

PERSPECTIVES

the journal of the American Probation and Parole Association



Volume 25

Number 3

Summer 2001

DEPARTMENT OF PROBATION
60
TIME
EXPIRED

The

END

of Probation

PRESIDENT'S MESSAGE

This will be the second to the last President's Message that I will write for *Perspectives*. In the last two messages, I want to focus on reporting to the membership the progress that the organization has made toward achieving the goals that the APPA Executive Committee and Board of Directors adopted in January 2000. There was a total of 16 goals adopted — but don't panic, I am not going to go through these goals one by one. Rather, I will address the goals in four broad categories: being a strong voice for parole and parole, communication, networking and training. The first two I will deal with in this issue and the second two in the next issue.

Being a Strong Voice

Being a strong voice for the field means influencing public policy, getting information out to the field and being at the table when issues affecting probation and parole are being discussed. Perhaps the best way I can communicate to members that we are making progress in this area is to share an example of what is happening in this area.

I just got back from Washington D.C. where I attended a National Institute of Corrections-sponsored meeting of the presidents of 14 criminal justice associations. One of our agenda items was meeting with Senator Orrin Hatch (R-Utah), Senate Chair of the Judiciary Committee. We discussed with him mental health issues in the criminal justice system and his sponsorship of S 304, "Drug Abuse Education, Prevention and Treatment Act of 2001." He asked for our help. He wanted the 14 associations to send letters of support, with backup material, for this bill. Features of this bill includes funding for jail-based substance abuse treatment programs, alternatives to incarceration focusing on drug courts, mentoring programs for children of inmates, and reentry demonstration projects. There were other features of this bill that lead me to believe that our message that treatment can work is being heard. Additionally, the bill requires organizations to coordinate their efforts in substance abuse treatment. While APPA can be a strong voice, coalitions such as this can wield considerable influence on Capitol Hill when they can say that they represent well over 100,000 people who work in the justice system. I hope to get the endorsement of the APPA Executive Committee to provide that letter of support that Senator Hatch has requested. But for now, we ought to enjoy this moment in time when substance abuse treatment is enjoying bipartisan support.

More than once, the APPA Executive Committee and Board have remarked that it is now unusual for probation and parole to not be at the table when justice issues are discussed. This did not happen overnight nor should credit go to one person. There has been a synergistic effect that has happened over the last ten years to bring us to the table on issues. The synergy has happened because of credibility, quality and leadership. It has not happen by accident, and it has been a lot of work.

Communication

Computer technology has provided a vehicle for APPA to get information to the field at a low cost and in a timely fashion. After hiring a part-time web site coordinator, the APPA Executive Committee and Board have been experimenting with member only access to certain areas of the web site. The "list serves" that our office in Lexington have developed have enhanced our ability to send a news article to our board with a push of the button. You know that information sharing is working when you have people complaining that they are getting too much information to review. I personally believe that we need to turn our attention to the membership now, keeping in mind that not all members have access to the Internet or use email.

One of the things that I feel very good about is the antithesis of email – getting to know what is going on in the organization by just walking around at the institutes. As you know, the executive committee no longer meets all day Saturday. Saturday afternoon and all day Sunday is devoted to



Ray A. Wahl

attending committee meetings as assigned liaisons. In addition, we have met on two occasions with committee chairs in an organized attempt for the committees to have clear direction and a committee charter. We have also spent time with the program chairs, so they are clear on expectations, address feedback from evaluations and can get a historical perspective on training institutes. We have used roundtable formats to discuss such issues as rural probation and diversity. Finally, we have attempted to make board meetings more issue oriented. Let me thank Sean Ryan and Sandra Salazar for organizing provocative topics to be discussed at board meetings. But if there is one thing that I have insisted upon, is that the executive committee must be available to the members.

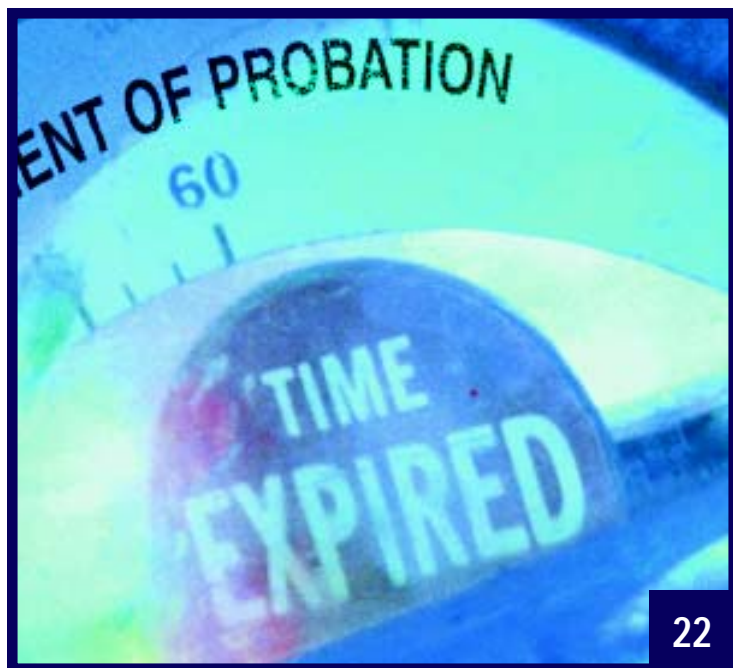
In each of these messages, I want to close by identifying an issue on which we need to place even more emphasis. The issue I want to discuss in this issue is membership. The membership committee, chaired by the energetic and creative Jim Sinclair, has done a marvelous job. They are always prepared with their reports, conduct exciting meetings and are passionate about this organization. Yet our membership remains steady

at 3,200 (including agency and affiliate members) despite the committee's best efforts. After listening to this issue being discussed for 20 years, I have boiled it down to this: APPA has not found a way to make a compelling argument to people who work in the field of probation and parole to make them want to join the organization. There is a key that will unlock this door, and I truly believe that the answer must come from within this organization.

