neighborhood crime problems. Too, they recognize the importance of evaluation research in the development of meaningful community corrections programs.

Joan Petersilia of the University of California at Irvine provides the other article containing the reexamining and reinventing themes, in which she explores what we have learned from our experiment with intermediate sanctions over the past decade. In addition to providing an evaluation of intermediate sanction programs, she describes the changing role of probation, highlighting such programs as Boston's Operation Night Light and the state of Washington's SMART Partnership. As in the case of Clear and Corbett, Petersilia stresses the importance of involving the community in community corrections.

For the community corrections profession to remain a viable component of the criminal justice system, its members must be willing to embrace new ideas, adopt innovative programs that positively impact the growing crime problem and seriously engage the community. These two articles certainly provide guidance in charting a new direction.



Dan Richard Beto

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WVAPO Elects New Officers at Education Conference

The West Virginia Association of Probation Officers (WVAPO) held its annual education conference on September 21-25, 1998 at Canaan Valley, West Virginia. The conference provided training for 143 probation officers and more than 40 associate and student members. Elections were held during the conference. New officers include President, Jeffrey S. Lane, 7th Judicial Circuit; Vice President, Charles S. McCann, 6th Judicial Circuit; Secretary, Frances H. Graves, 8th Judicial Circuit; and Treasurer, Rebecca J. Bostic, 13th Judicial Circuit. In addition to the preceding officers, board of directors members includes Sue C. Anglin, 19th Judicial Circuit; Paula M. Bland, 13th Judicial Circuit; Douglas Dyer, 10th Judicial Circuit; Stephen W. George, 4th Judicial Circuit; C. Mark Hofe, 23rd Judicial Circuit; Serena R. Peterson, 26th Judicial Circuit; Mary E. Porterfield, 9th Judicial Circuit; Tom Scarpellini, 25th Judicial Circuit; and Phyllis D. Stewart, 17th Judicial Circuit.

The WVAPA presented awards during the conference. Probation officers receiving awards for ten years of service include Sue C. Anglin, 19th Judicial Circuit; Carol Barth, 4th Judicial Circuit; Michael B. Lacy, 6th Judicial Circuit; Cheryl L. Peal, 13th Judicial Circuit; Mary Ann Williams, 13th Judicial Circuit; and Janet Everson Wolfe, 18th Judicial Circuit. One officer received an award for twenty years of service—Jonny Kent Winkler, 6th Judicial Circuit. A plaque was presented to Dougals B. White, 6th Judicial Circuit, who retired after 23 years of service to the state of West Virginia as a probation officer.

The WVAPO also presented an award for West Virginia Probation Officer of the Year. The recipient for 1998 was Angela T. Visconti, 13th Judicial Circuit. Angela has served the state of West Virginia as a probation officer for 18 years. She is known for her dedication and commitment to youth, primarily working with group homes and other out-of-home placements. She has consistently been at the front of the documentation process for social work continuing education units and was instrumental in obtaining the approved provider status for the organization.

The WVAPO has established a scholarship in the amount of \$1,000 to students majoring in the field of criminal justice. The award rotates between the colleges

and universities in West Virginia. The 1998 recipient is Cynthia Dotson of Fairmont State Collage. Ms. Dotson is pursuing degrees in criminal justice and psychology. She is a member of the Honors Association, National Geographic Society, Literacy Volunteers of America, Corridor H Action Committee and

the Tucker County Concerned Citizens Coalition.

The WVAPO was organized in 1976 for the purpose of professionalizing, consolidating and improving the education and salaries of probation officers in the state of West Virginia. □

Health and Safety Committee

It is extremely important that the general membership of APPA be aware of the numerous committees within our Association and have up-to-date information on what these committees are doing. The Health and Safety Committee has existed for approximately four years but has had periods of dormancy as new chairpersons have been appointed. A number of us have been on the committee since its inception and we hope to continue the good work and efforts of the past four years. We believe that there are no issues more important than the health and safety of our line officers. With membership input, we pledge to make the Health and Safety Committee one of the most active, aggressive, and productive within APPA.

On September 1, 1998, the committee held its first meeting under my chairmanship at the APPA Annual Training Institute in Norfolk, VA. We approved the following goal statement for our committee:

"To identify and address health and safety issues affecting probation and parole professionals."

The committee identified and briefly discussed issues that have been worked on by committee members but that remain outstanding. These issues are:

- Membership survey
- Communicable diseases
- Training survey

- Clearinghouse for injury/death of probation/parole officers
- Office safety and security, including an office model

In addition, the committee identified and briefly discussed new issues as follows:

- Critical incidents
- Health and safety "tip" to be published in each issue of *Perspectives*
- List of available health and safety training
- Preparation of a newsletter or article about health and safety for *Perspectives*
- Use of APPA web site for health and safety news and issues, including soliciting ideas, listing resources and providing a readers' forum
- Weapons, specifically safety problems, the NYPD video on Glock discharges, and equipment/holsters issues
- APPA position paper on weapons— to arm or not to arm
- New kinds of weapons
- Defensive training
- Stress/burnout

A few issues were prioritized for immediate follow-up, but we all agreed that we most need to hear from you, the membership, about what you feel is important. Although we plan to put out a membership survey in the future, we need your input now. I urge you to take a moment

to contact me with your ideas, suggestions, and comments on health and safety. I can be reached as follows:

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If you are interested in joining the APPA Health and Safety Committee, we would greatly appreciate your help. Please contact Linda Sydney, APPA Research Associate, at 606-244-8192 to place your name on the committee mailing list. The next meeting is tentatively scheduled for January, 1999, at the APPA Winter Institute in Phoenix, AZ, January 10-13, 1999. Communications between meetings (held at APPA Institutes) will be done by telephone and mail. Eventually we will establish sub-committees to work on priority issues.

I look forward to hearing from you and working with you to make our profession as safe and healthy as possible. □

Michael Bell is the chairperson of the APPA Health and Safety Committee.

APPA Develops New Technology Committee

The American Probation and Parole Association recognizes the ever increasing importance that technology is playing and will continue to play in the future of corrections. APPA has decided to establish a separate technology committee and will convene this committee for the first time in during the 1999 Winter Training Institute in Phoenix, Arizona. APPA President, Mario Paparozzi has selected Kevin Jackson from the National Institute of Justice to be the first chairperson of this important committee. Mr. Jackson has extensive experience in corrections, technology and served as the state director of probation and parole. If you are interested in joining the APPA Technology Committee, please contact Carl Wicklund, APPA Executive Director at (606) 244-8216.

American Probation and Parole Association



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Corporations with an interest in the field of parole, probation and community corrections are invited to become APPA Corporate Members. Corporate Members receive benefits such as enhanced visibility among APPA's nationwide network of community corrections professionals, as well as shared information on the latest trends and issues that specifically affect community corrections.

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National Institute of Justice's Community Corrections Portfolio — What's Hot, What's Not

Community corrections research has expanded under the Crime Act nearly as much as institutional corrections. In reviewing the National Institute of Justice's corrections research portfolio, I found that approximately 66 grants had been awarded in the corrections area during the past two years. The breakout — by my homespun classification system — placed 26 in community corrections, 30 in institutional settings and 10 in other areas. I estimated the community corrections portion of the portfolio at a little less than \$4.5 million. My estimate was confined to "research" grants; it did not include investments in information technology made from Local Law Enforcement Block Grant funds, nor did it capture demonstration programs (and their evaluations) like Breaking the Cycle, a community-based drug reduction effort. The purpose of this article is to reflect on what these investments are likely to produce for probation and parole.

Classifying grants as community-focused or institution-focused was somewhat arbitrary because funds have come from several different sources, each with its own mandated purpose: Violent Offender Incarceration/Truth In Sentencing, Residential Substance Abuse and Treatment, Drug Courts and NIJ base funds. Thus, one had to read each abstract and take a stab at who will be the beneficiary.

Taking a stab involved ferreting out whether sentencing-oriented studies were relating largely to probation and parole, whether treatment evaluations were examining aftercare issues, and whether drug court research was emphasizing treatment or community supervision. Having thrashed through the program descriptions, I classified the community corrections projects as follows:

Systems/Management Issues	9
Sanctions and Outcomes	7
Treatment Effectiveness	10

Under systems and management studies, I placed a combination of risk classification efforts as well as studies that sought to understand the implications of certain programs or policies. Sanctions and outcomes included a variety of recidivism-oriented studies including a few intermediate sanctions efforts but mainly more broadly based sentencing issues and community studies. Many treatment effectiveness studies derived from drug courts and the aftercare

a resurgence in public education initiatives as well as increased funding for juvenile justice efforts. Part of the juvenile impetus derives from Congressional interest in effective prevention programs. The FY 97 Congressionally mandated study was published in January 1998 in its complete form and published again this summer as an NIJ Research in Brief entitled, "What Works, What Doesn't and What's Promising."

Another part, however, stems from increased political awareness of the importance of nipping criminal careers in the bud. The new Juvenile Accountability Incentive Block Grant, funded for the second consecutive year, brought a significant infusion of funds to such efforts. These funds follow earlier increases in the juvenile justice programs budgets. Increases in research on juvenile affairs should come as no surprise.

Emphasis on drug-involved offenders persists, thanks in part to the attention given by the Office of National Drug Control Policy (ONDCP) to drug involved offenders and crime. The most

recent incarnations are drug courts and RSAT programs. Both emphasize a focus on treatment under correctional supervision as opposed to treatment alone or simply supervised coerced abstinence, the difference being that drug courts begin as a community-based alternative to incarceration while RSAT links strong community aftercare to institutional originated treatment efforts.

Special mention should be made of NIJ's Breaking the Cycle Program, which deals with both of these priority themes. A major ONDCP initiative, NIJ's Breaking the Cycle brings the coercive authority and supervision capabilities of the justice system together with community treatment resources. The idea is to intervene from the point of arrest to the end of an offender's involvement in the justice system. It's an enormous coordination challenge for justice

Policy makers seem to have turned strongly toward juvenile populations, demonstrated by a resurgence in public education initiatives as well as increased funding for juvenile justice efforts.

components of Residential Substance Abuse Treatment (RSAT) Programs.

I should mention in passing that some projects concentrated on particular populations such as females or juveniles. Fiscal Year 98 marked the National Institute of Justice's first significant foray into juvenile justice issues in twenty years. All juvenile justice awards were coordinated closely with the Office of Juvenile Justice and Delinquency Prevention.

So what's hot?

Two themes surfaced in my opinion: juveniles and drug treatment. Both areas should produce significant increases in our knowledge in the next few years.

Policy makers seem to have turned strongly toward juvenile populations, demonstrated by

BY EDWIN ZEDLEWSKI

officials and treatment providers. Three sites have been awarded three year demonstration grants for adult offenders: Birmingham, Alabama, Jacksonville, Florida and Tacoma, Washington. Two juvenile program sites will be selected in this fiscal year.

So what's not hot?

Single purpose and single provider programs. Program evaluations and related research of the late 1980s and early 1990s pointed out the ineffectiveness of programs that tried to achieve narrowly defined objectives. Surveillance-only intensive supervision, punishment-dominated boot camps, and short term treatment for offenders stand out among the disappointments. Tendencies are clearly toward multiple attribute programs delivered by multiple agencies.

Local agencies, perhaps from frustration or perhaps through experience, have gradually grown comfortable with partnerships. Justice agencies recognize that they share missions with health care, education and housing. Their latest efforts no longer emphasize distinct roles for the partners; pooled resources now go toward shared goals. Co-managed staffs and cross training have become popular.

Police-corrections partnerships deserve special mention. Several cities have started police and probation officer teams. While no formal evaluations have been completed, the anecdotal information indicates that such partnerships have had promising starts. NIJ cosponsored a police/corrections partnership with the COPS Office and the Corrections Program Office last spring. Our six month post-conference survey of attending teams found that 100 percent of the teams had had follow up discussions, and some 80 percent were planning formal partnership arrangements. This information spawned the development of a new regional conference series that will begin in the spring of 1999. Stay alert for announcements of the schedule of regional meetings.

My final reflection on NIJ's research portfolio is that replicating effective programs will present formidable communications challenges. It will be harder to articulate program components or processes in a comprehensive and collaborative program world. It's going to be partly what you do, partly how you do it, and partly who you do it with. Hopefully, community corrections leaders will help us work out the kinks . □

ACA

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

Executive Development for New CEO in Probation & Parole

The National Institute of Corrections (NIC) has just completed the third in a series of Executive Development programs for the newly appointed probation executive. This initiative has its origins in 1989 when the National Association of Probation Executives and NIC met in Tucson, Arizona to identify unique training needs of newly appointed agency heads in probation.

In the wake of that first meeting, a curriculum was developed and the first program was offered at the NIC Academy in Longmont, Colorado in August 1993. However, budget shortfalls made it difficult to continue the series at that point. In 1996 NIC conducted several planning meetings with CEOs of probation and parole from local, state and federal departments to develop this training program. Sam Houston State University was chosen because the George J. Beto Criminal Justice Center has a national reputation as an undergraduate and graduate center for correctional education. The faculty at Sam Houston State University is also available for consultation and welcomed the idea of having new CEO's from probation and parole come to Huntsville, Texas. The University is ideal because of the hotel facilities, classrooms and the geographical location, just 50 miles from Houston, Texas.

The current program being offered is the product of partnership of the National Association of Probation Executives (NAPE), Sam Houston State University, Huntsville, Texas and the National Institute of Corrections. The first class was invited September 1997 for a week-long session of "Executive Development for New CEOs in Probation & Parole." With a faculty of seven and 11 participants the ratio was overpowering. It was decided that in order to continue to make a valid evaluation of the program that participants would be asked for their evaluation approximately six months after returning home. To date, we have made numerous adjustments to the training experience as a result of these evaluations. We continue to stay in contact with many of the participants learning from their experience as new CEOs.

NIC has also taken a modified version of this training to California because of a special need of more than 10 new CEOs in California in

one year. The training has also been extended to executives of state probation and parole and to executives of state parole supervision reaching 10 states. We have had participants from seventeen states and a total of 45 executives.

Key topics include:

- Budget preparation and presentation;
- Special interest groups, including victims;
- Personnel issues;
- Operational framework;
- Media relations;
- Strategic planning;
- Communication;
- Personal development.

For more information, please contact Rick Faulkner at (800) 995-6423 ext. 138. □

Rick Faulkner works for the National Institute of Corrections in Washington, DC.

Upcoming Classes

March 28, 1999 - April 2, 1999

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Huntsville, Texas

September 26, 1999 - October 1, 1999

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Huntsville, Texas

BY RICK FAULKNER

PROJECT ANNOUNCEMENT

APPA Announces A New Initiative: Audio Training Conferences For Rural Probation And Parole Officers: Understanding And Implementing Effective Offender Supervision Practices And Programming

The American Probation and Parole Association (APPA) is pleased to announce the receipt of a \$250,000 award from the U. S. Department of Justice, Bureau of Justice Assistance. The primary objective of the project is to assist rural probation and parole agencies and practitioners in understanding effective offender supervision practices and programming strategies.

At year-end 1995, there were well over 3,285 adult probation, parole and combined probation and parole offices nationally — several of which also included juvenile probation and parole offices. There are many more offices that are dedicated to just juvenile probation and parole. These offices represent well over 38,000 adult and juvenile probation and parole employees. Although the majority of probation and parole officers work in departments of ten or more employees, there remain a large number of officers who work in small rural departments of less than ten employees. These officers face resource and logistical problems when addressing staff training and client programming that are unique to the smaller office.

In 1999, APPA will provide a series of 11 audio training conferences targeted for small, rural probation and parole jurisdictions. These teleconferences will address issues and needs specific to the rural probation and parole office. Additional project activities include the development of Participant Training Packets on the topic areas of the teleconferences and the submission of an article to *Perspectives* describing aspects and results of the project.

All teleconferences will be audio, similar to a conference call. All that will be needed will be a telephone, and participants will be able to receive training from their own office. Training information, including content outlines and visual aids will be provided to participants.

To obtain further information about this project, please contact Karen L. Dunlap, Research Associate, APPA, P.O. Box 11910 Lexington, KY 40578-1910 (voice) (606) 244-8211; (fax) (606) 244-8001; (e-mail) kdunlap@csg.org

Legal Issues in Probation and Parole

Editor's Note: The author of this article speaks primarily of probation and parole. However, the legal issues described in this article are also relevant for those states that participate in supervised release programs in place of parole.

Legal Issues in Probation and Parole

Probationers and parolees both enjoy only conditional freedom from confinement. Their continued freedom is predicated on their adherence to the terms of their probation or parole agreement. All jurisdictions impose some conditions on both probationers and parolees. Courts have consistently upheld the use of probation and parole conditions. 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.¹

In this column I present a general overview of probation and parole conditions and common legal issues which arise regarding these conditions. In subsequent columns I will examine particular conditions in greater depth, with citations to leading cases.

How Conditions Are Imposed

Probation and parole conditions are imposed either by the judge at sentencing, or by a parole board at the parole hearing. While most states by law suggest conditions to be imposed, the judge or board generally has complete discretion to accept, modify or reject these conditions.

Surprisingly few statutes specify the goals to be served by probation and parole conditions, but courts have focused on the twin goals of rehabilitation and community protection. These interests are seen by the courts as being of sufficient importance to meet the "compelling state interest" required for abridgement of "fundamental" constitutional rights.²

While rehabilitation and public safety are often cited goals, defining these terms with precision is difficult. Rehabilitation generally encompasses conditions which involve

treatment, education and reintegration of the offender; public safety involves conditions such as a ban on association with criminals, possession of weapons, and a requirement to obey the law.

General and Specific Conditions

Probation and parole conditions are usually classified as either general or specific. General conditions are imposed on all; specific conditions are imposed only on some. While judges and parole boards are given tremendous latitude in establishing conditions, in reality many use a list of previously adopted standard conditions for every individual. Commonly imposed general conditions include requiring the individual to (1) make periodic reports to their parole officer, (2) notify the officer about changes in employment or residence, (3) obtain permission for out-of-state travel, (4) refrain from possessing firearms, (5) not associate with known criminals and (6) obey the law.³

A special condition is one that is not imposed as a matter of course on all probationers or parolees. Rather, it is tailored to the specific offender. So long as such conditions are reasonable and related to the state's legitimate interest in rehabilitation and/or protection of society, they are likely to be upheld by the courts. A condition which violates a parolee's constitutional rights is invalid even if it has a rehabilitative purpose or protects society.

The imposition of special conditions is not uncommon, as judges and parole boards attempt to tailor the terms of probation or parole to the individual offender. The general rule is that the authority to impose special conditions cannot be delegated to probation officers, although officers are often permitted to determine the precise mode of implementation of a condition.⁴ To avoid liability, officers should avoid imposing special conditions, or unilaterally modifying existing conditions.

Requiring certain types of treatment (such as counseling, psychotherapy or drug and alcohol treatment) is possible, but there are limits. The validity of such conditions is based on (1) whether they are too harsh, in violation

of the Eighth Amendment's ban on cruel and unusual punishment, and (2) whether there is a relationship between the offense and the prescribed treatment. Additionally, courts have indicated that revocation is not permitted if a failure to undergo prescribed treatment is a result of indigency.⁵

Legal Limitations on Conditions

Considering how many individuals today are on either probation or parole, the amount of litigation concerning the legality of conditions is relatively small. This is likely because the probationer/parolee has agreed to the conditions and is aware of the practical consequences of challenging them. When conditions are challenged, a variety of claims are frequently raised. These include invalid consent, vagueness, unequal enforcement of the law and infringement upon a fundamental right.

Individuals may waive their rights. However, it must be noted that such consent must be freely and voluntarily given. Some courts have held that some constitutional rights may not be waived, particularly if the only alternative to waiver is incarceration.⁶ This is often seen as coercive. Whether a parolee can give valid consent to unlawful searches as a condition of his parole was left unresolved by the Supreme Court in *Pennsylvania Board of Probation and Parole v. Scott*,⁷ discussed in the last column (Volume 22, Number 4).

The Due Process clause of the Fourteenth Amendment prohibits the enforcement of vague laws, on the theory that a person cannot conform his or her conduct if they do not know precisely what is expected of them. Probation and parole conditions are often challenged on the grounds of vagueness, as offenders assert they did not understand the meaning of particular terms. Some conditions are expressed in a very general way, such as "avoid disreputable places" or "do not associate with undesirable individuals." Courts have generally held probation and parole conditions to a lesser standard of clarity than statutory provisions, inquiring only as to whether the phrase in question is of common, everyday English usage.⁸

BY CRAIG HEMMENS

Unequal enforcement of conditions can be the basis for liability under the Equal Protection clause of the Fourteenth Amendment. Under this provision, unreasonable distinctions between individuals or classes of individuals are prohibited. The actions of probation and parole officers are sometimes challenged on the grounds of unequal enforcement—the probationer/parolee asserts that he or she has been singled out for harassment by the officer. Courts generally require clear evidence of officer misconduct in these cases.⁹

In general, probation and parole conditions are valid, so long as they: (1) do not violate the constitution, (2) are reasonable, (3) are unambiguous and (4) are intended to promote the rehabilitation of the offender and/or the protection of society.¹⁰ When a “fundamental right” is abridged, however, the courts will examine the condition more closely, using what is referred to as “strict scrutiny” review.¹¹ Under this standard of review, a probation or parole condition is valid only if there is a showing of both (1) a compelling state interest and (2) no less restrictive means of accomplishing the purpose.¹² Rights deemed fundamental by the Supreme Court are found largely in the protections afforded citizens in the Bill of Rights. The First Amendment guarantees of freedom of speech, assembly and religion are a prime example. Examples of how courts have dealt with conditions infringing on these fundamental rights are discussed below.

Free speech: The First Amendment protects freedom of speech. This is one of the most cherished of individual rights, and courts look closely at any probation or parole condition which infringes on this right. The state must have some strong reason for infringing a probationer or parolee’s freedom of speech.

Association: This right is also protected by First Amendment. There is consistent support in the courts for conditions restricting freedom of association, even though this is a fundamental right.¹³ Courts have accepted the argument that preventing a probationer or parolee from associating with certain individuals may further rehabilitation and protect society from criminal activity.

Typical language includes a prohibition on “associating” with non “law-abiding” persons. While both of these terms are subject to interpretation, courts regularly uphold such language against challenges of vagueness and ambiguity. So long as the terms are subject to a common-sense understanding and provides the offender with fair warning as

to what sort of contact is prohibited, they will be upheld as sufficiently clear.

While conditions preventing someone from frequenting a particular place are often upheld, broader prohibitions restricting a person from entering a city or a state may be struck down as the equivalent of banishment. The condition may also prohibit where a person works, or in what type of job. Note, however, that in *Arciniega v. Freeman*,¹⁴ the Supreme Court held that “incidental” contacts which occurred by chance at work did not violate the non-association provision of a parole agreement.

Religion: The Free Exercise clause of the First Amendment allows individuals to conduct their religious life largely free of government interference. The reach of this clause has even been extended to prison religious activity. Probation and parole conditions proscribing or prescribing attendance at church are unlawful.

Conclusion

It sometimes seems as though there are as many probation and parole conditions (and challenges to these conditions) as there are individuals under community supervision. Probation and parole officers can do their job well, however, if they keep in mind a few simple points. First, individuals on probation/parole retain a number of rights, and officers must take care not to abridge these rights. Second, officers have a duty to enforce the conditions of probation and parole, and to do so in an evenhanded, consistent manner. Third, many

violations may be avoided if officers make clear to their clients the terms of each condition, as well as their intention to enforce these conditions. Fourth, officers will do well to remember that many probation and parole conditions serve two primary functions at the same time: promotion of offender rehabilitation and reintegration, and protection of society.

Endnotes

¹ John W. Palmer, *Constitutional Rights of Prisoners* (5th edition, 1997).

² Laurence H. Tribe, *American Constitutional Law* (1988).

³ Palmer, *supra* note 1.

⁴ Rolando V. del Carmen, *Legal Issues and Liabilities in Community Corrections*, in Lawrence F. Travis (editor), *Probation, Parole, and Community Corrections*. 1985.

⁵ Id.

⁶ Craig Hemmens and Rolando V. del Carmen, *The Exclusionary Rule in Probation and Parole Revocation Proceedings: Does It Apply?* *Federal Probation* 61(3): 32-39 (1997).

⁷ 66 USLW 4524 (1998).

⁸ Del Carmen, *supra* note 2.

⁹ Hemmens and del Carmen, *supra* note 6.

¹⁰ del Carmen, *supra* note 4.

¹¹ Tribe, *supra* note 2.

¹² Id.

¹³ Palmer, *supra* note 1.

¹⁴ 404 U.S. 4 (1971). □

Craig Hemmens is with the Department of Criminal Justice Administration at Boise State University.



Position Available Chief Probation Officer

Chief Judge Donald P. O’Connell announced that applications are being accepted for the position of Chief Probation Officer, Adult Probation Department, Circuit Court of Cook County. The Chief Probation Officer oversees the department’s 800 employees, a \$38 million budget and 45,000 probationers. Duties of the Chief Probation Officer encompass all aspects of program administration, including long term planning, fiscal

management, daily supervision and training of employees and community relations. Minimum qualifications as established by the Illinois Supreme Court through the Administrative Office of the Illinois Courts are as follows: a master’s degree in management, public administration, criminal justice or social services, and five or more years’ employment in probation or a court social service department, at least three of which are at a supervisory or administrative level, or a bachelor’s degree and seven or more years’ employment in probation or a court social service department, at least four of which are at a supervisory or administrative level. Starting salary: \$99,782. Applications may be obtained from the Office of the Chief Judge by calling (312) 603-1910 or by writing to Chief Judge Donald P. O’Connell, 2600 Richard J. Daley Center, Chicago, IL 60602.

CALL FOR NOMINATIONS

APPA Elections

All individual members and affiliate groups are invited to submit nominations for the following APPA Executive Officers for two year terms.

- President-Elect
- Vice President
- Secretary
- Treasurer

Members and affiliate groups are also asked to nominate individuals to serve as regional directors from the following regions for a period of six years.

Region	Area	Present Incumbent
Region 1	Maine, Vermont, Massachusetts, New Hampshire, Connecticut, Rhode Island	James Alves
Region 2	New York	Robert Czaplicki
Region 4	Maryland, Virginia, West Virginia, District of Columbia	Andrew Molloy
Region 6	North Carolina, South Carolina, Georgia	Michael Cavanaugh
Region 7	Tennessee, Louisiana, Alabama, Mississippi, Florida, Virgin Islands, Puerto Rico	Richard Nimer
Region 8	Michigan, Indiana, Kentucky	John Thorstad
Region 10	Minnesota, Wisconsin, Iowa	Eurial Jordan
Region 13	North Dakota, S. Dakota, Nebraska, Colorado, Wyoming	Vern Fogg
Region 14	Nevada, Utah, Arizona, New Mexico	Norm Helber
Region 15	Washington, Oregon, Idaho, Montana, Alaska	Sam Trivette
Region 16	California, Hawaii, & Guam	Roger Tobey

According to the APPA Constitution, Article V, Section 9: To qualify for elected office in this association, the candidates must be:

- an active member in good standing, willing and able to fulfill the duties of the office for which nominated, and be willing and able to serve in the office for the length of time necessary to fulfill the duties of the office; and
- a member of the Board of Directors for a minimum of two years prior to the election for the position of President-Elect of the Association.

Nominations must be received in writing by **April 27, 1999**. Candidates accepting a nomination for Regional Director must provide a biography or statement of under 150 words which will be included on the ballot. Executive Officer candidates must provide a black and white photograph and formal statement of approximately 500 words outlining their interest in becoming an officer, accomplishments to be performed during their term and their future directions for the organization.

Schedule below will be followed for the 1999 election:

December, January, February, March, April	Call for Nominations
April 27	Cut off date for Nominations
April 30	Nominations committee selects two candidates for each office from those nominated and prepares ballot.
June 14	Ballot mailed first class to each member
July 26	Last day for ballot postmark
July 30	Ballots counted
Aug 11	All candidates notified by mail of election results
August 25	Nominations Committee reports results at Membership Meeting

All nominations should be sent to:
Amanda Bass
Virginia Dept. of Corrections
829 N. 17th Street
Richmond, VA 23219
Fax: 804-786-0252

Members are encouraged to nominate themselves for any of the above positions. Through this nomination process will come the leadership of your association.

CALL FOR NOMINATIONS



1999 APPA Awards

APPA Awards – Deadline: April 1, 1999

The Awards Committee of the American Probation and Parole Association is actively seeking nominations for four awards that are to be presented at the APPA Annual Training Institute. APPA does not require that the recipients be members of the American Probation and Parole Association. APPA considers it essential for members to participate in the nomination and selection process to assure that award recipients deserve such recognition from our probation and parole profession.

Scotia Knouff Line Officer of the Year Award

The most competitive and perhaps the most prestigious practitioner award, is the Scotia Knouff Line Officer of the Year Award. This award is given to a probation, parole or community corrections officer who has performed assigned duties in an outstanding manner and/or made significant contributions to the probation, parole or community

corrections profession at the local, regional or national level. The recipient may also have brought credit or honor to the profession through participation or involvement in community activities or programs.

Walter Dunbar Memorial Award

The Walter Dunbar Memorial Award is the oldest APPA practitioner award. It is presented

in honor of one of APPA's most distinguished colleagues, the late Walter Dunbar, who served as director of the California Department of Corrections, chairman of the U.S. Parole Commission and director of the New York State Division of Probation. The award is presented for significant contributions by a practicing professional or a retired practitioner in the field of probation and/or parole.

University of Cincinnati Award

The University of Cincinnati Award is not a practitioner award. It is presented to an individual who has made significant contributions to the probation and parole field or criminal justice technology. Recipients typically are individuals from an academic research or government agency not engaged in providing probation and parole services.

Sam Houston State University Award

The Sam Houston State University Award is presented to a practitioner who has published an article concerning probation, parole or community corrections, which provides new information and insight into the operation, effectiveness or future of the community corrections profession. For such recognition an article must have been published in a national or regional journal.

Nomination Procedure

Nominations must be sent to the chairman of the Awards Committee in written form. Nominations must include all of the information specified in the APPA Award Nomination Format – identify the specific APPA award that pertains, name, address and telephone numbers where nominee may be contacted; education, employment history, professional and community activity involvement, background of nominee and the specific justification that supports the recommended APPA award. There should be three testimonials from a variety of different supporters from the profession, treatment services, law enforcement, victims, clients or the community. All letters of nomination must also include a 3" x 5" photograph of the nominee. Photographs and summaries of APPA award recipients will be included in the APPA awards luncheon bulletin. Other nominee photographs and summaries will be provided to the APPA Secretariat for use in whole or in part, in *Perspectives*.

APPA Award Nomination Format

Nomination Submitted by: Name, address and telephone.

Nomination for: (Identify the specific APPA award)

A. Nominee Personal Data:

Name:	Telephone (home):
Agency:	Telephone (business):
Address:	Work Title:
Date of Birth:	

- B. Education:** Indicate date of degree(s) awarded — school attended — date of award. Specify information for all universities attended — or work on degree.
- C. Employment History:** Indicate job title — location of employment — periods of employment (cover past 15 years of employment or period of employment if less).
- D. Professional and Community Activities:** Identify memberships, offices held and awards received. (Note - A vitae or resume containing items A through D may be substituted.)
- E. Justification:** That supports the recommended APPA award along with at least three testimonials.
- F. Testimonials:** There should be three testimonials from a variety of different supporters from the profession, treatment services, law enforcement, victims, clients or the community.
- G. Photograph:** Any size photograph of nominee, 3" x 5" or larger.

All nominations for APPA awards must include all information specified above.

Nominations must be sent to:

Barbara Broderick
Arizona Supreme Court
Director, Adult Probation Division
1501 West Washington Street, Suite 344
Phoenix, AZ 85007
Fax: (602) 542-9673

Deadline: April 1, 1999

CALL FOR NOMINATIONS



APPA President's Award

But the final answer can never be a scientific one. Though science must surely inform our options, the ultimate choices we make must come from our values, for these are the moral home from which we act.

— Todd R. Clear, PhD

What is already passed is no more fixed, than the certainty that what is future, will grow out of what has already passed.

— George Cheever

In 1993, the American Probation and Parole Association established the President's Award to recognize exemplary community corrections programs which serve to advance the knowledge, effectiveness and the integrity of the system. APPA acknowledges the growing responsibilities of the profession in meeting the ever present demands by celebrating the successes of our constituents. Successes are the product of collaboration, teamwork and organizational spirit. To this end, APPA seeks to recognize visionary organizations who have exemplified the management and innovations necessary to lead community corrections into the next decade.

APPA realizes that nothing is as dangerous as *the* right answer or the *only* answer available. As a profession, we must continue searching for a second or even a third or fourth "right" answer. These searches take place when individuals choose to have them happen and take personal responsibility to make them happen. Successes are the product of collaboration among such individuals, teamwork and organizational spirit. These risk-taking organizations provide the strong environments needed to encourage, support and nurture experiences which lead us to the discovery or exploration of new paradigms.

In recognizing our association's past leadership, APPA will recognize through the President's Award those visionary organizations who have exemplified the management and innovations necessary to lead community corrections toward our future.

Selection Criteria

The APPA President's Award will be given to the community corrections program which meets all or a combination of the following criteria:

- The program/project either changes or contributes to the broad "field" of community corrections and helps to move the "field" forward.

- The elements of the program/project/agency which make a difference can be replicated by others.
- There is clear evidence of the supportive nature of its environment.
- The program/project/agency will be qualitatively evaluated on the following characteristics:
 - program implementation process;
 - client assessment practices;
 - program characteristics which match the client's needs;
 - therapeutic integrity;
 - relapse prevention techniques;
 - staff characteristics and evaluation.

- There is a clear correlation between the goals of the program/project/agency and their effect (impact).
- The program/project/agency makes a difference which is supported by impact data.

APPA President's Award Nomination Format

- Agency name
Address
Jurisdiction
Name of person submitting nomination
Address & telephone number
- Program/project title
Program/project director's name
Address & telephone number
- Describe goal(s) of program/project
Population(s) served
Staffing/Budget
Description of program/project (include unique methodologies, if any)
Technologies used
Program/project outcome (cite supporting data)
Anticipated outcomes, if any
- Project/program benefits: Describe the benefits of the program/project to your community, "field," and agency.
- Conclusion: Describe why this program/project warrants this award.

Nominations must be sent to the Chair of the Awards Committee in written form by **April 1, 1999**. Nominations must include **all** of the information specified in the APPA President's Award Nomination Format.

Nominations must be sent to:

Barbara Broderick
Arizona Supreme Court
Director, Adult Probation Division
1501 West Washington Street, Suite 344
Phoenix, AZ 85007
Fax: (602) 542-9673

Deadline: April 1, 1999

CALL FOR NOMINATIONS

APPA Member of the Year

The APPA Member of the Year is an award open to any APPA member who meets the award criteria. This award is intended to recognize the work and energy of a worthy APPA member.

Award Criteria

The APPA Member of the Year must have been a member of APPA for at least one year with a current membership. The APPA Member of the Year must have provided significant contributions to the organization through promotion of the vision and mission of APPA. The APPA Member of the Year cannot be an elected member of the APPA Board of Directors or the Executive Committee.

Any APPA member may submit a

nomination for APPA Member of the Year by providing the following information:

- Name, address and telephone number of nominee
- Name, address and telephone number of nominator
- Length of time nominee has been a member of APPA (must be a member for at least one year)
- Description of contributions the nominee has made to APPA and/or their affiliate association (provide a list of specific contributions).

Submit the nomination by **April 1, 1999**, to the following address via mail or fax:

James Sinclair
Assistant Director
Tarrant County CSCD
200 West Belknap
Ft. Worth, TX 76196-0255
(817) 884-1704
Fax (817) 884-1862

APPA Community Awareness Through Media Award

The APPA Community Awareness Through Media Award is an award that wishes to recognize a media broadcast, publication or film capable of reaching a national audience, which broadens the public's awareness and understanding of issues in the American criminal justice system through sharing the vision of APPA.

Those of us in the field of probation and parole sometimes complain that the general public has a pervasive misunderstanding of community corrections. Many times, public perceptions of our mission are fueled by inaccurate media reports based on inadequate information.

The Community Awareness Through Media Award, sponsored by the American Probation and Parole Association Public Relations Committee, seeks to recognize outstanding reporting through broadcast, film or publication, which contributes to a better understanding of the issues in the American criminal justice system.

APPA is asking for your help in calling attention to media, which in 1998 advanced public awareness, nationally, of the APPA vision. Please help us identify media coverage of the American criminal justice system which

is accurate, fair and balanced. Such coverage has the potential to improve community awareness and understanding of the work to which we are committed.

You are urged to nominate a recipient for this award by providing the following information:

- Title of article, publication, program or movie
- Name, title, agency, address, phone and fax of person directly associated with the article, publication or program
- Date published or broadcast
- Name of newspaper, magazine, book, TV station or movie
- Supporting documentation (e.g., reviews or awards)
- Name, title, agency, address, phone and fax of person submitting nomination

If possible, a copy of the publication or tape of the broadcast or video should be included with your nomination. If not, briefly describe why you believe it meets the above criteria. The nomination should have reached a national audience.

Submit the nomination by **April 1, 1999**, to the following address via mail or fax:

Pamela Kirkby
Office of Adult Probation
643 Maple Avenue
Hartford, CT 06114
(860) 566-8350
Fax: (860) 566-7443

1999 APPA SCHOLARSHIP

APPA's 1999 Community Supervision Officer Scholarship

APPA is pleased to announce the call for nominations for the first annual APPA Scholarship and invites APPA members to nominate candidates for this scholarship. The objective of this APPA sponsored initiative is to award a scholarship to a community supervision officer who has spent at least five years working with offenders serving their sentences in the community.

The \$6,000 scholarship is to be used at an accredited United States college or university. The scholarship funds are to be used for the officer's continuing education towards a career in community-based corrections. The scholarship funds will be provided directly to the educational institution and may only be used for tuition, books, laboratory and related fees, on-campus housing and on-campus dining. Funds are not to be used for travel, salary for the award recipient, medical expenses, athletic fees or other similar expenses.

The award recipient may be eligible to receive a total of four, one-year scholarships of \$6,000 each. An award in one year will not influence subsequent awards to a particular nominee. The award recipient must maintain a "C" or better grade point average in order to continue payments to the college or university of his/her choice during the period of the award. The APPA Awards Committee will review all of the nominations.

Nomination Form

Nominee Personal Data

Name _____
Street Address _____
City _____ State _____ Zip _____
Telephone (Home) _____ Telephone (Work) _____
Date of Birth _____

Nominator Information

Nominator(s) Name _____
Title(s) _____
Agency Name _____
Street Address _____
City _____ State _____ Zip _____
Phone _____ Fax _____

On a separate sheet(s) of paper, please provide the information which details the following information on the nominee: employment history, education and educational goals, how they intend to use the award, type of program they want to enroll in, stated need, three references/testimonials, an official transcript if already enrolled and a 3" x 5" photograph may be required at a later date.

Please fax or mail information by **April 15, 1999** to:

Barbara Broderick
Division Director
AZ Supreme Court – Administrative Court Office
1501 West Washington, suite 344
Phoenix, AZ 85007
Fax: (602) 542-9673

All questions should be directed to: Karen Fuller at (606) 244-8196.

Funding for APPA Scholarships provided by BI Incorporated.

APPA's 1999 Probationer Scholarship

APPA is pleased to announce the call for nominations for the APPA Scholarship and invites APPA members to nominate candidates for this scholarship. The objective of this initiative is to annually award a scholarship to an adult offender who has successfully completed his/her supervision and who, in the past 18 months, has made a significant contribution to their community.

The scholarship amount is a maximum of \$6,000 a year to be used in pursuit of a four-year bachelors degree program at an accredited United States college or university. The scholarship funds will be provided directly to the educational institution and may only be used for tuition, books, laboratory and related fees, on-campus housing and on-campus dining. Funds are not to be used for travel, salary for the award recipient, medical expenses, athletic fees or other similar expenses.

The award recipient may apply to receive a total of four, one-year scholarships of \$6,000 each. An award in one year will not influence subsequent awards to a particular nominee. The award recipient must maintain a "C" or better grade average in order to continue payments to his/her college or university during the period of the award. The APPA Awards Committee will review all of the nominations.

All nominees for this scholarship award will be misdemeanants or felons who have spent the majority of their sentences in the community rather than in institutions. The following types of offenses and offenders are not eligible: felony arsonists, felony sexual assault and habitual violent offenders. Candidates preferably will have served part of their sentence on electronic monitoring.

Nomination Form

Nominee Personal Data

Name _____
Street Address _____
City _____ State _____ Zip _____
Telephone (Home) _____ Telephone (Work) _____
Date of Birth _____

Nominator Information

Nominator(s) Name _____
Title(s) _____
Agency Name _____
Street Address _____
City _____ State _____ Zip _____
Phone _____ Fax _____

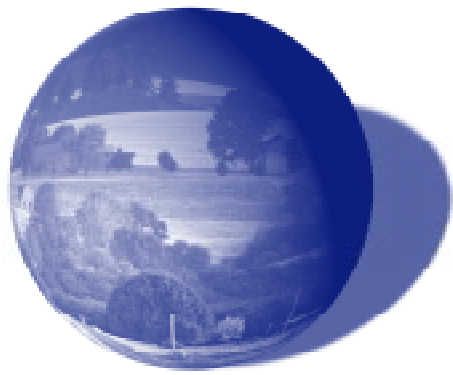
On a separate sheet(s) of paper, please provide the information which details the following information on the nominee: education and educational goals, employment history, community involvement, criminal history, correctional supervision programs in which the nominee has participated and his/her performance in those programs (if possible, personal accounts of his/her supervision programs and the impact on the offender), three references/ testimonials, an official academic transcript if already enrolled and a 3" x 5" photograph may be required at a later date.

Please fax or mail information by **April 15, 1999** to:

Barbara Broderick
Division Director
AZ Supreme Court – Administrative Court Office
1501 West Washington, suite 344
Phoenix, AZ 85007
Fax: (602) 542-9673

All questions should be directed to: Karen Fuller at (606) 244-8216.

Funding for APPA Scholarships provided by BI Incorporated.



Community

Corrections of



Place

This article describes a vision for community corrections that gives a much deeper and more resonant meaning to the term, "community." We envision a community corrections strategy that not only draws its livelihood from a connection to individuals and groups at the community level, but also defines its functions by its relevance to local community life. This orientation toward place presumes an understanding of crime as rooted in a local ecology, locating offenders in an environment rich with relational and structural features which both encourage and restrain criminal behavior.

Community corrections have always claimed a closer alignment to community life than other justice agencies, but this claim rests on the simple fact that offenders under community supervision happen to live there. There is little in most of today's traditional community supervision activities that is particularly dependent upon any other fact of community life other than the obvious point that offenders happen to live there instead of prison.

Modern community supervision has become an office adventure played out against a backdrop of paperwork: assessments, reporting schedules, urine tests and progress reports. Supervision systems have placed a premium on "contacts," at the cost of involvement. Some critics (Feeley and Simon, 1992) decry the loss of the old style of social work in today's risk-oriented world of supervision, but the main importance of these changes has been an alienation from the community. One of us, in more cynical moments, refers to the prevailing model as "Fortress Probation," envisioning a system operating in isolation from, and almost in defensive reaction to the community.

Community correctional administrators know this. They operate in a socio-political world in which they are the targets of everyday citizen disdain. People distrust community corrections (Flanagan & Longmire, 1996). They think of community corrections as the agency that places and keeps offenders in their midst, but does not protect them from those offenders. Or, they think of community corrections as an imposition

BY TODD R. CLEAR PH.D AND RONALD P. CORBETT ED.D

upon the lives of their brothers and fathers. The irony is, community corrections is present in the local life of our cities and towns, but its visibility is based on what it does *to* people, not *for* people. Community corrections has few defenders, though the otherwise negative polling data would suggest that citizens are not at all opposed to the use of community sentences, provided they are logically constructed, well-run and responsive to community concerns.

There is also a technical problem: the empirical case can be made that community corrections works is not strong. The Petersilia studies (1985) have produced questions about the effectiveness of traditional probation as well as its highest form—intensive supervision. Community supervision stands today as an agency with few supporters, little mission with the citizenry, and a shattered technical base.

The situation facing community corrections is not altogether unique. The police have faced a similar crisis of mission and confidence. Caught between the public relations imperative of the 911 calls and the awesome history of a series of failed methods, the police faced a crisis of confidence. Community-oriented policing and its cousin, problem-oriented policing produced a new vision of police work that has since captured the profession and led to a series of symbolic and real successes that have redefined policing in the 20th century.

The lesson of policing can be understood in many ways, but the simplest is to say that the police rediscovered the community. They did so in two ways. They recognized that the people who live in the houses and work in the businesses that they walk among are neither enemies to be controlled or nuisances to be avoided. They are the customers, the clients of policing. Their problems are policing problems. When the police began to embrace their mission with the community, they rediscovered the connection to values rooted in everyday citizens' lives. And their relationship to the crime problem changed, from one of lonely crime fighter to one of community agent.

Community corrections finds itself at the doorstep of a similar metamorphosis. Stripped of its technical base and without a natural constituency other than a weak claim to save money for a system strapped to the gills, community supervision could not be more in need of a new vision for its work and its role in the world. We believe that a renewed commitment to place is the doorway to a new community corrections.

The Emerging Importance of Place

Place is becoming important to criminology and justice for several reasons. They boil down to a simple proposition: the quality of life in modern society is closely tied to the qualities of the places people happen to live. It is fashionable, in these days of the worldwide web and the international workplace, to talk of the global village. While it is true that technology has reduced space and time, and while it is also the case that residential life has changed radically in this century, it is not accurate to say the local residential area has become irrelevant to quality of life.

This is particularly true for neighborhoods that suffer from high levels of crime. Residents of poorer neighborhoods enjoy less mobility, have reduced access to resources outside the immediate area, and experience greater exposure to street-level disorder, including youth groups such as gangs. An upper middle-class family may easily travel to places to obtain services or gain experiences not in the immediate vicinity of where they live, but poorer citizens experience difficulty in doing so. In those areas with the lowest degree of quality of life, people tend to be most affected by local dynamics. In other words, they are stuck with and in their neighborhoods and consequently have the most to gain from a community corrections strategy that emphasizes community building and restoration.

Researchers have rediscovered the importance of place for understanding crime. A long tradition of community-level crime studies often referred to as The Chicago School (Shaw and McKay, 1948) has recently gained a renewed interest among researchers who seek to explain crime by studying individual behavior in neighborhood contexts (Grasmick and Bursick, 1990). The resuscitation of community-level analyses in criminology has helped produce new and important insights about the link between crime and local community life.

Crime prevention theory has also moved away from the person to the situation (Clarke, 1992). Using insights from Routine Activities Theory (Cohen and Felson, 1979), notable strides have been made in reducing crime in particular locations. A new discipline of place-oriented prevention theorists has now developed into an international membership organization.

Even more dramatic than the new research agenda about communities and crime has been the groundswell of interest of justice practitioners in community-level organization and initiative. The prototype of this movement is represented in the various forms of community policing now found as something of an industry standard in providing those services (Kelling and Coles, 1996). To many observers, community policing has been wildly successful in improving public confidence in the police, strengthening police morale, and even reducing crime. But the community policing success story has not been replicated by prosecutors and correctional officials.

Taken together, these forces help explain the resurgence of interest in communities and neighborhoods. From science to politics, public services to social policy, the community as a unit of analysis has become increasingly useful. The implications of this trend for correctional practice are immense.

The Neighborhood Meaning of Justice

We are accustomed to thinking about justice as separationist in its functions, and we are used to thinking of community safety as contingent upon who is allowed to live in the community. Justice seems separationist because formal justice processes remove offenders from everyday life for accusation and conviction ceremonies, and they often result in penal removal, as well. The idea that communities are made safe by eliminating unsafe residents is equally an ingrained idea in American traditions.

These views stem from the operation of an external, centralized, state justice system. While they contain an appeal to a better community, in our view, separating offenders from their communities is not necessarily what is meant by community justice from a neighborhood perspective. This is true for a number of reasons, two of which are most important. First, offenders are resources to their communities—they are fathers and sons, husbands and partners; they earn money, provide fiscal and emotional support to their intimates, and play roles in community life. To the extent their relationships are not wholly criminal, not wholly destructive. Removing the offender removes the resources as well. Second, the distinction between offenders and non-offenders is, to some extent, artificial. Research finds that up to one-third or more of inner city males are arrested before middle age (Wolfgang, Figlio & Sellin, 1972), and other studies find very high rates of admitted law violation among adult samples. If everyone who ever offended was forcibly removed from the community due to the offense, almost everyone would have to move sometime, and “justice” would be the main cause of mobility in our culture.

We think that a view of community justice that is not separationist provides a morally superior version of the justice ideal. It approaches offenders, victims and their neighbors as interconnected citizens, mutually

interdependent in pursuit of a good quality of life. Crime is one of the most powerful attackers upon quality of life. So responding to crime in a way that recovers community and strengthens community life is the most profound task of justice. To do so without unnecessarily wrenching offending citizens from their communities, but instead to rededicate their behavior to a safer community, is the ideal of community justice, as we understand the term. Let us explain.

Crime: The ‘Shattering’ of Community

In practical terms, crime is simply a violation of written penal law. But another way of viewing a criminal event is to see how it symbolizes the social and moral relationships of the various parties to it.

When an offender violates the law, the act thus represents his symbolic claim that he has no obligation to observe fairness in his social relations. The offender claims, instead, the right to use others’ observance of the law to unfair social advantage. He claims that others exist for his own personal pleasures—he may use others’ property and persons as he wishes and he may disregard their desire for the uses of their that which they possess. In short, he puts himself above the rules and says that others who live in communion with him do so at their peril.

The victim suffers losses that are both real and abstract. The real losses involve damage to property or self that results from crime. The abstract loss is less tangible, if no less painful: a certain loss of status as a community member who may expect to be protected by the fairness and legitimacy of commonly applicable law. Having been badly used by the offender, the victim suffers from a kind of public, moral ambiguity. Is he worth the same consideration as any other community member, or does he deserve less protection of his rights to fairness and legitimacy?

The “onlooker” is the citizen who, neither criminal nor victim in this instance, faces the criminal event as a moral challenge. An associate—a fellow citizen—has claimed the “right” to injure anyone else of his choosing. The person on the perimeter of this event now must take a stand. Shall this claim by one fellow citizen that he may exploit another fellow citizen as he wishes be allowed to stand? The actions of the on-looking community member symbolize the very fairness upon which the law is based.

Seen in this light, the criminal act is both a practical and symbolic denial of community. It breaks trust between citizens, and sets up a predicament in which community members must determine how to contradict the moral message of the crime, that the offender is above the law and the victim beneath its reach.

This is a profoundly social view of crime. It exposes the way in which crime is not merely a challenge to safety in the community, it is a challenge to the very essence of community life. Yet the response to crime is also a challenge to community life. If a crime serves to

question the rules under which social interaction progresses, what community members do about these instances defines the relationship between any community and all potential offenders within it.

In this sense, a criminal event stands as a shattering of the foundation of community life, to the extent

that foundation relies upon a shared sense of fairness and interdependence. A crime is a social act that is acutely moral in content. The crime challenges the moral basis of community life, in which all members may expect to live under stated, accepted behavioral limits. How the member of a community responds to this moral challenge will define what it means to be one of the community’s members, and will contain instruction for members as they choose future action.

The link between the onlookers’ interests and those of the victim/offender in criminal dispute has several dimensions. The most basic is that the onlooker might some day be an offender or victim in a criminal event, and therefore has a deep-seated interest in the management of such disputes. The onlooker will also be obliged to live with the victim and (ordinarily) the offender after the dispute is resolved. The viewpoint that defines criminal dispute resolution will also color the social interdependence in non-disputed interaction—the morally social *is* as the morally social *does*.

The void in contemporary criminal law is that there is no room for the community to become a responsible player in the response to the crime. Because the adversarial model posits an official, state regulated contest between law enforcement and offenders, the model shifts but slightly when the victim’s come into the picture, becoming a contest between the accused and the accuser. The community is left to assume that its values, interests and solutions will be reflected in the resolution of the contest between whichever parties are allowed at the table. If public opinion about crime is any indicator, the public has its doubts.

This discussion of the socially moral nature of criminality thus asserts the following:

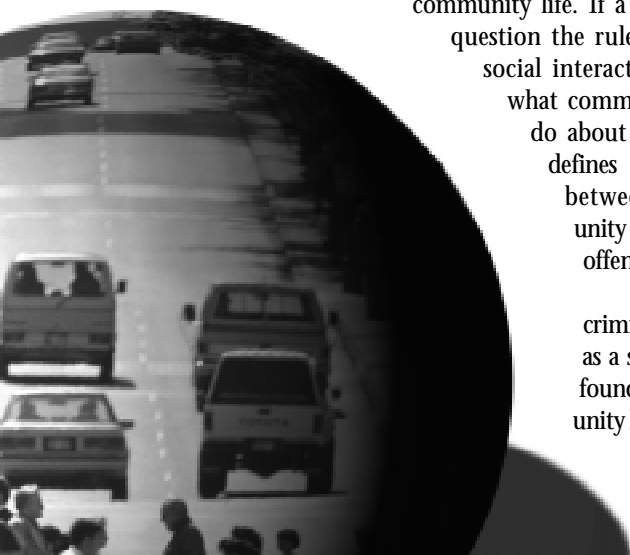
- A crime symbolizes a claim by one citizen that she may use, to her benefit, the person or property of another in violation of accepted legal prescriptions for conduct.
- Criminal events challenge community life by shattering the shared moral structure for community members’ interdependence; thus, citizens dispute the claim implicit in an offender’s conduct.
- The parties to a criminal event include victim, offender, onlooker and the state. Each has an interest in the management and outcome of the criminal dispute.
- In U.S. jurisprudence, the state has usurped the role of “onlooker” and thus has denied the community its place in the criminal dispute.

This analysis suggests that however important, the proving of guilt or innocence is but an interim outcome for community justice. The larger outcome is a restoration of the socially moral foundation for interpersonal conduct. The crime has shattered the community’s confidence; justice occurs when steps are taken that should recover the confidence.

Recovering Community

The ideal of justice is that the community may recover from the socially moral damage of crime. This ideal includes recovery for everyone affected by the crime. Such recovery, to occur, must begin with a recognition that the criminal act, while it tears at the fabric of community, must also seen as (a) a product of community and (b) an impediment to be overcome, if community is to be reclaimed.

Crime is a product of community for reasons that should be obvious, but too often are forgotten. Criminal behavior is deeply rooted in social processes occurring at local levels. First, criminal behavior is housed in community structures such as inequality, neighborhood stability, wealth and opportunity. These social forces are ever-present correlates of



criminality, and the ubiquity of their influence on crime reminds us that the character of a locality's quality of life is interconnected to its level of criminality.

Second, crime is a product of an individual's experiences as bounded by social contexts. Children who are raised abusively, those who struggle in schools and family circles, those who suffer from psycho-social limitations; these children will more frequently grow up as offenders (Widom, 1989). Communities that produce higher rates of these events will experience more offending behavior among residents; communities that provide ameliorative supports for children who have these experiences will reduce the predominance of the crime that results from these experiences. To the extent that criminality is moral choice, communities in which moral lessons are taught (and moral living succeeds) will experience more of it.

That the existence of crime is an impediment for communities to overcome is axiomatic to literature on community. What would a process look like that successfully overcomes the impediment of crime? The answer lies in a recognition that the community justice ideal is far more than the blaming and sanctioning process suggested by a model of adversaries. Instead, a justice model in which community is restored envisions a problem-solving process in which the parties to the criminal dispute have certain tasks derived from their relationship to the criminal event and its claims upon the disputants. These tasks are outlined below.

The Community Justice Tasks of Parties to Crime Disputes

A focus on "tasks" is extremely different from a focus on "rights" (Wolfe, 1989). But if a dispute model invokes images of a contest, dispute-resolution brings forth images of problem-solving tasks. We have described crime as a challenge to (and a breaking of) the socially moral cohesion of community life. Responding to that challenge (repairing the breakage) is a responsibility of all parties to the criminal dispute. Understanding their roles in resolving the dispute is the first step in defining the ideal of community justice.

We begin by redefining the criminal justice process to be one not built primarily around blame and punishment, but instead built around fact-finding, problem-solving and sanctioning. Each of the parties to a criminal event has specific responsibilities in establishing facts and determining sanctions. Each party's role connotes a set of tasks that must be performed.

The Tasks of the Offender

The offender's conduct has been a moral and social offense against the community. The behavior raises questions about the offender's willingness to live within the community according to its prescribed conduct rules and the symbolic claim by the offender that she may use others in the community unfairly to her benefit stands as a challenge to continuing community life. This places the offender at odds with the community. The offender's task is to overcome the deficit in which she has placed herself. This involves three separable steps.

First, the offender must take responsibility for the offense. This occurs when the offender admits that she committed an offense and admits it was wrong to have done so.

Second, the offender must take responsibility for the effects of the offense on the victim and on the community. The effects on the victim include tangible costs that may be reimbursed through financial or labor restitution. There are also less tangible victim effects which can only be addressed through symbolic acts. These same acts will be a means to

address the community, which has lost confidence in the offender's citizenship. Responsibility for these effects can be taken through symbolic acts of restitution to the community, such as community service (Adler, 1991).

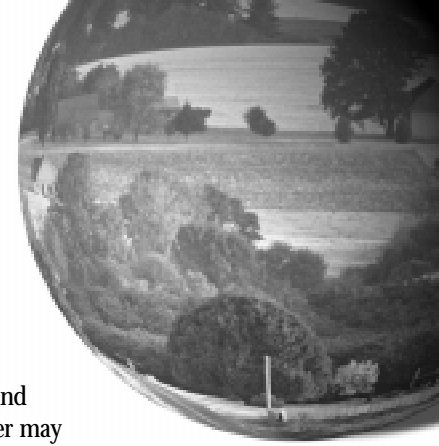
The community has lost confidence in the offender's behavior, and has little reason to think the offender may be relied upon to be a citizen of fair living. Thus, the offender also owes both the victim and the community affirmative acts that give them a reason to have confidence in her claim that crimes will not again occur. These acts will range from involvement in treatment intervention programming such as residential drug programming to maintenance of limits on behavior, such as curfews, to reparative tasks such as making full restitution to the victim(s). These steps will be taken to assure the victim and the community that risk of new crimes is minimal.

The aim in this assurance process would be one both symbolic and practical. It symbolizes the joint recognition of the break between citizen and community that occurs in a crime, and it symbolizes the tasks needed to re-establish connection and membership. The processes of "shaming" have many of these same qualities (Braithwaite 1989). At a practical level, the dual legal functions of sanctioning and risk management are enhanced by the offender's actions of remorse, repair, and reform.

This may seem like a "pollyanna" view of what an offender must do to make the amends necessary to restore community. Many people looking at this list would wonder what brand of offenders we might be thinking about in describing these tasks. Yet when the Vermont Department of Corrections commissioned a series of focus groups to obtain a better understanding of what "ordinary citizens" as consumers of corrections want to get from punishing offenders, they heard the following list of priorities:

- For the offender to take responsibility for the crime;
- For the offender to make restitution to the victim;
- For the offender to contribute something back to the community as a symbol of remorse; and
- For the offender to take steps to insure that the crime won't happen again;
- For the offender to learn something from the experience. (Perry and Gorkczyk, 1996).

While this approach has, we believe, great promise for a range of typical community corrections offenders, it is equally true that it cannot encompass all. Some offenders, by virtue of the crime(s) they have committed or owing to a manifest rejection of the program offered to them, will appropriately be subject to incarceration, thereby deferring for some time the task of managing their reintegration into the community. A failure to select appropriately for involvement in a refurbished community corrections effort would simultaneously ignore the realistic safety concerns of citizens, trifle with the real hurt and fears of crime victims, and ultimately threaten the longevity of the program, robbing communities of its many potential advantages. Choosing participants both wisely and justly is imperative.



The Tasks of the Victim

The victim plays a key role on repairing community, but has fewer tasks than the offender. The victim's tasks are related to the end aim of the sanctioning process designed to recover community: a full capacity to function as member of the community.

Full functioning can be impeded in any (or all) of several ways. The victim may be disabled physically, emotionally or both by the offense. The victim may feel guilty about the offense, or may wonder what she did (if anything) to warrant being victimized. The victim may harbor deep malice toward the offender because of the crime and its effects. All of these are common and understandable responses to victimization.

To overcome these obstacles, the victim first must be able to state the scope of losses, tangible and intangible, that have resulted from the crime. Then he must determine the types of resources, financial and otherwise, that would be necessary to restore, as much as is possible, the losses he suffers. Finally, he must lay out the conditions under which he would forgo his resentment of the offender, allowing again that for many victims of violent crime, reconciliation will neither be invited or appropriate.

These are, for most victims, enormously difficult objectives. They may also be so complex that a simple statement is impossible. Thus, the victim is not required to achieve these ends, but instead is obliged to participate in a process in which these aims are addressed. Whether that process will be successful is dependent not just upon the strengths of the victim, but also upon both offender and community responses to the process.

The Tasks of the Community

It is the community's laws that have been violated, the community's life that has been disturbed. Thus in the face of criminality in its midst, the community must play a role in recovery of community life, a role too often neglected or misunderstood. Community activity in responding to crime is central in part because the victim who hopes to be restored is a member of the community, but likewise because the offender (and her conduct) also emanated from the community. Thus the community is a context to criminal events within it, and must be a presence in the reply to those events.

The community has a responsibility to the victim. This responsibility involves recognition of the importance of losses resulting from victimization, and a commitment to provide supports necessary for the victim to achieve the optimal recovery. This responsibility may include a willingness upon the part of the community to accept as normal the anger, frustration, withdrawal and alienation that often accompanies victimization experiences, not only to provide financial supports that help restore the victim.

The community has a responsibility to the offender. This responsibility includes providing two opportunities; one for the offender to perform reparative tasks for the victim and the community, and meet other just desert sanctions, and the other for the offender to obtain the assistance and supports—including necessary treatment intervention programs—necessary to live in the community crime free. The first responsibility sets the stage for the offender to make amends for the offense, the second allows both two have confidence in the future of offender risk control.

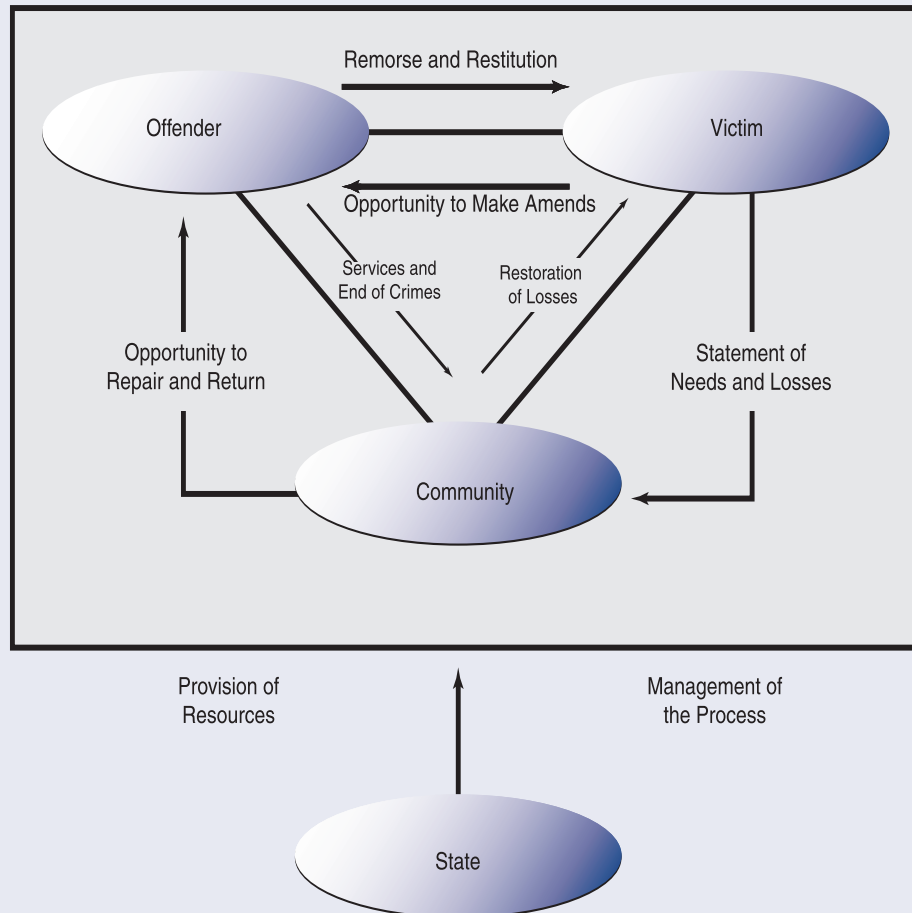
Thus the obligations of the community are to its members—to provide the possibility of recovery and restoration for victims and offenders alike. Thus the community is responsible for building and maintaining the supports necessary for victims and offenders to carry out their tasks. This includes a readiness to support victims through their process and assist offenders with their tasks, so that both may resume a place as community members.

The Tasks of Justice Officials

Figure 4.1 shows the reciprocal nature of the tasks of victims, offenders, and communities. In each case, the responsibilities of one party are matched by duties of the other, such that the parties exist in a closely coupled pattern of obligations and mutual tasks. This figure illustrates why an adversarial model fails to achieve the end aim of improved community life, for it pits as contestants roles that are in fact interdependent.

The tasks of victims and offenders are complicated and profoundly formidable. They will not be able to carry them out without assistance. It is the responsibility of the state—the justice profession—to assist these parties in performing their tasks.

Figure 4.1: Core Responsibilities of Parties to the Sanctioning Process



From this perspective, the state is not proprietor of the criminal justice system, rather it is a consultant and manager to the community, which is addressing its crime events through a sanctioning process. System officials are responsible for designing and managing a process that makes feasible the accomplishment of these tasks.

The responsibility of the state will require extraordinary sensitivity to the diversity of offenders, victims, and the needs of their communities. Similar criminal events may need to be handled differently; the emphasis will be on communication and problem solving, working out options and exploring them. Thus the state will need to accept flexible and evolving models, and a degree of patience to allow the parties to mature within the reclamation process.

Organizing At the Neighborhood Level

The current structural features of community corrections agencies do not necessarily militate against greater presence in and involvement with the community. Whether creatures of a state or county framework, some systems are already reasonably decentralized, with offices spread throughout given jurisdictions. In some other instances, central or regional office set-ups work against close ties with the communities served and those systems will first have to create more of a decentralized system, with workplaces closer to the impacted neighborhoods.

Working in a community does not, as we have seen, guarantee working with and for the community. The philosophical shift toward community partnership will need to find its objective correlative in new structural arrangements more aligned with the new approach. For example, probation and parole officers can universally be assigned cases by address, a system in place in only some agencies currently. All cases can be geocoded and all officers can receive a “beat” or “turf”, for which they will handle all active cases. Rather than deal with a shifting array of officers, which works against any familiarity or collaboration, each neighborhood will get its own officer or team of officers whose assignments will be local and whose office should be neighborhood based.

In high crime areas, one or two officers may work a comparatively small district, bringing with it the need to become creative about workplace. Even the most decentralized system will not easily be able to provide highly localized offices. The most progressive systems have found solutions to the citing problem. For example, in Washington under a “Neighborhood Based Supervision” concept, probation and parole agents work out of police substations, sharing space (and a sense of mission) with community policing officers. In Wisconsin, probation officers are located in community centers and apartment complexes and are assigned responsibility for small, manageable, neighborhoods (Clear, 1996).

Programming for Community

Three main types of programmatic initiatives may be operated as “place-oriented” justice under correctional management. These are discussed below.

Situational Crime Prevention strategies have been widely discussed in recent criminological literature (Clarke 1992). There are particularized

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versions of this approach, but each is designed to attack specific crime problems through a problem-identification/problem-solving sequence that gathers information about precise crime problems—usually defined in terms of their precise location in time and space—and builds solutions to reduce the opportunities they will continue to occur. While much of the data used to analyze crime situations comes from the local police, experts acknowledge that residents living near those crime problems can also be extremely helpful in developing intelligence about the crime as well as strategies for eliminating the crime. Situational crime prevention proceeds from expert leadership, and it is usually implemented by those same experts. Residents may play a role in these efforts, but it is generally quite limited. Neighborhood watch groups have been more promising examples of citizen involvement in crime prevention.

That is not the case with neighborhood reclamation projects. These projects rebuild neighborhood structures that have deteriorated, such as restoring dilapidated or abandoned buildings and repairing disintegrating road surfaces. Of course, this type of work can be very useful for preventing crime. Unoccupied buildings become havens for illicit activities, and pot-holed streets are avoided by drivers, leaving them empty and inviting to illegal behavior. Most high-crime neighborhoods are also neglected neighborhoods, and there is plenty in the way of decaying infrastructure worthy of attention. Too often, political payoff for working on these targets is very limited. Thus, in many of these areas, crumbling structures are left to stand until they eventually fall. It often requires purposeful investments of time and priority for these problems to be overcome.

Local human effort can be an important part reclaiming physical aspects of neighborhoods, because hard labor is usually required. Volunteer labor is heavily used by numerous rebuilding groups, such as Habitat for Humanity, because the full costs of the labor would be prohibitive. In high-crime neighborhoods, there is an untapped supply of potentially “free” labor that might be used to address these problems: offenders. Community justice models might attempt to employ this unused labor source to revitalize structures in their local areas, and this can be a way for the offender to repay communities for their offenses, as well.

Citizen Support Services help at risk citizens to feel safer and have a higher quality of life while residing in these locales. At risk groups include children (especially the children of law-violators) the elderly, and the disabled. Children can be supported through after-school programs, tutoring, mentoring and recreational programs. The elderly need various services, from transportation to and from medical and social services, to medical supervision and even social visits for conversation. Disabled residents need access to places in the community, and this can include transport, and assistance with the wheelchair.

Unlike crime prevention and reclamation projects, support services do not have an immediate crime control payoff. The idea of strengthening communities through investing in the quality of life of its members is a long-range strategy. It seeks to address crime by addressing the malaise that cultivates crime; it fights alienation and despair of the least vigorous citizens. It establishes a floor below which the quality of life does not descend. This fights crime by making the vulnerable less susceptible to its evils.

Taken together, these three strategies—prevention, reclamation and services—define a troika of targets for crime reduction that can be activated by communities. What role, if any, do offenders have in this strategy? As laborers and residents, offenders can fill some of the voids that no others are willing to fill. But is this realistic?

Some offenders plainly will not fit this agenda. Those who seek only to victimize their neighbors and see them as opportunities for self-advancement—and there are many like this, not only criminal offenders—will not take advantage of the chance to reinvest in community life. That is not the case for every offender, of course, and so there will need to be screening of applicants for a community justice initiative. But the idea of offenders responding to their conviction, not by compliance with a prison regime, but by infusion of labor to resurrect the very community their crimes attacked, is an attractive one and an economical one.

In an earlier paper (Clear, 1996), one of the authors had occasion to speculate on the kinds of programs an actual community justice correctional (CJC) organization in a mythical neighborhood, Jackson Heights (JH) might operate. As an illustration of the points above, we offer this hypothetical list below.

Crimestop. Working with the local police, the CJC convenes meetings of local residents to discuss crime problems in their areas. They then lead a “crime prevention” analysis of these problems, and develop mechanisms for reducing the incidence of targeted crimes.

Victims/Awareness. Local residents who are victims of crime are brought together to talk about how victimization has affected their lives. The nature and extent of crime in JH is discussed, as well as the programs in existence that try to reduce crime. Opportunities are given for victim-offender mediation. Methods for preventing repeat victimization are described, and individuals are assisted in taking steps to secure their

environments from crime. The VA sessions help CJC funnel victims into appropriate services through referral to a range of concrete and counseling services the CJC may purchase for clients or assign to them.

Too Legit to Quit (TLQ). This is a recreational club that meets two nights a week and on Sunday afternoons in the local school. It is open to teenage male children whose fathers or mothers are incarcerated; each child is paired with two adults and another child. Adult offenders under a community justice sentence attend with one of their children, and they are teamed with another adult who is a mentor for the child whose parent is in prison. The TLQ team attends workshops on parent-child relationships and engages in organized, supervised recreation with other teams. The structure is designed to strengthen ties between offenders and their children and to establish supports between offenders and other neighborhood adults.

Night Light. Probation/Parole Officers jointly undertake evening visits to the homes of high risk offenders who are placed on curfew. The purpose of the visit is to meet with the offender and parents (if the offender is a juvenile) or other family members who may be assisting in the offender's adjustment. The visits are intended to be constructive and permit time for discussion and problem solving; if criminal activity is discovered, it is responded to on the scene.

These joint operations between police and community corrections officers are enhanced by the routine sharing of information about offenders received from other officers or citizens. In this way, the conventional “firewall” that exists between these two components of the criminal justice system is removed.

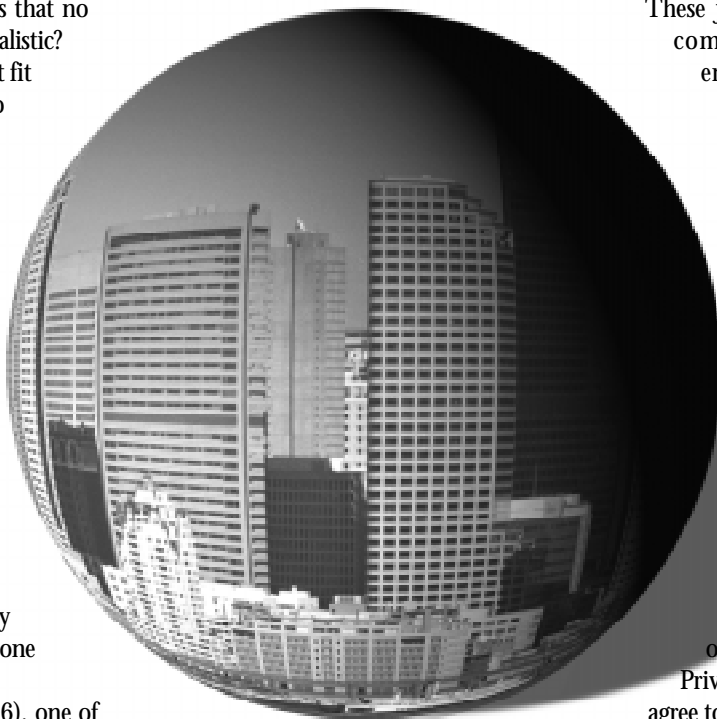
JH Habitat. Squads of offenders under community justice sentences rehabilitate local buildings, which become used by the homeless or become available for small businesses at advantageous rates.

Habitat workgroups employ local residents who are paid wages at or near prevailing rates as well as offenders, who receive minimum wages.

Private contractors for renovation must agree to employ local residents and be willing to supervise offenders as part of the crew, and offenders are required to abide by the same regulations as full-pay employees.

Seniorcare. Offenders are paired with elderly residents who are otherwise without services. Formally, each offender pays weekly social visits on eldercare partners and keeps them company; but informally deeper relationships are encouraged, including having the offender accompany the senior citizen to health appointments and community social clubs. In some cases, the TLQ teams spend regular time in visits with senior citizens.

These projects are all made possible through partnerships with existing organizations and citizens volunteers. The local probation department has assigned a unit of its staff to a special team caseload involving the approximately 1,000 probationers living in Jackson Heights. The state's Parole Department assigns 2 Parole Officers to the area, as



“Good ideas aren’t enough. For any new strategy to take hold, a variety of conditions must be favorable.”

well, and they are housed in an office adjacent to the CJC. They both work in close partnership with the CJC, regarding clients they have in common. By “partnership” is meant not only cooperation and information-sharing, but also mutual goals involving community safety and offender adjustment. The CJC shares the official agency goals and interests, and stays aware enough of client behavior to serve as another check on client adjustment. Indications of alcohol or drug abuse are immediately reported to the appropriate justice agencies, and there is a continual attentiveness for signals of new problems in an offenders circumstances, and these are immediately made known to authorities. The two correctional agencies have come to rely on the expertise and sympathetic involvement of the CJC in their clients’ lives.

Two Additional Themes

Citizens As Policy Makers

Full community participation in the maintenance of justice at the local level implies more than engaging volunteers to work with victims and at risk populations. What role is there for the average concerned citizen and what assurance can the general citizenry receive that their concerns and ideas are welcome and important? There are some encouraging models that suggest vehicles for lay involvement.

In Oregon, state community corrections legislation called for the creation of local advisory boards whose responsibilities involve helping to sort the direction for local programming. Although the Community Corrections Advisory Committees include a number of ex officio slots, the majority of the members are citizens who are not criminal justice employees. This system has worked successfully for twenty years now and has led to citizens playing key roles in the strategic planning process (Harkaway, 1996).

A more recent example of intense citizen involvement comes from Vermont where the state probation system established “Reparative Probation Boards” in 1994, comprised of citizens who develop and oversee community-based sentences for low risk offenders. Each board is asked to design appropriate sanctions which may include victim restitution, community service, or a variety of reeducation courses. If successfully completed, the Board is authorized to terminate probation. Non-compliance can result in return to the court system. (Dooley, 1996)

Clearly, the key to the success of these or any citizen advisory strategy is the authentic desire to involve citizens in the policy-making and service delivery systems, not as window dressing or adjuncts but as full partners, as “co-producers” of justice. Traditional systems have either avoided or made a sham of citizen involvement in too many cases and this has only exacerbated the sense of estrangement experienced by the community. It is only where the public agency sees itself as in service to and responsive to the community that lasting involvement will ensue.

Managing the Serious Offender

Nothing could more compromise the future of a renewed community corrections than the perception that new strategies could lead to undue leniency or heightened risk with respect to serious offenders. Recent analyses of the profile of probationers, for example, makes it

obvious that, despite a growth in the use of incarceration, there is a clear residuum of high risk, felony offenders on probation throughout the country (Petersilia, 1995).

What avails with high risk offenders in the community? They may well be inappropriate for many of the programs featured above. However, new tools have been developed that show early promise of impact and they are compatible with a community corrections of place. Boston’s “Operation Night Light” has brought enhanced credibility to the supervision of violence-prone probationers by teaming up probation and police to jointly surveil the evening activities of these offenders, through home visits to enforce curfews and area inspections to observe negative activity. This strategy, now in its fifth year, has contributed to significant drops in youth violence in the participating areas. (Corbett et al, 1996).

Coupled with Night Light has been “Operation Cease Fire” which targets “hot spots,” defined as neighborhoods where gun-related violence is high, for a team intervention by several components of the justice system. Those offenders identified as “players” in the neighborhood are invited to a “town meeting, where they will be met by representatives of probation, parole, state and federal prosecutors, police and youth service agencies. Essentially, the justice team will explain to a group of perhaps 20 “players” its concern for the neighborhood and its intention to saturate the area with personnel to halt the shootings. The help of the offender group is invited to quell the violence; the consequences of their continuing involvement is clearly explained.

Over nearly two years of operation, “Ceasefire” has worked dramatically in the targeted areas. In only one instance were the youth from the “hot spot” neighborhood uncooperative and that led to multiple arrests. The strategy is deterrence-oriented and affords offenders a chance to mobilize themselves in a constructive direction or bring the full force of the law down on the neighbors. It draws on the concern the offenders should have for their neighborhoods as well as themselves and defines the issue squarely as one of restoring peace to the streets. It plays to the healthy, pro-social side of these offenders, with encouraging results. (Kennedy, forthcoming).

What future for a Community Corrections of Place?

Good ideas aren’t enough. For any new strategy to take hold, a variety of conditions must be favorable. There is some reason to be encouraged. First, there is a climate of opinion supportive of greater attention to citizens as customers/consumers/stakeholders of the public sector. The “reinventing government” movement (Osborne & Gaebler, 1992) has gained strength over the last few years and led a growing number of agencies to examine more closely the ways in which they serve the public to explore the means by which they can get more citizens involved in the business of governing.

Secondly, the community policing movement is a clear analogue to a community corrections of place and the lessons derived from the police experience of the last 10-15 years can shed real light on the task of, to use the exhausted phrase, shifting paradigms. While community policing

is not yet, so to speak, a mature industry, it is clearly the reigning model for the administration of contemporary law enforcement (Zhad and Thurman, 1997).

What lessons can be derived from the development and growth of community policing? We believe its admittedly still short history would suggest that the following steps were critical:

Theory Building - In the early days of community policing, a great deal of effort was expended in the task of bringing together academics and practitioners to jointly explore the assumptions underlying the model. Prominent in this effort was the Kennedy School of Government, which hosted a series of Executive Sessions which were key in the development of the model and the resultant prestige attached to it;

Grant Support - The federal government, through the Department of Justice, became actively involved in supporting community policing through grants to local law enforcement, particularly for the purpose of hiring and training new recruits who would be dedicated to community policing. A landmark in this effort was the President's Crime Control Bill of 1994 which authorized monies to hire, in time, 100,000 new police officers to be utilized in community policing efforts;

Dissemination through Conferences and Publications - Once support for the model reached critical mass, it became de rigueur at police conferences and in law enforcement publications. Fads are commonplace in all fields, including criminal justice, and the ubiquitous discussion of the model made it imperative for jurisdictions to develop their own program;

Evaluation Research - Many new programs in criminal justice are wildly successful until the first wave of evaluations are in. (Intensive Probation supervision and boot camps are two recent examples from community corrections.) While it is still early in the research cycle on community policing, there is some compelling evidence that its implementation successfully alters public opinion about crime and crime fighters in the early history of community policing.

Those who become convinced of the power of an orientation toward place in community corrections should be in it for the long haul and should recognize that the development of a reinvigorated community corrections must track the same stages that were so critical in the early history of community policing.

Let the work begin.

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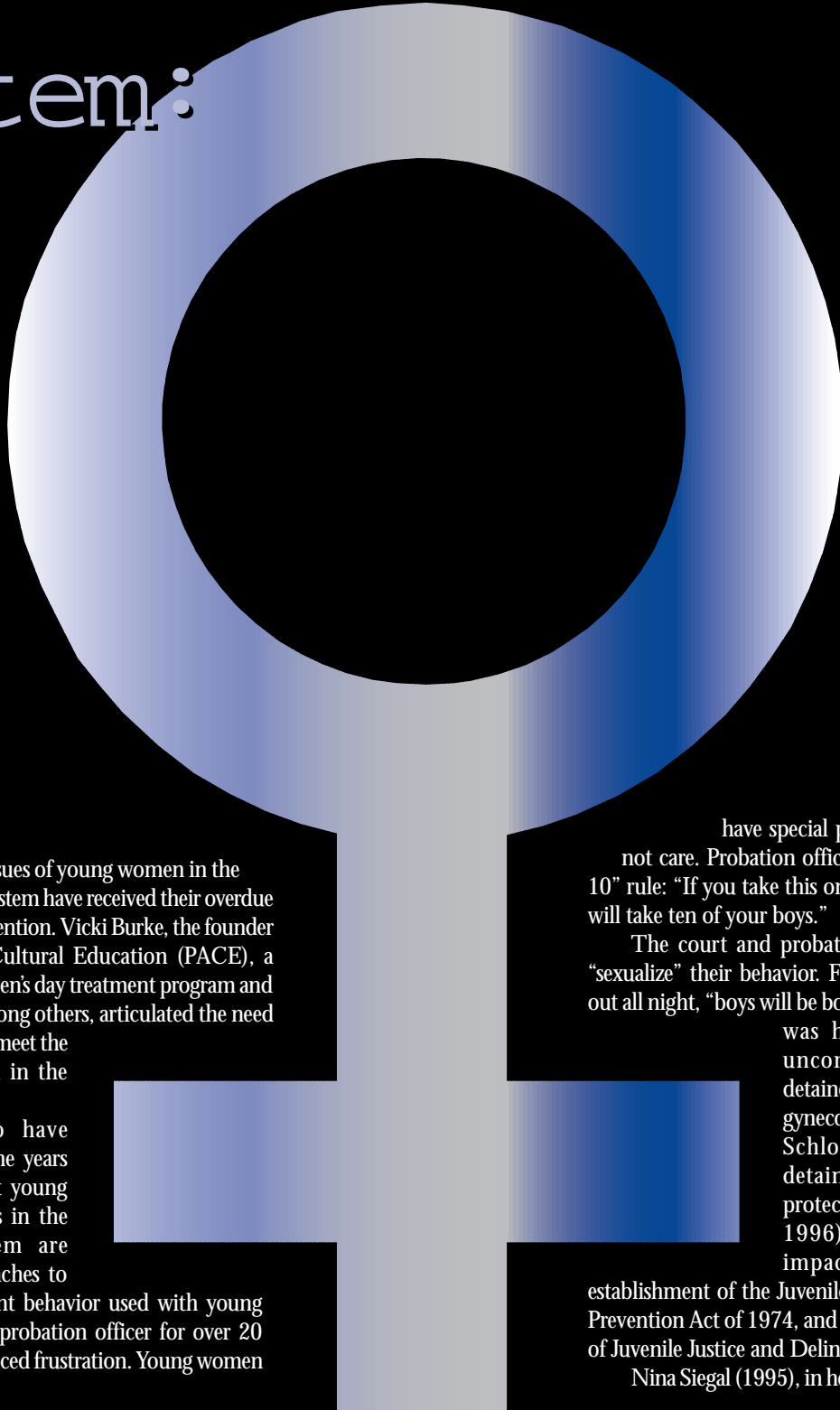
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Young Women In The Juvenile Justice System:



Overview

In the 1990s the issues of young women in the juvenile justice system have received their overdue and necessary attention. Vicki Burke, the founder of Practical Academic Cultural Education (PACE), a Florida based young women's day treatment program and Meda Chesney-Lind, among others, articulated the need for unique approaches to meet the needs of young women in the juvenile justice system.

The people who have labored endlessly over the years working with adolescent young women realize that girls in the juvenile justice system are different. Typical approaches to deal with their delinquent behavior used with young men do not work. As a probation officer for over 20 years, this author experienced frustration. Young women are sassy, defiant,

have special problems and they just do not care. Probation officers employed the "one for 10" rule: "If you take this one girl from my caseload, I will take ten of your boys."

The court and probation departments tend to "sexualize" their behavior. For example, if a boy stays out all night, "boys will be boys," but if a girl does it, she was having sex. It was not uncommon for girls to be detained and be ordered to have gynecological exams (Odem and Schlossman, 1991). Judges detained them for their own protection (Girls Incorporated, 1996). This practice was impacted, however, by the establishment of the Juvenile Justice and Delinquency Prevention Act of 1974, and the mandates of the Office of Juvenile Justice and Delinquency Prevention.

Nina Siegal (1995), in her work with young women

in San Francisco, observed that they spent more time in detention for fewer and less serious offenses than boys, because of a dearth of resources available to them. It is not unusual for young women to spend six to nine months in detention awaiting a placement bed.

The issues that make young women difficult to work with are the same ones that are gratifying in helping them. They are emotional, honest and they respond to relationships. To enjoy the challenge of working with the young female offender, one must understand their uniqueness.

Even though young women are different in many ways, the juvenile justice response to them, in some ways, needs to be similar to that of boys. Young women involved in the juvenile justice system have committed crimes. They have victims and owe their communities a debt. In addition, they need to develop social, vocational and academic competencies. Also, the public needs to be protected from their continued victimization.

Trends Of The Young Female Offender

According to Shay Bilchik, OJJDP Administrator, young women are entering the juvenile justice system at a younger age. They are also increasing in number for more serious crimes (U.S. Department of Justice Report, 1996). This study revealed that between 1989 and 1993, arrests of young women more than doubled. Property crimes during that period rose by 22 percent for young women and dropped by 3 percent for young men. Twenty percent of all juvenile assaults were committed by young women, an increase of 87 percent. The use of secure detention for young women rose during that period, by 23 percent and by 47 percent for property crimes.

Meda Chesney-Lind documents (*The Female Offender*, 1997) that historically, research on the female offender is lacking. She writes that the work of Jessie Bernard (cited in Smith, 1992) revealed a phenomenon known as the "stag effect." That is, scholars would rather study the romance and fascination of the male "outlaw." The problems of young women and crime were simply ignored.

Chesney-Lind documents research conducted on the social histories of women in prison that the effects of victimization led to bad choices. She states that in order to accurately view the increase in crimes committed by young women, we must look at it in the context of gender. She believes that therapeutic responses must address a world that has been unfair to women and especially those of color and poverty (*The Female Offender*, 1997).

The following facts were revealed in a study done by the American Correctional Association (1990) regarding young women in the juvenile justice system:

- 61.2 percent were physically abused (over 1/2 were minorities);
- 50 percent were physically abused 11 times or more;
- 54.3 percent were also sexually abused; and
- 33 percent were sexually abused 11 times or more.

Historically, young women have been arrested and held in secure detention more than young men. This trend decreased by the mandates of the JJDP Act, but now again is on the rise. Since 1985 status offenses of young women have risen by 18 percent and curfew by 83 percent (FBI, 1995). The study also reveals that, in cases of abuse that started at age nine or younger, 80 percent of those young women ran away, 39 percent 10 times or more. In 53.8 percent of those cases, they attempted suicide.

The juvenile justice response to status offenses, in some cases re-victimizes young women. As Chesney-Lind details, it is crucial to view this behavior in the context of their lives. Running away and staying out beyond curfew is a survival mechanism. Who wants to return to an intolerable situation?

It is this author's experience that young women who are placed in residential facilities and bond to the program staff will run away or "act out" when they are about to be returned home. They will also use run away behaviors to avoid closeness. Viewing these behaviors in the context of their experiences, young women have difficulty trusting adults. If success means returning to abuse and victimization, they tend to run or act out. To arrest and commit them to a more restrictive program is to stifle the survival instinct that has kept them safe.

This process is known as "bootstrapping." It occurs when the juvenile justice system labels a status offense as a delinquent offense because of the context in which it was committed. For example, if a young woman runs away from a residential or commitment program, she has violated a court order and therefore is charged with the delinquent act of escape. Another example in which this author is familiar involves juveniles accused of domestic violence for crimes previously considered "incurability" or being beyond the control of parents. Police in Tucson, Arizona, took juveniles into custody for family conflicts because a program for juvenile domestic violence existed (Zaslaw, 1989).

Bootstrapping occurs most with young women. According to a study conducted by Girls Incorporated (1996), 19 percent of young women and less than 3 percent of boys were incarcerated for status offenses. Also, twice as many young women were detained for violation of probation or parole than boys. The juvenile justice system further victimizes minority young women. In Virginia, where 26 percent of the juvenile offender population are minority young women, over one-half were held in secure facilities (Task Force on Juvenile Offenders, 1991).

For young women, "self-defeating behaviors" are defined partially as sexual promiscuity, which is not true for boys (Wellhorn, 1988).

Bootstrapping was addressed by the legislature in 1992, making it more difficult to detain juveniles in secure detention for committing status offenses. Revisions now require that juveniles receive due process and that all resources, short of detainment, were exhausted in each case, for violations of court orders. The revised act now requires a written report be submitted by the court in each case, to document that no option exists, short of incarceration when a status offender is detained.

In a study conducted in Hillsborough County at their Juvenile Assessment Center on 2,104 juveniles (Dembo et. al, 1995) found that young women's delinquent behavior related to victimization and survival on the streets. They found that boys' delinquency related to delinquent lifestyles.

For boys, street gang membership meets needs of belonging, security, self-esteem, respect and thrill-seeking. Gangs exist to help young men and women cope with chaotic, violent and economically deprived lives. They offer acceptance and antisocial career paths such as selling drugs. Gangs provide a counter-culture that meets the same needs successful juveniles and adults meet through pro-social avenues. The street gang offers a vehicle to survive and escape the dismal future their members face (Huff, 1990).

Young women join gangs for a variety of reasons (Joe and Chesney-Lind, 1995). Young Latinos in Las Cholas, a San Fernando Valley set, rejected traditional values of the Latino culture, playing the roles of wife and mother (Harris, 1988). African American young women learned to defend themselves from abusive men and attacks on their integrity (Fishman, 1995).

Regarding issues of substance abuse, young women and young men use alcohol and drugs for different reasons. Young men tend to abuse substances for thrills and in support of delinquent lifestyles. Young women tend to use substances for escape and self-medication (Inciarodi, J. Lockwood and Pottiger, 1993).

Despite the picture of gloom drawn in this section, hope exists through creative programming that addresses young women within their communities and cultures. Interventions, a female adolescent treatment program in Chicago, addresses the disease of chemical dependency through education and treatment. Issues such as abuse, eating disorders and depression are worked through in educational and therapy groups. The program also offers young women educational testing, vocational training, sex education and AIDS prevention and programming to build self-esteem. Their approach is unique to the needs of young women.

The PACE program in Florida combines accredited education, non-traditional career planning, substance abuse treatment, pregnancy prevention, self-esteem, cultural awareness and health education. It also offers counseling, life management skills, meaningful community restoration projects and etiquette training. The executive director of PACE, Dr. LaWanda Ravoira, continued the tradition of the program by developing the curriculum through the input of the young women. PACE is a non-profit program which has survived through partnerships developed within local communities.

The state of Florida's Department of Juvenile Justice (DJJ) has a program called Girls Initiative. The purpose is to promote effective gender-specific programming and implement policies and practices that prohibit gender bias in placement, treatment and services rendered. The department launched its campaign, Listen to Girls. A coalition of DJJ employees and providers has worked on a local district and state level to implement the initiative. A video tape and workbook have been developed to insure that the campaign is successful and consistent.

A program in Oregon called Teen Pregnancy Prevention developed through the Oregon Action Agenda, 1997 was developed at the governor's request, to solidify teen pregnancy prevention efforts by local and state partners. This community project linked young men and young women, parents, schools, communities, government and health services. The purpose is to support positive values, build social skills and teach responsible sex education. It also encourages postponing sexual involvement, gives access to contraceptives and teaches legal issues. The project is a realistic approach to teenage sexuality.

In addition, the work of Girls' Incorporated, formerly the Girls' Club of America, has pioneered research efforts in the area of removing gender bias in systems dealing with young women. It has been involved in the challenge grants funded by OJJDP to prevent and treat young women in the juvenile justice system. Twenty-three states are currently participating in the challenge grant process.

Treatment Overview

In light of the research, diversion, day treatment and residential programs for young women need to be holistic and comprehensive. Until recently, most programs were written to serve young women or young men with the same "boiler plate" approach.

Young women in the juvenile justice system have a myriad of complex problems to address. Many of them have been sexually and physically abused and tend to see bleak futures, unhappiness and continued victimization. Therefore, effective treatment requires dedicated people and a rich staff development curriculum. Typically, day treatment

“Many programs for young women fail because they tend to ignore the importance of relationships. They use the same approaches with young women as they do young men. Although discipline and structure are necessary, the significance of relationships sometimes is lost in the pursuit of respect and discipline.”

and residential programs are grossly under funded. In order to run a quality program, staff members need to be compensated and trained well. It is not easy to take the abuse and resistance of young women. Juvenile justice systems and their providers must recognize this when setting up or contracting for services.

The roles of female and male staff members should be clearly defined. Females model self-sufficient, assertive and confident behavior. They dress appropriately, not provocatively or like they are “going to war.” Males model respect for the young women and female staff members. Many of these young women have no experience seeing adults in their lives in this context.

The interactions between the male and female staff members should respect boundaries. Although many of these young women need affection, a “no touch” policy should be employed. There are some instances that a hug is appropriate; however, an abused young woman may interpret it differently. Boundary training is essential to understand this issue.

The role of the male is critical to the treatment process. Young women need to know that they can be respected by men. They also need to experience that not all men are like the ones that have hurt them or like the boys to which they have formerly attached themselves. They need to learn that they can be loved and taken care of without sacrificing their dignity.

Young women respond to positive, non-sexual relationships with caring adults. This is the most critical issue in gender specific programming. When a young man acts out, he may need some time in isolation to reflection on the situation. With young women, a crisis situation is a prime opportunity to build a relationship. The content of any program is contingent upon the process of building the relationship. Young women will learn from adults whom they trust.

Young women also respond to cognitive approaches that utilize verbal expression. They also respond to experiential learning approaches, artistic expression, role playing and social activities. Again, young women are extremely abusive and disruptive at times and will resist participation in program components. This process needs to be recognized and expected.

Patience, consistency and the development of strong non-sexual bonds with adults are the keys to breaking this resistance. Their unwillingness to comply with adult requests should be viewed as a survival skill.

Many programs for young women fail because they tend to ignore the importance of relationships. They use the same approaches with young women as they do young men. Although discipline and structure are necessary, the significance of relationships sometimes is lost in the pursuit of respect and discipline.

Program Components

Essential to an effective gender specific program is an accurate needs assessment and treatment planning process. In 1997 Cook County Illinois, in partnership with the National Council on Crime and Delinquency (NCCD) developed an instrument to measure the risk and needs of young women involved in the juvenile justice system. The instrument was created through research on young women, using demographic data, arrest information, prior services and outcome measures. A study of characteristics and social history identified necessary services and the risk to the public (Ereth and Healy, 1997).

Solutions for young women should focus on programming that deals with young women in the context of their lives. Strategies should address gender issues such as victimization, economic deprivation, cultural issues and unequal opportunities (Austin, et al, 1992).

Female Sexuality

Because many young women in the juvenile justice system have been sexually abused, dealing with sexual issues is the cornerstone of effective gender specific programming. Issues such as postponing sexual involvement, sexually transmitted diseases, pregnancy and birth control need to be addressed. In addition, sexual harassment, normal female sexuality and receiving affection without sex need to be included. Almost all young women will become or are mothers, so child rearing is another important focus. Using computerized dolls that simulate infant's behavior such as "Baby Think It Over" are effective teaching tools. They also show young women that raising children isn't always fun.

Young women typically do not reveal issues of victimization, although some information can be gathered from social histories and one-on-one needs assessments. For those young women who have documented histories of sexual abuse, "survivor" treatment is absolutely necessary. Sometimes; however, young women will not discuss it and it takes a trained intervention team to notice behaviors that indicate sexual abuse. Relationships with staff members who are adequately trained will foster the healing process. Key issues include:

- Defining sexual abuse.
- Addressing "Was I sexually abused?"
- It wasn't my fault.
- Coping with sexual abuse.
- How do I deal with the perpetrator?
- What are my rights?
- What are the laws?
- Surviving sexual abuse.
- Having a normal sex life.
- Breaking the pattern. How do I stop myself from abusing others?

This component will help young women realize that sexuality is a healthy part of life when it is an expression of love. They also will learn that they have the right to say no.

Counseling and Mental Health Services

Through a comprehensive needs assessment process, therapeutic issues for each young woman should be identified and addressed in individual and group counseling. In addition to treatment, delinquent behavior and victimizing others should be confronted.

Family counseling is important, ideally, but realistically many of the young women have families that will not participate and others should not return home. In one program run by Ramsay Youth Services, a mother said, "If you want me to write to my daughter, send me self-addressed stamped envelopes." For that program, this lack of involvement is the rule, not the exception. Family issues should be dealt within the context of other interventions.

Criminal Thinking Patterns

Young women and young men in the juvenile justice system tend to act from a victim stance. They see themselves as victims of a system that requires them to do things. They tend to blame others, assume the worst, mislabel and minimize behavior and use self-centered thinking. In addition, according to Arnold Goldstein, they have 12 problem areas including lying, fronting, using drugs and authority problems that need to be confronted. Those criminal thinking patterns need to be broken for young men and young women to become responsible for their actions. Robert Ross and Elizabeth Fabiano as well as Goldstein have used cognitive restructuring successfully. It should be a part of all juvenile treatment programs. Whatever cognitive model is used can be implemented by probation officers, case managers or youth care workers. Creative ways of teaching pro-social thinking include using puzzles, board games and role playing techniques.

Anger Management

Most young women in the juvenile justice system have problems with anger. The management of anger is a necessary component of successful programming. An effective model developed by Albert Ellis focuses on changing irrational beliefs. He breaks down aggressive responses to situations into the antecedent event, the belief and consequent event (ABC). This allows young women to realize that nobody makes them angry. They can work on changing belief systems and strategies to avoid explosive reactions. The EQUIP model developed by Arnold Goldstein (et al) utilizes Ellis' approach but adds the monitoring of physiological cues to recognize the onset of an angry response. The EQUIP program includes a 10 session anger management program.

Accredited Education

Most young women in the juvenile justice system do not see a future, let alone the value of education. An educational component must be creative and individualized for young women to be responsive. Strategies such as Peer Response Groups, Listen-Think-Pair-Share, Jigsaws and Thematic Education are such approaches. Computerized teaching, role playing and using materials that interest young women will stimulate their quest for knowledge. Critical to the teaching process is utilizing instructors that are patient, creative and know the problems that young women face. Also important is building gender and cultural pride.

Social Skills Development

Young women need to develop the ability to succeed in the community. Skills in budgeting, goal setting, conflict resolution, nutrition, dealing with authority, time structuring, etc. are necessary. In addition, special areas of need include social etiquette, assertiveness, self-examination for breast cancer, functioning in a male oriented culture,

issues of domestic violence and negotiation skills need to be developed. Because young women respond to cognitive approaches, role playing techniques and participatory learning strategies, they should be included in the process of teaching social skills.

Pre-Vocational and Vocational Skill Development

Areas of need for pre-vocational training include following directions, interest and strength assessment, interviewing and resume writing, time management and dependability. A comprehensive gender specific program will stress non-traditional career development. Guest speakers, one-to-one mentors and subcontracts with women (physicians, maintenance companies, teachers, etc.) will provide opportunities for young women to realize they can be the doctor as well as the nurse.

The same is true for vocational training. Young women should be provided the opportunity to learn whatever trade or career path they choose. Community partnerships developed through networking can allow chances for young women to learn about business and all possibilities of the world of work. While in a juvenile justice program, young women can begin to experience the necessities required to pursue their chosen career paths. Strategies such as job shadowing, female mentors and guest speakers will create a sense of optimism and hope.

Expressive Arts

Young women learn and gain self-esteem from outside sources. Expressing themselves through art projects, creative writing and drama will build feelings of self-worth. A residential setting should have the creative efforts of young women proudly displayed.

A teen theater in which young women express feelings about contemporary gender issues and the traumas of their lives through dramatic presentations is a creative way to deal with post traumatic stress. It provides a vehicle to share their inner confusion in a less threatening context. They can create and act out their real situations in the format of a play.

Substance Abuse Treatment

Young women use substances for the purpose of self-medication. It provides a survival or escape mechanism from the pain of the past and present while it shields them for the bleakness of the future. Strategies to address this should be incorporated with building self-esteem, competency development and therapies to deal with the issues from which they are trying to escape. This is accomplished through the implementation of the complete model.

Also necessary, is a strong educational and treatment approach that realistically deals with their chemical dependency. Although using drugs is symptomatic of deeper problems, the use of alcohol and other drugs is life threatening and needs to be addressed. Traditional 12-Step recovery models have proven effectiveness with adults, but may not be the best approach for adolescents. A model developed by Dr. Robert Schwebel, entitled "The Seven Challenges," is a realistic process (Schwebel, 1990). He treats chemical dependency by acknowledging young men and young women use substances for reasons that make sense to them. He also

realizes that there needs to be a reason to give up their addiction. Dr. Schwebel understands that adolescents are not ready to commit to abstinence. Giving up the use of alcohol and other drugs and relapse prevention are the goals of substance abuse treatment not the prerequisites.

Eating Problems and Self-Esteem

Young women tend to develop eating disorders because of their lack of self-esteem. The media further complicates this by portraying beauty in the context of the "Barbie Syndrome." Programming should address self-esteem through all the aforementioned components. Young women with severe eating problems need to deal with them in the context of their mental health services.

Young Women and Restorative Justice

Young women in the juvenile justice system present a complex situation. Not only does programming need to address their unique and special needs, it also has to provide public protection and hold them accountable to their victims and communities.

Short term public protection is accomplished through hardware secure facilities, intensive staff supervision and highly structured activities. In the long term, the public is protected by young men and young women developing competencies and becoming accountable for their victimization of people and communities.

The Restorative Justice Model identifies three clients: the offender, victim and community. All have responsibilities and roles as partners in dealing with juvenile crime (Bazemore and Day, 1996). The offender (male and female) need opportunities to pay restitution, perform meaningful community restoration and to develop acceptable pro-social avenues to success (Zaslaw, 1996). Avenues to success include education and training resources, career paths, acceptable peer groups and opportunities to complete court sanctions. Without them, young men and young women usually will return to their historical behaviors.

Strategies for young men and young women need to address the physical, emotional and material harm they have caused others and include the following:

- **Payment of Restitution** - Opportunities need to be created within facilities and the community for young men and young women to earn money and compensate victims for material losses suffered.
- **Victim/Offender Mediation** - A process to determine actual losses, amount to be repaid and strategies to earn money for restitution need to be negotiated.
- **Family/Group Conferencing** - This involves bringing together the victim and his/her friends and family members with the offender and his/her family members to discuss the physical, emotional and material harm caused. It is an opportunity to vent feelings and develop what should be done about it.
- **Victim Apology** - The offender should apologize to the victim directly or through victim advocates. It should include an empathetic statement of how the victim must have felt to be violated.
- **Victim Awareness Curriculum** - Young women need to learn the impact of their victimizing acts on others. A victim awareness

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lives."***

curriculum for young women is difficult because so many of them have also been victimized. Cognitive approaches utilizing role playing and interaction with victims is suggested.

- **Victim Impact Panels** - Young women should meet with victim groups of crimes similar to the ones they have committed. Victims of burglary, domestic violence, Mother's Against Drunk Drivers (MADD), Parents of Murdered Children, etc., can come to the facility or common meeting place to discuss the process of victimization. This is a powerful process and participants should be screened because of the victimization some young women have suffered.

Victims, because they are one of the three clients, have a role to play in the juvenile justice process. They can participate in the victim/offender mediation and family/group conferencing processes. Another role victims can play is that of a victim surrogate or advocate. A victim surrogate is one that plays the role of a victim in a specific case because the actual victim chooses not to participate. A victim advocate represents the needs of a particular victim in a case. He/she updates the victim on progress in the case and represents the victim's concerns.

Examples of input include issues of restitution payments, testifying actively in all court procedures relevant to his/her case and choosing what type of community restoration a young man or young woman should perform. They also can provide ongoing input to the court on how their needs have been met. Another role the victim can perform is to participate in Victim Impact Panels.

Because young women in the juvenile justice system have victimized the community through costs associated with court processing, placement in services, etc., they should participate in meaningful community restoration projects. These projects need to have significance to the young women and the community. They also provide opportunities to develop competencies and healthy relationships with adults.

Examples of projects include building or repairing houses for the needy, building shelters for victims of abuse, landscaping or other services for the elderly, volunteering in a day care facility (if appropriate), tutoring other young women and other options defined through community partnerships.

Community Partnerships

To develop the necessary network of community partners, certain strategies are recommended. One of the strongest bonds to the community is the advisory board. Members can be sought from business and civic groups, youth serving agencies, schools, law enforcement, prosecutors, the interfaith network and other stakeholders in the community. A critical component of the community advisory board is the involvement of the young women. The board can be instrumental in providing training, job-shadowing, paying jobs, mentors, restoration projects, program advisory, community supervision and much more.

Contacts within the community can be developed by the board, partnerships with the juvenile justice system and other task force involvement. In addition, the staff members' contacts can open many other avenues to success.

Outcome Measures

Essential to every juvenile justice program's success is the evaluation of the program components, staff members and the young men and young women participating in it. Goals such as helping the youth in the program from further juvenile justice or criminal involvement and

engaging in high risk behaviors are measurable through re-arrest records and longitudinal studies. Objectives such as increases in academic gains, drug resistance skills, cognitive skills development and social skills can be measured through pre and post testing. The staff can be evaluated by utilizing performance appraisals that clearly identify the contract components and each staff members' duties. Program accountability can be measured by evaluation if prescribed services are being provided and by the success of the young men and young women enrolled in the program.

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A Decade of Experimenting With Intermediate Sanctions:

What Have We Learned?

Editor's Note: The author uses the Acronym "ISP" throughout the article to mean intermediate sanctions programs. This should not be confused with intensive supervision programs, which is also discussed in this article.

This article reviews what has been learned during the past 10 to 15 years about the restrictions and costs of intermediate sanctions, those midrange punishments that lie somewhere between prison and routine probation. Various intermediate sanctions programs (ISPs) that incorporate intensive supervision, home confinement, community service, boot camps and day fines have been developed in recent years.

For those of us whose research has focused primarily on community corrections, the end of the 1990s marks an important landmark. We have witnessed the natural progression of ISPs, beginning in the mid-1980s with the media's enthusiastic portrayal of them as the panacea of corrections; through program design and implementation; to evaluation and testing; and finally to institutionalization, redesign or abandonment. It is critical for scholars, policymakers and practitioners to look back and

reflect upon what has been learned during these years.

When looking at ISPs, there are three important questions to consider: First, what did the ISP experiment consist of—who did what, with whom and for what purpose? Secondly, how did ISPs affect program costs, recidivism and prison crowding? And, perhaps most importantly, how is the knowledge gained from this experience influencing current practice?

Several conclusions can be drawn from the evaluations of ISPs:

- In terms of sheer numbers and investments, the overall ISP experiment was more symbolic in its achievements than substantive.
- Specific components must be in place for these programs to work.
- Research findings currently influence the design of corrections

BY JOAN PETERSILIA, PH.D.

programs and, more importantly, contribute to an emerging community justice model that promises to create a major paradigm shift in community corrections.

The ISP Experiment Begins

In the mid-1980s, a broad-based consensus emerged on the desirability of developing midrange punishments for offenders for whom incarceration was unnecessarily severe and ordinary probation was inappropriately light. Three converging conditions and events drove the development of this consensus.

1. *Crowded Southern prisons and a poor economy.*

First, prison crowding in the Southern United States, coupled with a poor regional economy, created early pressures for tough community-based options. Federal courts found several overcrowded prisons in the South to be in violation of the Eighth Amendment prohibition against cruel and unusual punishment and mandated that these States either build new facilities or find some other way to punish offenders. Because these States did not have the funds to build new prisons (as other States experiencing prison population growth initially did), judicial pressure created an incentive for them to develop tough but inexpensive sentences, specifically those that did not require a prison cell. Because the voters were not about to endorse “soft” social programs, the new programs were presented to the public as punitive rather than rehabilitative. In fact some of the older, first-generation intensive supervision programs (which provided intensive rehabilitation services) changed their names to “intensive surveillance” programs, while programs originally called “alternatives to incarceration” were renamed “intermediate punishments.”

The state of Georgia developed the first well-publicized intensive supervision program, the hallmark of which was the assignment of 25 offenders to a supervision team of two probation officers. The team comprised a surveillance officer, whose main responsibility was to monitor the offender closely, and a probation officer, who provided counseling and had legal authority over the case. While on intermediate sanction, each probationer was seen five times a week, performed community service, paid a supervision fee and had to be employed or in an educational program.

Georgia's self-evaluation showed that ISP participants had extremely low recidivism rates (less than 5 percent) and most offenders maintained employment and paid restitution to victims. In addition, the monthly supervision fee made the program self-supporting. In 1985, Georgia Corrections Commissioner David Evans claimed the ISP had saved the state the cost of building two new prisons.

A great deal of national publicity followed. The *Washington Post* and the *New York Times* ran major stories touting the program's success and called Georgia's program “the future of American corrections.” Proponents suggested that intermediate punishments could relieve prison crowding, enhance public safety and rehabilitate offenders—all at a cost saving. Probation staffs were also enthusiastic, saying intermediate sanctions programs gave them an opportunity to “do probation work the way it ought to be done.”

Illinois, Massachusetts, New Jersey and Florida, among other states, quickly followed suit, and the intermediate sanctions movement was born. It is important to be clear about the initial motivation: modern ISPs were developed in direct response to prison crowding, and without that pressure, we would not be here today reviewing their performance.

2. *First in-depth study of U.S. felony probation.*

Research evidence produced at that time showed that the existing felony probation system was a failure in large urban areas. This evidence helped convince California and other large states that had not yet faced severe prison crowding that there were public safety risks in placing felons on routine probation. In 1983, the National Institute of Justice (NIJ) awarded a grant to the RAND Corporation to conduct the first in-depth study of felony probation in the United States. The final report, *Granting Felons Probation: Public Risks and Alternatives*, documented the fact that serious felons were being granted probation. Furthermore, because of limited (and often declining) community corrections resources, these offenders were ineffectively supervised, and the public safety consequences were severe. Two-thirds of the nearly 2,000 felony probationers who were tracked during this study were rearrested within three years, and more than half were reconvicted of serious offenses.¹

The study also generated a great deal of public attention because it clearly showed that overburdened probation staff were often unable to closely supervise felons or hold them accountable for their crimes. The researchers, however, did not call for the abandonment of probation for felons or their incarceration in the future but rather something in-between:

The justice system needs an alternative, intermediate form of punishment for those offenders who are too antisocial for the relative freedom that probation now offers but not so seriously criminal as to require imprisonment. A sanction is needed that would impose intensive surveillance, coupled with substantial community service and restitution.

The study concluded that midrange punishments—such as those instituted in Georgia—were needed not only to relieve prison crowding but to relieve probation crowding as well. The dissemination of the NIJ-RAND study became the second event to increase the acceptance of ISPs.

3. *Morris and Tonry's book on the polarization of sentencing.*

The third event that was critical in creating the impetus for the ISP movement was the publication of an influential book in 1990 by Norval Morris and Michael Tonry entitled *Between Prison and Probation: Intermediate Punishments in a Rational Sentencing System*.² Written by two of the nation's leading criminologists, this study acknowledged that U.S. judges faced a polarized choice between prison and probation, with a near vacuum of punishment options between these extremes. The study provided the needed conceptual framework for a more graduated sanctioning system that relied upon a range of sentences, including fines, community service, house arrest, intensive probation and electronic monitoring. Morris and Tonry argued that rigorously enforced intermediate punishments better serve victims and the justice system. A continuum that matches offenders to sanctions based on the seriousness of their crime is essential—regardless of any prison-crowding concerns—in creating a rational sentencing system, they wrote.

The ISP Concept Gains Strong Support

What existed, then, were program models that appeared to work, research to show that without these programs the public was at serious risk, and a compelling theoretical justification for moving forward. A groundswell of support emerged for intermediate sanctions and, as one article noted about this period, “State legislators were virtually falling over each other” in an effort to sponsor legislation to implement these programs.³

The U.S. Department of Justice (DOJ) and several private organizations, particularly the Edna McConnell Clark Foundation,

played a catalytic role in focusing this energy. In 1990, NIJ sponsored a national conference that brought together more than 300 federal, state, and local criminal justice administrators to explore the state of intermediate sanctions and their potential. In his keynote address, Attorney General Dick Thornburg emphasized the strong bipartisan support for developing intermediate sanctions. The Bureau of Justice Assistance (the “action” arm of DOJ) solicited agencies across the country to participate in a demonstration to test the costs and benefits of various types of ISPs. In addition, NIJ and the National Institute of Corrections (NIC) provided technical assistance, training and research for a number of projects.

The 10 years between 1985 and 1995 could best be described as the period of ISP implementation and evaluation. Hundreds of programs were started, often with a great deal of ceremony. During this period, virtually every large probation or parole agency developed programs of intensive surveillance, electronic monitoring, house arrest, drug testing and, to a lesser extent, boot camps and day reporting centers.

A Closer Look Reveals Low ISP Participation and Shallow Funding

Most importantly, very few offenders, relatively speaking, participated in intermediate sanctions programs, and few dollars were spent on new ISP initiatives. Today, virtually every state and the federal government report having intensive supervision programs, but fewer than 6 percent of the 2.7 million adult probationers and parolees in the United States are estimated to be participating in them. (This number is, however, higher than anytime in the past.⁴) All 50 states report using electronic monitoring and, despite what has often been characterized as explosive growth, the number of probationers and parolees monitored electronically is now at its highest level ever—about 1 percent.⁵ Although 35 states report operating boot camps, the combined daily census has never exceeded 10,000 participants.⁶ Finally, although nearly 125 day reporting centers operate in the United States, their combined daily population is less than 15,000.⁷

It appears that, at most, 10 percent of adult probationers and parolees participate in intermediate sanctions programs—a figure that is probably higher than at any time in the past. It is safe to say that the ISP experiment has not touched the bulk of those for whom it might be appropriate, such as felons with increasingly serious prior records and a history of substance abuse who are granted probation.

Moreover, when offenders were assigned to ISPs, the intensity of services and surveillance fell short of what the initial program models prescribed—most likely because sufficient dollars were not invested. As best as can be calculated, less than \$10 million was invested by the federal government in ISP research and demonstration projects between 1985 and 1995. This can be compared to the \$10 million the Federal Government invests in evaluations of community-oriented policing each year.

In no way is this intended to offend those responsible for making these funding decisions. The boom in intermediate sanction programs took place in 1994—the same time that DOJ and NIJ budgets for research and demonstration programs were declining to a 20-year low. Competition for those scarce dollars was fierce, and corrections research—particularly community corrections research—has never attracted major financial support. Fortunately, Congress has increased funding to the Bureau of Justice Assistance (BJA), the Bureau of Justice Statistics (BJS) and NIJ, and corrections research has again found support.

“The justice system needs an alternative, intermediate form of punishment for those offenders who are too antisocial for the relative freedom that probation now offers but not so seriously criminal as to require imprisonment.”

What Did the ISP Experiment Really Consist Of?

It is beyond the scope of this presentation to fully describe the nature of intermediate sanctions programs or their evaluations. For anyone interested in such details, the recently published University of Maryland report entitled *Preventing Crime: What Works, What Doesn't, What's Promising* is recommended⁸. However, I will briefly summarize the specifics of the more popular programs.

As mentioned earlier, intensive supervision programs were the first—and still remain—the cornerstone of the intermediate sanctions movement. ISP programs initially developed as a means to divert low-risk prisoners to the community or place higher-risk probationers on smaller caseloads with more restrictions. Concurrent with the emergence of ISP programs, was a developing technology to permit greater surveillance of offenders. As the cold war wound down, the defense industry along with the developing computer and electronic industries saw the community corrections clientele as a natural place to put its energies—a growing market. Electronic monitoring, voice verification systems, cheap on-site drug testing, breathalyzers through the phone—all allowed community corrections the option of becoming more surveillance-oriented and using the offender's home as a place of incarceration.

Jurisdictions could choose from a menu of bells and whistles, which included surveillance and services, and the goal came to be toughness in appearance. Jurisdictions adopted what they wanted, what they could afford, and applied such programs to whomever they wanted—so that a wide variety of ISP programs got implemented—and the name “ISP” really has no commonly agreed upon definition as a result. It simply means “more than” what offenders in that location would have gotten in the absence of the ISP.

As noted earlier, most of the programs implemented were much less intensive than the original Georgia model had called for. Recall that the Georgia ISP model called for caseloads of 25:2, and 2 face-to-face contacts, minimally, per week. I know of no large urban probation department who was able to sustain that level of caseload size and contact level for its felony probationers. Even programs that began with multi-week visits displayed a strong tendency to “regress to the mean” of only 1 or 2 visits per month to a client. Suffice to say, that for offenders who did participate, their level of *both* service and surveillance fell below the desired intensity.

Moreover, failure to comply with ISP conditions did not mean that you would be violated from probation⁹. Patrick Langan of BJS studied a nationally representative sample of all adult probationers, and discovered that nearly half of them were discharged from probation *without* having fully complying with their court-ordered sanctions. More than a third of all offenders were successfully discharged from probation without completing court-ordered drug treatment, drug testing, house arrest or day reporting programs. And 40 percent of those discharged had not paid their victim restitution or supervision fees. He concluded that, “intermediate sanctions are not rigorously enforced.”

Still something different *did* happen in those communities that implemented ISP programs and several good evaluations were conducted.

Program Costs, Recidivism and Prison Crowding

Relative to the investment made, a tremendous amount was learned from these programs. Despite differences in the programs, the agencies that implemented them and the characteristics of offenders who participated in them, three major findings are very consistent.

First, ISP participants, by and large, were not prison-bound but rather were high-risk probationers. In state after state, well-meaning program developers wrote guidelines for prison “diversions.” Well-meaning judges and prosecutors ignored them and filled the programs with high-risk probationers. From the perspective of those who created these programs to save money and prison space, judges “misused” intermediate sanctions. From the perspective of judges, they had endorsed the concept of a continuum of sanctions and preferred to use these options to increase supervision and accountability for felony probationers. The ISP experiment was definitely “net widening,” but given the laxity of current supervision of serious felons on probation, it is more accurate to characterize it as “net repairing.”

Second, ISP offenders were watched more closely, but ISP supervision did not decrease subsequent arrests or overall justice system costs. Technical violations, however, increased. Offenders on intermediate sanctions, electronic monitoring, boot camps, day fines and drug testing programs were watched more closely—as evidenced by a greater number of contacts—but the programs did not reduce new arrests.

For example, the ISP national demonstration evaluated by Susan Turner and me, which involved 14 counties in nine states, found no difference in arrests after one year (38 percent for ISP participants and 36 percent for routine probationers), more ISP than control offenders with technical violations (70 percent and 40 percent, respectively) and, as a result, more ISP than control offenders returning to prison or jail by the end of one year (27 percent and 19 percent, respectively).¹⁰

Because it is doubtful that ISP offenders committed more violations, close surveillance probably uncovered more technical violations. Whenever this happened, many ISP managers took punitive action—often revocation to prison—to maintain the program’s credibility in the eyes of the judiciary and the community. Programs that were started

primarily to save money and avoid the costs of prison often cost their counties more over the long term.

These results bring into question two basic premises of intermediate sanctions, i.e., that increased surveillance acts as a constraint on the offender and that the likelihood of detection acts as a deterrent to crime. The University of Maryland project, which summarized evaluations across the full range of intermediate sanctions, concluded: “Except in a few instances, there is no evidence that these programs are effective in reducing crime as measured by official record data.”¹¹

Third, an important and tantalizing finding—consistent across all the evaluations regardless of program design—points to the importance of combining surveillance and drug treatment program participation. In the RAND ISP demonstration, offenders who participated in treatment, community service, and employment programs—prosocial activities—had recidivism rates 10 to 20 percent below that of those who did not participate in such additional activities.

Researchers have found similar results in Massachusetts, Oregon and Ohio, and a recent meta-analysis of 175 evaluations of intermediate sanctions programs concluded that the combination of surveillance and treatment is associated with reduced recidivism.¹² Paul Gendreau and Tracy Little conclude, “In essence, the supervision of high-risk probationers and parolees must be structured, [be] intensive, maintain firm accountability for program participation, and connect the offender with prosocial networks and activities.”

The empirical evidence regarding intermediate sanctions is decisive: Without a rehabilitation component, reductions in recidivism are elusive. In sum, the ISP evaluations show that programs were seldom used for prison diversion but rather to increase accountability and supervision of serious offenders on probation. In addition, programs did not reduce new crimes, but instead increased the discovery of technical violations and ultimately increased incarceration rates and system costs. However, programs that provided treatment and additional services obtained some reductions in recidivism, particularly for high-risk offenders and drug offenders, more specifically.

Influencing Current Practice

How do ISP evaluations influence current practice? This is the most important of the three original questions because the ultimate goal of producing knowledge is to effect positive action. Still to be addressed are the same issues that motivated the intermediate sanctions movement—prison overcrowding, probation overload, insufficient resources and public demand for accountability and punishment. How can this evidence be used to answer the central question, “If not prison, what?”

Researchers and policymakers cannot plead ignorance or abstain from the debate—because they know what is useful. Although they do not have all the answers, they have an obligation to engage in the debate and interject the known evidence because policy is made on these matters every day. It appears that this is happening in quiet but significant ways that may well result in a major paradigm shift for community corrections in the United States.

Program Redesign

First, the body of ISP evidence is being used to redesign programs that integrate surveillance with treatment opportunities. This is particularly true with juvenile justice programs but also with programs for adults, particularly drug offenders. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) Comprehensive Strategy for Youth endorses graduated sanctions and incorporates two principal

components—increasingly strict supervision and a continuum of treatment alternatives.¹³ Many states have adopted the Comprehensive Strategy. The California Legislature, for example, recently allocated \$50 million to fund probation programs for delinquent youth and, drawing upon the evidence reviewed earlier, required that both surveillance and treatment be part of any funded program.

Other programs also have moved away from a singular focus on surveillance. Several boot camps, for example, are enhancing the therapeutic parts of their programs and shifting away from total reliance on physical, militaristic programming. UCLA's Mark Kleiman has proposed major funding for a national initiative labeled "coerced abstinence," which at its core will provide drug testing (a main ingredient in surveillance programs), plus treatment in and out of prison, followed by intensive aftercare upon release. A key component of his program is swift and certain response to drug-use violations.

One of the major recommendations of the recently published report by the Governor's Task Force on Sentencing and Corrections in Wisconsin, which draws heavily upon ISP experiences, calls for the elimination of probation for felons.¹⁴ The task force recommends that felony probation be replaced with an arrangement named "community confinement and control" (CCC), which mandates electronic monitoring, urine testing, work or community service and 18 to 20 contacts a month with a probation officer who has a caseload of no more than 17 offenders. CCC officers carry out "community-oriented probation" (similar to community-oriented policing), in which they provide active as opposed to passive supervision. They are required to engage the offender's family, employer and neighborhood to create a support and supervision network. The Wisconsin Legislature has allocated the necessary resources to pilot the task force recommendation in two jurisdictions.

These are just a few of the ways in which ISP research results directly influence the design of future programs. It is safe to say that most corrections professionals are keenly aware of these findings. In terms of contributing to a cumulative body of knowledge about correctional programming, the IPS experiment can be considered a success.

Neighborhood Probation

The legacy of the intermediate sanctions experiment is likely to be far more important than simply the redesign of individual programs. Intermediate sanctions programs have set the stage for an emerging model of community probation (also called community justice and neighborhood probation) in which probation officers partner with the police and community members to reduce public safety threats posed by offenders in their midst. Under this model, probation officers take an active role in community building and not just offender restraint. The probation and parole officers who are involved in ISP supervision programs are emerging as key players.

Interestingly, as community corrections officers move toward a tougher form of probation, which some liken to police work, police officers are embracing community-based policing, which some liken to probation or social work. Probation and police officers are getting out from behind their desks and out of their cars and into the community. "In your face" probation includes visiting the offender's home and work site and working with community agencies to develop and supervise community service obligations—a much more active type of probation.

Police, too, are getting out into communities, holding neighborhood meetings, and taking the pulse of neighborhoods they serve through comparatively well-funded community policing programs. One of the

key goals of community policing is getting to know the people on the beat—offenders as well as law-abiding citizens. Police have heard repeatedly about residents' fear of offenders and the lack of justice and accountability for people who were arrested and placed on probation or released on parole. Victims felt crime was trivialized by a justice system that simply slapped the wrist of criminals and sent them home or imposed conditions that were not monitored. Repeat victimization was common. The community wanted criminals who had committed serious offenses taken off its streets. Once that was done, community residents wanted programs to help the next generation become responsible citizens.

The police came to realize that to significantly reduce crime they had to get out in front of the problem and not merely react to reports of crime. They needed to be proactive rather than simply reactive. To be proactive, the police needed a variety of sources of information. Much of that information and—as it turns out—legal authority exist in the minds of the officers who operate intensive supervision programs in probation departments.

Historically there has been animosity between police and probation officers—police believe they catch criminals, and probation let's them out. But this new "community justice" model creates a three part collaborative between the police, probation, and members of the community.

Operation Night Light

Let me illustrate this for you by describing briefly what is happening in Boston, in a formal police-probation partnership program, one component of which is called "Operation Night Light." President Clinton recently praised this program in his State of the Union address, and called for its expansion nationwide. No one can remember a President ever mentioning "probation" in a national address, and that alone is seen as important, since probation supervises two-thirds of all correctional clients in the US, yet few in the public know much about it. The originators of the Boston project describe it in *Community Corrections: Probation, Parole and Intermediate Sanctions*.¹⁵

Community meetings organized by community policing officers in Boston revealed that, as a result of ISP experiments and other local corrections programs, probation officers knew a lot about high-risk offenders and locations in their neighborhoods, as well as community resources and programs. Moreover, these neighborhood discussions revealed that many of these lawbreakers were already on probation or parole, but probation officers simply did not have the resources to monitor them, serve warrants, locate absconders or secure treatment and other programs that these offenders needed. Because these offenders were on probation, their movements in the community could be limited by court order as a condition of probation. In fact, many of them were under court-ordered conditions—for example, nighttime curfews and weapons restrictions—that, if enforced, could be extremely useful in reducing the community's fear.

Admittedly, police and probation partnerships in the past usually began as a way to increase surveillance of high-risk offenders in the community. There was such a partnership in Long Beach, California, as early as 1987. The new community justice partnerships look and feel different from earlier efforts. For example, the Boston project has expanded to include clergy, youth workers, school personnel and parents. In addition, interesting trends have developed. Judges are expressing greater confidence that such probation terms as curfews and geographical restrictions might be enforced. Police now have information on conditions of probation and feel they can count on the probation system to hold

offenders accountable when they violate those terms. Finally, because warrants are being served, police are reporting violations to probation officers.

By combining police and probation resources, probation supervision has become a 24-hour-a-day, highly accountable reality. What was impossible for probation to do alone (even in the most intensive ISPs) has become possible under the partnership between the police and the community.

This effort has required a lot of cooperation and coordination. Initially, probation officers were reluctant to partner with the police, and the police did not want to connect with "social workers." Over time, however, each group began to realize that everyone has something to gain from the other. Police are learning from community corrections officers and others about community resources such as employment and school truancy prevention programs. Boston police officers attend joint training seminars, participate in strategic planning sessions with other organizations, and jointly participate in research projects. The police, probation, clergy and lay people now attend monthly community meetings. Most recently, gang members and community mental health workers began to attend these meetings as well. The Boston program is expanding to incorporate new initiatives that employ the team approach. For example, police now help probation officers monitor high-risk, volatile domestic cases to reduce violence and school programs to reduce truancy. Probation absconders receive priority arrest status by police. The program has spread from Boston to a dozen other probation jurisdictions throughout Massachusetts.

Similar partnerships, now spreading across the nation, could not have been so easily forged without the ISP experiments of the past decade and the gradual acceptance by probation and parole staff of surveillance activities. Police and probation officers were moving in the same direction but did not realize it. Probation officers were getting out of their offices and monitoring offenders where they lived. Police officers were getting out of their cars and walking their beats, which allowed them to work with community members to identify problems and problem people. They stumbled onto one another; the collaborative prospects are exciting.

These programs are more than just surveillance, although admittedly surveillance plays a major role in some of them. Study after study has shown that probation and police officers, once they become familiar with individual communities and the people who live there, tend to develop less-hardened attitudes. The following anecdote illustrates this.

Washington's SMART partnership

The Washington State Supervision Management and Recidivist Tracking (SMART) Partnership for police and community corrections shares some of the characteristics of the Boston program.¹⁶ One former director of corrections visited the community corrections field offices throughout the state annually to discuss priorities for the coming year. Each year, one particular field chief asked the director when probation officers would receive permission to carry weapons. This field chief complained at length about the personal risks he faced when making home visits to dangerous places and how drug use made offenders' behavior increasingly unpredictable and violent. However, the last time the former director saw this man, who had become an active participant in the SMART program, he said he did not need guns but needed more government funds to subsidize jobs for probationers. Clearly, a greater degree of community engagement occurs in these programs.

No Agency is an Island

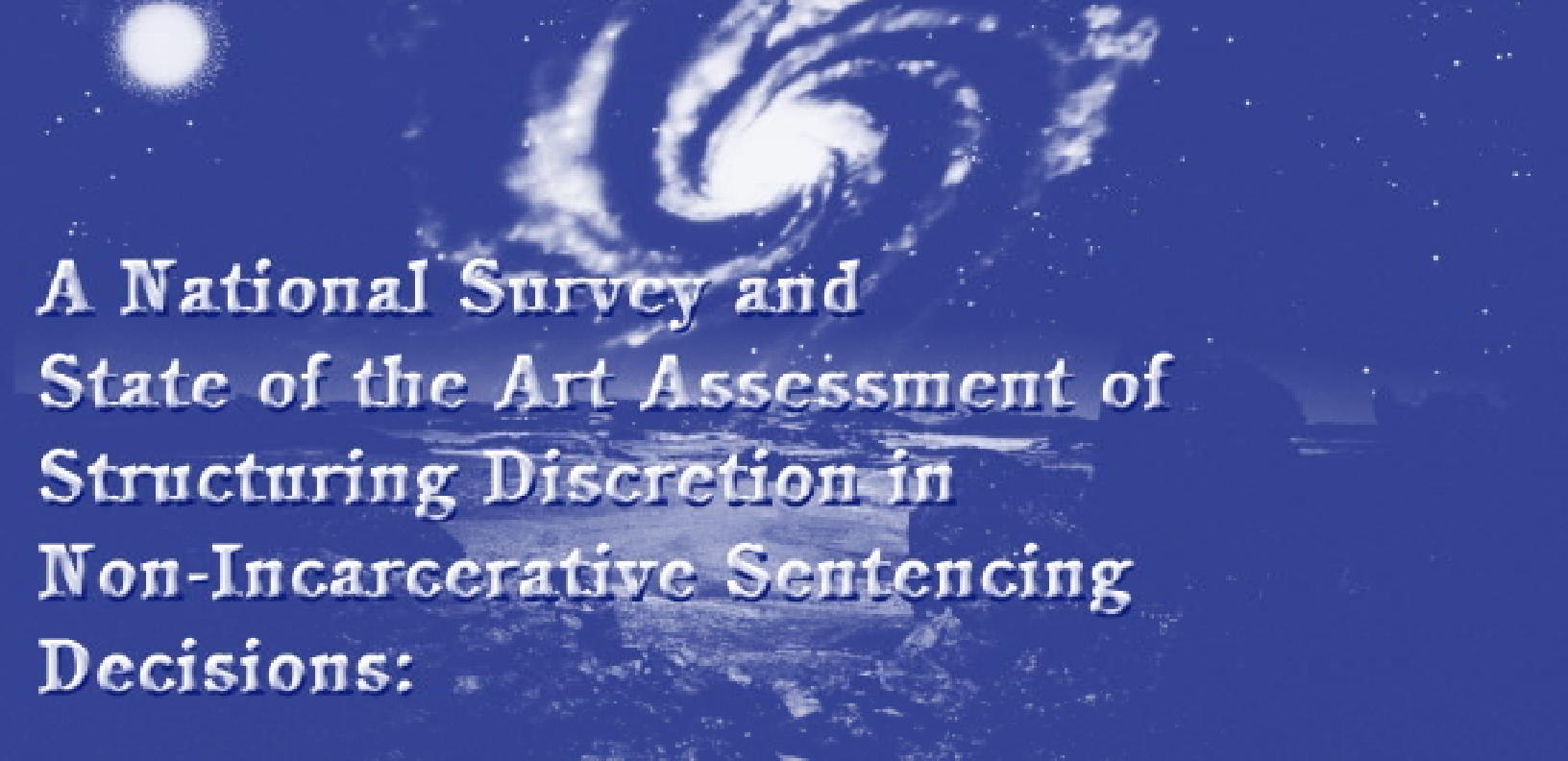
The ultimate legacy of a decade of experimenting with intermediate sanctions is the strong message that no one program—surveillance or rehabilitation alone—and no one agency—police, probation, mental health or schools alone—nor any of these agencies without the community can reduce crime or fear of crime on its own. Crime is a complex, multi-faceted problem that will not be overcome by simplistic, singularly focused solutions—whether they be boot camps, electronic monitoring or intensive probation. Workable, long-term solutions must come from the community and be embraced and actively supported by the community.

This message of community support and involvement is a lesson we learn repeatedly. If the ISP evidence lends any scientific support or credibility to that message or to practitioners and researchers who are involved in this experiment, the money invested in intermediate sanctions will have been exceedingly well spent.

End Notes

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- **NOTE: This article was originally prepared for the National Institute of Justice (NIJ) for use in its *Crime and Justice Perspectives* series, and is reprinted with NIJ's permission. □

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A National Survey and State of the Art Assessment of Structuring Discretion in Non-Incarcerative Sentencing Decisions:

A Proposal for Future Research

Introduction

The sentencing decision is arguably the most critical stage of the criminal justice process. As such, it is not surprising that as questions about the fairness and effectiveness of the criminal justice process grow, reformers sense the need to reexamine the courts and their sentencing practices. Evidence of inconsistent sentencing practices, increasing governmental concern about the escalating costs of criminal justice, and support for a return to a more traditional conception of justice have all given sharper focus to the reformist agenda.

Until recently, few sentencing options were available for punishing criminals. Offenders were either incarcerated or given traditional probation. In that the range of crime seriousness often does not fall cleanly into these two categories, sentencing decisions were often either too lenient or too restrictive. As such, intermediate punishments, sanctions that offer an alternative to the “either/or” sentencing policy found in many states, have emerged. Many jurisdictions have experimented with these alternatives to incarceration, but concern for structuring the discretion of sentencing officials in their application has evolved only recently.

Though sentencing guidelines are a principal product of sentencing reform, they traditionally have neglected to incorporate intermediate sanctions. As Gottfredson and Gottfredson (1984) assert, sentencing guidelines have indeed been incarcerative guidelines. Only within the last decade has a movement to incorporate intermediate punishments into guidelines systems begun. This trend symbolizes the continued evolution of structured sentencing discretion.

Literature Review

Traditional guidelines systems have attempted to assist judicial decision makers in the “in” versus “out” sentencing decision. Little attention has been devoted to the incorporation of intermediate punishments into sentencing guidelines. If the efficacy of intermediate punishments is to be evaluated successfully, then the decision to impose a specific non-incarcerative sanction should be made scientifically. The problems therefore, are threefold. First, how should intermediate sanctions be factored into the “in” versus “out” sentencing decision? That is, what criteria guide the decision to incarcerate *a priori*? As the number of intermediate sanctions proliferates, the number of imprisonable offenses should, theoretically, regress.

Second, how are judicial decision makers to choose from *among* intermediate or non-custodial penalties? While the number of intermediate sanctions has increased in recent decades, more choices, without guided sentencing discretion, will likely hurt what is an already overburdened system. As Harland (1996: 1) affirms, “without guided discretion as to how and for whom the variety of options might best be applied, such expansion may make the decision maker’s task even more difficult and confusing, opening greater chance for idiosyncratic and otherwise inappropriate results.” As such, the ability to choose the “right” or most appropriate sanction becomes more difficult as correctional options increase, leading to an obvious need for more structured sentencing discretion over the imposition of non-incarcerative options.

Third, how are decisions about the duration and intensity of intermediate sanctions to be made? Currently, judges may choose one, or multiple, intermediate punishments and impose them for any length

of time that is deemed appropriate. As such, the onerousness of imposed intermediate punishments is virtually unregulated. In that intermediate punishments are designed to be alternatives to incarceration, their quantity and duration should not be so excessive that offenders are destined for failure and inevitable incarceration. As intermediate punishments become more burdensome, then concerns about equitable and rational imposition guidelines take on far greater significance.

Sophisticated alternatives to incarceration have proliferated for several decades (Byrne et al., 1992). Though curfews, halfway houses and intensive probation programs have existed since the 1950s, a series of new intermediate sanctions—punishments that lie somewhere between prison and routine probation with respect to their harshness and restrictiveness—appeared and spread in the 1980s, including boot camps, day fines, day-reporting centers, electronic monitoring, house arrest and intensive probation (Byrne et al., 1992). As these intermediate sanctions began to develop, so did the notion that judicial decision makers should be guided in their efforts to choose from *among* intermediate sanctions (Harland, 1996, 1993; Morris and Tonry, 1990; Von Hirsch et al., 1989; Knapp, 1988a, 1988b; Greene, 1988).

Von Hirsch et al. (1989), for example, attempt to scale intermediate sanctions according to the principle of desert. Their model is premised on three criteria: 1) noncustodial sanctions would be graded according to crime severity and criminal record; 2) substitutions would be permitted among sanctions of proportional onerousness; and 3) strict limits would be placed on technical violations, thereby limiting incarceration only to offenses that would have originally received imprisonment (Von Hirsch et al., 1989).

Morris and Tonry (1990) reject desert as the guiding principle in favor of the crime reducing concerns of rehabilitation, incapacitation and deterrence. They propose an “establishment of ‘exchange rates’ to achieve... principles of interchangeability between prison and non-prison sentences and among different non-prison sentences (Morris and Tonry, 1990: 93).” This interchangeability of equivalent sanctions however, is not based on equality in the severity of the sanctions involved, but an equivalence of function (Morris and Tonry, 1990). That is, one sanction may be substituted for another if both serve the same goals of punishment.

Harland (1996) proposes three sequential goals of sentencing—reparation, crime reduction and retribution. Harland (1996) argues that reparation, the requirement that offenders rectify the harm that resulted from their criminal offense, should be a primary goal of sentencing, along with the more traditional focuses of crime reduction and retribution. As Harland (1996: 8) asserts, “scaling and comparison could also proceed along a restorative dimension based on the value of different sanctions in their ability to address goals such as reparation to the victim, community or society.” If reparation is indicated, victims (direct and/or indirect) should be identified and losses quantified first, so that its implications for crime reduction and retributive sanctioning choices can be considered. Only after reparation has been considered should crime reduction and retribution concerns be considered. By addressing these three goals of sentencing successively, the principle of parsimony, or the concept of the least restrictive alternative, can be preserved (Harland, 1993).

Despite these theoretical debates, little practical consideration has been given to the systematic distribution of intermediate punishments. To date, Tonry (1997) has provided the sole evaluation of practical progress made with respect to the consideration of non-incarcerative state sentencing guidelines. His exploration was restricted, however, in two ways. First, reported progress was limited to three jurisdictions—North Carolina, Ohio and Pennsylvania (Tonry, 1997). No data were

provided for other jurisdictions studying and/or developing non-incarcerative sentencing guidelines, especially in context and approaches other than a formal sentencing commission and matrix style sentencing guidelines. Second, no data were provided with respect to the processes undertaken to implement non-incarcerative sentencing guidelines in North Carolina, Ohio and Pennsylvania (Tonry, 1997). As more states begin considering methods to structure the discretion of sentencing decision makers in the use of intermediate sanctions, it becomes increasingly important to build upon the modest start provided by Tonry (1997).

Given overcrowding in prisons and colossal probation caseloads, criminal justice decision makers are now presented with a vast array of intermediate punishment options. The task of incorporating these sanctions into sentencing guidelines is, in the late 1990s, at the same stage sentencing guidelines were in the early 1980s (Tonry, 1997; Von Hirsch, 1995, 1992). Though several jurisdictions, such as North Carolina, Ohio and Pennsylvania, have begun implementing non-incarcerative sentencing guidelines, Tonry (1997) concedes that more research is necessary to shape the future of structured sentencing discretion. The first step for jurisdictions considering non-incarcerative sentencing guidelines is reviewing what national progress has been achieved. Without a comprehensive assessment of current progress, jurisdictions interested in addressing the problem will likely be forced to overcome impediments that could very well be avoided.

Proposed Methodology

This study will be designed generally to evaluate the current national status of non-incarcerative sentencing guidelines. Five levels of involvement are presumed—no activity, study, developmental, implementation, and monitoring/evaluation. The specific purposes of this study will be twofold. First, to examine progress made with respect to the incorporation of intermediate punishments into structured sentencing decisions. Second, to review critically those jurisdictions that are either studying, developing, implementing or monitoring/evaluating methods by which intermediate punishments can be incorporated into structured sentencing discretion.

A multi-stage research proposal would be anticipated. First, specific decisionmakers involved in the consideration of non-incarcerative sentencing guidelines will be identified. Initially, telephone calls would be made to all state AOC's (Administrative Office of the Court's) and to the Federal Sentencing Commission to identify the most appropriate specific recipient of the study's first-stage mail surveys. It will be followed when necessary by a second mailing and/or telephone follow-ups to assure maximum response rates.

In the next stage of the study, sentencing commissions, legislative committees, AOC's, etc. identified in response to the initial contacts will be surveyed in greater detail. Once again to assure maximum response rates, mail surveys will be followed by second mailings and follow-up telephone calls. The types of questions might involve distinguishing the level of jurisdictional activity that has been achieved, identifying desired objectives, detailing the presence of any catalytic events that may have precipitated jurisdictional involvement, identifying a decision making approach (e.g., matrix, decision tree or narrative), describing philosophical justifications, identifying external consultants and other sources of influence, illustrating any real or perceived obstacles, and detailing the results of any monitoring or evaluation studies conducted to date. This stage would, first, assign states to one of five classifications: no activity, study, developmental, or implementation, or monitoring/evaluation, and

second, gather preliminary data on all jurisdictions that have progressed beyond the no activity stage.

In the final stage of the study, up to five site visits are proposed. These site visits will permit, first, interviews of personnel most centrally involved in those jurisdictions considering non-incarcerative sentencing guidelines; second, on-site review of background material (reports, etc.); and third, elaboration and clarification of information obtained in response to earlier mail surveys. Furthermore, while visits to the most progressive jurisdictions will undoubtedly lead to the collection of more abundant information, the five sites will include jurisdictions at various stages of progress. That is, rather than simply choosing the five most progressive jurisdictions, sites will be chosen based on several considerations, including philosophical foundations and decision making approaches.

Conclusion

The sentencing decision has been, and is, the symbolic keystone of the criminal justice process. Sentencing policies and reform have become critical issues across the nation as both the public and criminal justice decision makers become increasingly concerned about crime. Though vastly different approaches to combating crime exist, the ability to secure an acceptable solution to crime has been, and will likely be, extremely difficult to realize.

To date, there has been no systematic survey and critique of the incorporation of intermediate punishments into structured sentencing decisions. This study will furnish a start-of-the-art and critical review of the study, development and implementation of different approaches to structuring discretion of sentencing officials in the use of non-incarcerative sanctions. Results of the study are intended to contribute to the scholarly debate on sentencing theory and practice, as well as to provide much needed guidance to those sentencing commission, legislative committees, court administrators and others charged with structuring the discretion of sentencing officials in the use of the expanding array of intermediate sanctions.

This study will present a classification of jurisdictions in relation to the stages and theoretical and practical approaches in addressing the issue of structuring discretion of sentencing decision makers in the use of non-incarcerative sanctions. The study method will be detailed to allow replication and updates as attention to the issue increases in the future. Furthermore, strengths and weaknesses of the various strategies will be assessed from a theoretical and, where monitoring/evaluation stages have been reached, from an empirical perspective.

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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 over crowded 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 June 1, 1999. Further information and applications may be obtained from:

Yolanda Swinford, APPA
c/o The Council of State Governments
P.O. Box 11910
Lexington, KY 40578
(606) 244-8194
fax: (606) 244-8001

A LOOK BACK

"Live the Vision: Building Hope through Community Justice"

Over 1,700 participants gathered in Norfolk, Virginia for the 23rd Annual Training Institute, August 30-September 2, 1999. The event was co-sponsored by the Virginia Probation and Parole Association with the support of the Virginia Department of Corrections. The conference, "Live the Vision: Building Hope Through Community Justice," offered participants top-rate education programs, opportunities to see, test and compare the latest products and services as well as peer networking activities.

Program

The Institute opened Sunday evening with an informative and inspirational opening session by Mark Carey, Director of Dakota County Community Corrections in Minnesota. Mr. Carey's presentation, "Building Hope Through Community Justice," related his 21 years of experience in the corrections field by addressing key values that have helped shape community justice processes and which produce hope and promise for safer communities. Mr. Carey explained that professionals and community members see "hope" as an opportunity to shape their community and their lives. They see an opportunity to be heard and understood and to contribute something which makes individuals and neighborhoods stronger. He expressed that in a profession, which is constantly confronted with human suffering, a hopeful message is refreshing and invigorating. Yet, community justice initiatives are at risk of falling into disfavor if they are not guided by a set of values which promote win-win solutions.

The opening session kicked off two full days of educational sessions including the plenary session featuring the Honorable Laurie Robinson, Assistant Attorney General, U.S. Department of Justice and Mario Paparozzi, APPA President and Assistant Professor at the College of New Jersey. The session, "Putting Values in Community Justice," focused on the need for a core value framework and provided examples of values that can give direction to the exciting development of justice as defined

on both the federal and local levels and practiced in our communities. The presenters addressed implementation of community justice initiatives on both the federal and local level.

In addition to plenary sessions, the Institute offered over 70 of the highest rated workshops and intensive sessions ever. With topics including, community partnerships, restorative justice, judicial concerns, as well as juvenile and victims issues, attendees had the opportunity to tailor their training to their our needs.



The Institute's program was concluded with "Getting An Ear Back and Tending to Business," presented by the renowned Judge Mills Lane who is the star of a new television show which began in September 1998.

Networking

APPA's Institutes are always known for social activities that provide networking opportunities and a chance to relax after a long day of workshops. This year's social activities were no exception. Kicking off the conference was the Corporate Member-sponsored Opening Reception, "Beach Party reception" which gave attendees a sample of some ocean fun, beach food and beach music. A special thanks to APPA Corporate Members—BI Incorporated, House Arrest Services, Lockheed Martin, NCTI, Norment/Pacific VoiceTrack, PharmChem Laboratories, Roche Diagnostic Systems and SecurityLink from Ameritech, Tracking Systems Corporation and the VINE Company—for sponsoring this spectacular event.

Additionally, the gala event, "Shaggin' on the Shore" at Nauticus on the majestic banks of the Elizabeth River, provided an exciting setting for a spectacular evening. The evening was filled with fabulous entertainment provided by Bill Deal and Ammon Tharp (the original



Rhondels), southern hospitality and the best southern cuisine. While at Nauticus, attendees experience the power of the sea as they explored the maritime museum and participated in the computer and video interactivities.

Exhibit Showcase

Over Sixty vendor companies gathered to give participants the opportunity to see, test and discuss the latest products and services available to the field. During receptions, participants could leisurely stroll around the exhibit hall while enjoying beverages and hors d'oeuvres during the receptions in the exhibit hall.

Participants also had the opportunity to win big money and cash prizes in the Grab the Cash event. Sponsored by APPA's Corporate Members, participants whose names were drawn were placed in the grab the cash booth for 20 seconds, during which time they grabbed as many of the flying cash bills and prize certificates as possible. Prizes included free APPA memberships, publications and real cash. Whether inside or outside the booth, the event was enjoyed by all.



Thank You to the Sponsors of the APPA 23rd Annual Training Institute

APPA wishes to recognize those companies whose generous support of the APPA 23rd Annual Training Institute held in Norfolk, Virginia, and the APPA Research and Development Fund has allowed APPA to maintain its high standards of Institute training and contributed to the future of community corrections.



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1998 APPA AWARDS

The annual awards of the American Probation and Parole Association were presented during APPA's 23rd Annual Training Institute in Norfolk, Virginia, August 30-September 2, 1998. Congratulations to the award recipients in recognition of their contributions and dedication to the probation and parole profession.

Scotia Knouff Line Officer of the Year Award



Carl Reddick
Lincoln County Department of Corrections
Newport, Oregon

The most competitive, and perhaps the most prestigious practitioner award is the Scotia Knouff Line Officer of the Year Award. This award is given to the probation, parole, or community corrections officer who has performed assigned duties in an outstanding manner and/or has made significant contributions to the probation, parole, or community corrections profession at the local, regional or national level and/or has brought credit or honor to the profession through participation or involvement in community activities or programs.

Carl Reddick has been pursuing his career in community corrections within the state of Oregon for 20 years. He has been actively involved in his community by serving as a YMCA basketball coach for fourth- and fifth-graders and by serving the local school districts as a curriculum advisor. Among innumerable other activities, he has served on the Governor's Commission on Violent Crime, Juvenile Services Committee, and the Community Corrections Advisory Committee. In 1997, he was honored as Officer of the Year by the Lincoln County Law Enforcement Association.

Mr. Reddick is co-founder of the Oregon Cognitive Change Network, and in 1995 he founded the Behavioral Modification Center (BMC), a storefront operating in his rural community. The project has operated for three years without funds from any government agency and has graduated 350 offenders. Mr. Reddick has taken state-of-the-art literature as it applies to offenders and has constructed a curriculum that has gained national attention and recognition.

Mr. Reddick presented his program to the Franklin/Covey Corporation in Salt Lake City. His use of the Franklin "Reality Model" as part of his programming prompted the company to begin production of a video designed specifically for offenders. Most of the jurisdictions in Oregon have sent observers to the BMC program and many have replicated its format in their area.

Mr. Reddick is a dedicated, self-motivated professional who has brought a meaningful intermediate sanction program to a rural community. He has brought national recognition to himself and to his agency through his selfless efforts to better the lives of the clients under supervision in his community.

APPA Member of the Year Award

Linda W. Layton
Director of Operation
Support Probation Division
Department of Corrections
Atlanta, Georgia



The APPA Member of the Year Award recognizes the work and energy of an APPA member.

It is open to current APPA members who have been members for at least a year and who have provided significant contributions to the organization through promotion of the vision and mission of APPA. Elected members of the APPA Board of Directors or the Executive Committee are not eligible to receive this award.

Linda Layton has demonstrated an ongoing dedication to furthering the goals of the American Probation and Parole Association since she joined in the mid-1980s to assist the Atlanta Host Committee as it prepared for APPA's 1991 Annual Institute. Since then, Ms. Layton has contributed her expertise and energy to the development of APPA's vision as well as to many of the Association's activities and committees. She has served on the Board of Directors as Region 6 Representative and on the Health and Safety Committee, the Legislative Committee, the Corporate Members Committee, and the Prevention Committee. In furtherance of the objectives of APPA's Prevention Committee, Ms. Layton recently secured a technical assistance grant from the National Institute of Corrections to develop a "prevention" curriculum.

Since 1990, Ms. Layton has developed, presented and/or moderated workshops for most of APPA's Institutes. Since 1992, she has coordinated program tracks for several Institutes and served as Program Chair for the 1996 Annual Institute. Her work in this area continues as she is now in the process of helping to identify workshops for next year's Institute.

It is with sincere appreciation for her years of dedication and innumerable contributions to this Association that the Member of the Year Award is bestowed upon Linda Layton.

Community Awareness Through Media Award

Mark Bowden
Managing Editor
The Gazette
Cedar Rapids, Iowa

In 1997, the American Probation and Parole Association established the Community Awareness Through Media Award. This distinguished ad hoc award recognizes a media broadcast, publication or film capable of

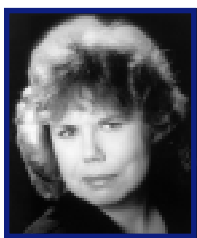
reaching a national audience, which broadens the public's awareness and understanding of issues in the American criminal justice system.

The coverage of criminal justice matters has been a focus for The Gazette in recent decades. The Pulitzer Prize for public service was bestowed upon The Gazette in 1935 for its exposure of illegal gaming operations. Since then, the paper has received a series of distinguished awards for its stories on agriculture, education, juvenile justice and crime.

Mark Bowden has been managing editor of The Gazette since 1990 and has continued the newspaper's long tradition of covering issues that are of greatest concern to its readership. Criminal justice issues are major beats at The Gazette. From July 1997 to March 1998, Mr. Bowden published a series of articles on the Sixth District's initiative to educate the public on restorative and community justice. The articles were informative and, coupled with guest editorials, were inclusive and innovative.

It is by such exemplary media coverage that the public's awareness and understanding of criminal justice issues is broadened and enhanced. The American Probation and Parole Association is pleased to present its Community Awareness Through Media Award to Mr. Bowden in recognition of his contribution toward the realization of APPA's Vision.

Walter Dunbar Memorial Award



Nancy M. Lick
Chief of Research, Planning and Staff
Development
Westchester County Probation Department
White Plains, New York

The Walter Dunbar Memorial Award is the oldest APPA practitioner award. It is presented in honor of one of APPA's most distinguished colleagues, the late Walter Dunbar, who served as Director of the California Department of Corrections, Chairman of the U.S. Parole Commission, and Director of the New York State Division of Probation. The award is presented for significant contribution by a practicing professional or retired practitioner in the field of probation and/or parole.

Nancy Lick has been an active member of the APPA for over 20 years. During that time she has served as Treasurer, Vice President, President-Elect, and was the first woman to serve as President of the Association. When her presidential term ended in 1989, she remained active by devoting her considerable efforts and expertise to the Prevention Committee, the Position and Resolution Committee, the Past President's Advisory Committee, and the Awards Committee.

Ms. Lick worked for over 11 years as the Director of Planning and Staff Development for the Philadelphia Court of Common Pleas in the Adult Probation Department. She left Pennsylvania to become the Director of Curriculum Development for the National Council of Juvenile and Family Court Judges in Reno, Nevada, where she spent nine years working to enhance staff development for juvenile officers and juvenile judges nationwide. For the past eight years, she has served as Chief of Research, Planning and Staff Development for the Westchester County Probation Department in White Plains, New York.

On the national scene, Ms. Lick's many contributions include her participation in the Curriculum Development Project of the National Institute of Corrections, the National Commission Against Drunk Driving, the American Bar Association's pretrial initiative, and the National Advisory Board to the National Sheriff's Association on Criminal Justice Management of High Risk Populations: AIDS Project.

The University of Cincinnati Award

Timothy J. Flanagan, Ph.D.
Dean and Professor
College of Criminal Justice
Sam Houston State
University
Huntsville, Texas



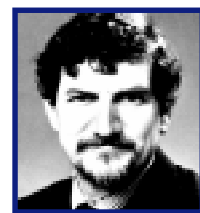
The University of Cincinnati Award is non-practitioner award. It is presented to an individual who has made significant contributions to the probation and parole field or technology. Recipients typically are individuals from an academic research or government agency not engaged in providing probation and parole services.

Timothy J. Flanagan is Dean and Director of the College of Criminal Justice at Sam Houston State University. Prior to accepting a position at Sam Houston, Dr. Flanagan was an Associate Professor and Associate Dean at the State University of New York at Albany. He has devoted his entire professional career to criminal justice education and research. In addition to his research and administrative duties, he teaches courses on criminal justice administration, corrections and research.

Dr. Flanagan is a true friend of community corrections and his work has favorably influenced probation and parole practices. Further, he has been a leader in recognizing and fostering the important collaboration between academia and practitioners. Dr. Flanagan has played a significant role in the efforts of the National Association of Probation Executives, the National Institute of Corrections, and the Correctional Management Institute of Texas at Sam Houston State University in the creation of a curriculum for newly appointed probation executives.

Sam Houston State University Award

David C. Anderson
New York, New York



The Sam Houston State University Award, first given in 1986, is for an individual who has published an article concerning probation, parole, or community corrections which provides new information and insight into the operation, effectiveness, or future of the community corrections profession. For such recognition, an article must have been published in a national or regional journal.

David C. Anderson is the author of *Sensible Justice*, an exploration of creative solutions to prison problems that is currently in use across the nation. He also wrote *Crime and the Politics of Hysteria: How the Willie Horton Case Changed American Justice*, and *Crimes of Justice: Improving the Police, the Courts and the Prisons*. Mr. Anderson is a former member of the New York Times editorial board and has written for numerous publications including the *New York Times Magazine* and *The Wall Street Journal*.

Mr. Anderson's efforts have provided a unique insight into community corrections, which has supported the concepts that community programs can be successful.

1998 APPA AWARDS

Joe Kegans Award for Victim Services in Probation and Parole

Robbie K. Fullerton
Victim Liaison Coordinator
Department of Corrections
Oklahoma City, Oklahoma



The American Probation and Parole Association is proud to present its first Joe Kegans Award for Victim Services in Probation and Parole.

This distinguished award was established as a tribute to the late Judge Joe Kegans, a founding member of the APPA's Victim Issues Committee, who devoted her career as a jurist to bettering the lives of all with whom she came in contact. This award honors the individual working in community corrections who has provided exemplary services to victims of crime.

In 1980 Robbie Fullerton became an advocate for victims and survivors. For 18 years, she and her family have been part of the criminal justice system. Ms. Fullerton has dedicated her life to helping victims of violent crime, not only in her career but also by personally supporting organizations and groups that unite citizens against violent crime.

In addition to her excellent and compassionate contributions to the plight of victims in Oklahoma via her position as Victim Liaison Coordinator, Ms. Fullerton has also served as a board member for the Green County Chapter of Parents of Murdered Children. She has been affiliated with the National Parents of Murdered Children, the National Victims Center, the National Organization for Victims Assistance, the Homicide Survivors Support Group, and the Oklahoma Crime Victims Center. There are many more groups and associations who have gratefully received her efforts and contributions.

President's Award

Pennsylvania Board of
Probation and Parole
and Pennsylvania Department of
Corrections

In 1993, the American Probation and Parole Association established the President's Award to recognize exemplary community corrections programs which serve to advance the knowledge, effectiveness and integrity of the system. APPA acknowledges the growing responsibilities of the profession in meeting the ever present demands by celebrating the success of our constituents. Successes are the product of collaboration, teamwork and organizational spirit. To this end, this award recognizes visionary organizations that have exemplified the management and innovations necessary to lead community corrections into the next millenium.

The Substance Abuse Violator's Efforts Program (SAVE) and the Residential Substance Abuse Treatment Program (RSAT) are the result of a collaborative effort between the Pennsylvania Board of Probation and Parole, and the Department of Corrections. These two innovative programs satisfy the needs of the public by protecting the public safety while meeting the parolee's treatment needs.

The Substance Abuse Violators Effort Program (SAVE)

In some situations, it is desirable to lock up an offender for a long period of time in order to take violence off the street and protect the community. However, not all offenders require this approach. The SAVE strategy recognizes that the penal system alone cannot effectively address the problems of drugs on our streets. SAVE diverts parole violators with primary substance abuse issues away from state prison beds and addresses the individual's need for treatment. Individuals are carefully screened and referred to the Residential Substance Abuse Treatment Program (RSAT) which includes residential treatment and outpatient counseling. Progress is monitored and tracked through completion.

The Residential Substance Abuse Treatment Program (RSAT)

Parolees who meet the screening criteria for inclusion in this program are offered this treatment option in lieu of a lengthy incarceration. The program is divided into three phases and includes therapeutic community interaction intensive outpatient substance abuse treatments and therapies. If the individual passes successfully through the first two phases, the offender is then reviewed by the Board of Probation and Parole and considered for parole. If approved, the individual undergoes intensive parole supervision, which includes urinalysis and electronic monitoring, for a period of six to nine months. To date, 42 offenders have been referred to this program.

Scotia Knouff Line Officer of the Year Award Nominations

The American Probation and Parole Association would like to give special recognition to everyone nominated for the Scotia Knouff Line Officer of the Year Award. Their outstanding commitment and contributions to the field of probation and parole have made a difference.

Diego Cruz

Probation Officer
Philadelphia Adult
Probation Dept.
Philadelphia, PA

Ruthanna Hall

Senior Probation Officer
Maricopa Juvenile
Probation Dept.
Phoenix, AZ

Mary Nordone

Probation Officer
Onondaga County
Probation Dept.
Syracuse, NY

Linda A. Tabb

High Profile/Sex Offender
Specialist
Florida Dept. of Corrections
Clearwater, FL

Janice Vaznonis

Probation Officer
Dept. of Probation
Services
Greeley, CO

Andrea Wade

Investigator Pretrial Services
Los Angeles County
Probation Dept.
Los Angeles, CA

Special Thanks to Roche Diagnostic Systems for their generous contribution to the Scotia Knouff Line Officer of the Year Award

CALENDAR OF EVENTS

1998-1999

Dec. 10-12	Office of Juvenile Justice and Delinquency Prevention National Conference , "Juvenile Justice: Focus on the Future," Grand Hyatt, Washington, DC. Contact (800) 638-8736.	April 28-30	Volunteers in Prevention, Probation and Prisons, Inc. Compact Two-Day Training with Focused Educational Opportunities , Holiday Inn Select, Phoenix, AZ. Contact (313) 964-1110.
Jan. 10	Center For Sex Offender Management Special Training Session , Phoenix, AZ. Contact Peggy Burke at (301) 589-9383.	May 9-12	National Association of Workforce Development Professionals 10th Annual Conference , "Partnerships for a New Century," Sheraton San Diego Hotel & Marina, San Diego, CA. Contact (606) 887-6120.
Jan. 10-13	American Probation and Parole Association Winter Training Institute , Crowne Plaza, Phoenix, Arizona. Contact Krista Chappell at (606) 244-8204.	May 15-17	Kansas Correctional Association Annual Spring Conference , Holiday Inn Convention Center, Salina, Kansas. Contacts Robert Sanders at (785) 296-4538, Perry Russell at (316) 724-4209 or Stephen Douglas (972) 578-9931.
Jan. 11	Satellite Video Conference, Promising Victim-Related Practices in Probation and Parole . Sponsored by the Office for Victims of Crime and the Arizona Supreme Court. Contact Tracy Godwin at (606) 244-8215.	May 16-19	Middle Atlantic States Correctional Association and the Pennsylvania Association on Probation, Parole, and Correction Joint Annual Conference , Hershey Lodge and Convention Center in Hershey, PA. Contact Tom Costa at (215) 686-9422.
Jan. 18-20	American Correctional Association 1999 Winter Conference , "Alliances for Progress," Opryland Hotel & Conference Center, Nashville, TN. Contact (800) 222-5646 ext. 1922.	July 18-22	National Association of Blacks in Criminal Justice 1999 National Conference and Training Institute , Adams Mark Hotel, Dallas, TX. For more information visit the web site at http://www.nabcj.org/99conf.htm
Feb. 8-10	SEARCH and Bureau of Justice Assistance 1999 Symposium on Integrated Justice Information , Gand Hyatt Hotel, Washington, DC. Contact (916) 392-2550.	Aug. 8-12	American Correctional Association 129th Congress of Correction , Denver, CO. Contact (800) 222-5646.
Feb. 10	The National Institute of Corrections and the Center for Sex Offender Management 3-Hour Interactive Videoconference , "Assessment of Sex Offenders for Sentencing, Supervision and Treatment." There is no charge to any agency or facility nationwide with access to a satellite dish or "downlink." Contact (800) 995-6429, ext. 168.	Aug. 22-25	American Probation and Parole Association 24th Annual Training Institute , New York, N.Y. Contact Krista Chappell at (606) 244-8204.
Feb. 10-12	Volunteers in Prevention, Probation and Prisons, Inc. Compact Two-Day Training with Focused Educational Opportunities , The Regal Maxwell House, Nashville, TN. Contact (313) 964-1110.	Sept. 15-17	Volunteers in Prevention, Probation and Prisons, Inc. Compact Two-Day Training with Focused Educational Opportunities , The Radisson Hotel City Centre, Indianapolis, IN. Contact (313) 964-1110.
March 28-30	Correctional Education Association Leadership Forum , Holiday Inn - Inner Harbor, Baltimore, MD. Contact (800) 783-1232.		
April 10-15	National Center for Women & Policing Fourth Annual Conference , "Police Leadership for the 21 st Century: Women Achieving Equality," Grendele Golf & Tennis Resort, Orlando, FL. Contact (323) 651-2532.		
April 25-28	Correctional Education Association Region 8 CEA Conference , Ramada Resort Hotel, Atlanta, GA. Contact Dr. Alice Clay at (770) 528-4247.		

To place your activities in Calendar of Events,
please submit information to:

Susan Meeks

American Probation and Parole Association

P.O. Box 11910, Lexington, KY 40578

or fax to (606) 244-8001

*Information needs to be received no later than four months prior to
event to be included in the calendar.*



www.appa-net.org

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P.O. Box 11910
Lexington, KY 40578-1910

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