I look forward to seeing you at the 26th Annual Training Institute in St. Paul, Minnesota on August 26-29, 2001. The Minnesota hosts and the program committee have really created a very fine Institute, which I look forward to enjoying.

A handwritten signature in black ink, appearing to read "Ray W. Hall". The signature is fluid and cursive, with the first name "Ray" being more legible than the last name "Hall".

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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 MS Word or WordPerfect format on an IBM-compatible computer disk, along with five hard copies, to Production Coordinator, *PERSPECTIVES* Magazine, P.O. Box 11910, Lexington, KY, 40578-1910, in accordance with the following deadlines:

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- **Spring 2002 Issue – December 11, 2001** ● **Fall 2002 Issue – June 20, 2002**

Unless previously discussed with the editors, submissions should not exceed 10 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:

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

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American Probation and Parole Association



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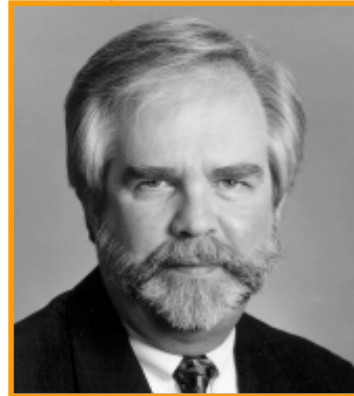
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Bill Burrell

Putting "What Works" to Work

Since the mid 1990s, the National Institute of Corrections (NIC) has promoted a strategy of "awareness building" or "seed planting" for what has come to be known as the "What Works" initiative. NIC, initially borrowing extensively from Canadian academics and practitioners and more recently from their U.S. counterparts, introduced across the U.S. a body of evidence that says specific interventions, targeted for specific populations and delivered in a disciplined manner greatly reduces the risk of re-offending and additional victimization. Corrections staff and administrators along with county and state policy makers have been an eager audience. The seed planting became possible through a joint venture with the International Community Corrections Association (ICCA) and the personal commitment of Dave Dillingham and Nancy Shomaker at NIC and Peter Kinsiger at ICCA.

While there are still jurisdictions that need to get the message, it is time for NIC to shift the bulk of its attention to implementation. While the information shared is sound and well received, corrections agencies and criminal justice systems have expressed a need for assistance to make this practice the standard means by which offenders will be assessed and managed. What instruments do we use for assessment? How do we identify a credible service provider for specific high-risk populations? How do we go about developing new programs that really target the factors that put the person at risk to commit new criminal acts? How do we manage the process of controlling and changing criminal behavior?

It really is about managing a process. It is not about having the one right classification tool or the one right cognitive program. It is about assessing what contributes to the risk that people will commit new crime and intervening based on what we have learned from research (not the latest pet project presented at a conference) in ways that reduce that risk. Initially it may require extensive external controls be imposed on some offenders, while over time the goal is to develop the internal controls and learned behaviors that predict lower risk.

This summer NIC will be soliciting, through a cooperative agreement, an organization to work with NIC to assist corrections agencies and criminal justice systems to adopt this process as their preferred means of managing the offenders assigned to them. In addition to being knowledgeable about the social learning theory and research which serves as the foundation of this work, the organization must possess the ability, born of experience, to assist agencies and systems to go through a disciplined change process. This assistance will allow administrators to answer the questions raised earlier in this column and many more. It will allow managers to make sound business decisions that tailor the process to the different capabilities of communities under their management responsibility without violating the integrity of

the process and its tools. It will allow executives to attach costs to correctional interventions that actually reduce-do not eliminate-risk. It will allow policy makers to begin to measure the performance of the correctional practice against practical, desired outcomes.

While it is desirable to be aware that some things work, it is critical to put what we know works into practice. NIC is committed to working with jurisdictions that are moving from awareness to implementation. For more information please call or write to George Keiser at the National Institute of Corrections, 320 1st NW, Washington, DC 20534, (202) 307-3129. □

George Keiser is the Chief of the Community Corrections at the National Institute of Corrections in Washington, DC.

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BY GEORGE KEISER

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

Applications are being accepted to host future APPA Institutes

Applications to host future APPA Winter and Annual Institutes are now being accepted. Any board member, affiliate association or state agency wishing to request consideration of a particular city must complete an application. Further information and applications may be obtained from:

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Non-Invasive Drug and Alcohol Testing

In recent years criminal justice agencies have been looking for alternatives to urinalysis as a means of testing persons for drug and/or alcohol use. The reasons for this are many. First, urine samples have traditionally been vulnerable to tampering or adulteration. In fact, entire industries have emerged to help the unfortunate person who has been indulging beat his next drug test. Second, anyone who has performed this task can tell you that the collection of a urine sample is, at best, unpleasant. It is a very intrusive process that is uncomfortable for all concerned. Third, urine sample collection requires the collector to be the same sex as the provider. For smaller agencies it may be difficult to manage this requirement. Fourth, the handling of the urine sample poses a potential health hazard to staff. Fifth, offenders are notorious for stalling when they are called upon to provide a urine sample. Shy bladder syndrome is an actual disorder and is called "paruresis" in medical terms. Recent

studies have shown that about seven percent of the population suffers from paruresis. Why this statistic does not apply to the offender population is a phenomenon that requires more study. The reality is that uncounted man-hours are spent waiting for an offender to provide a urine sample because "he just went" or she "can't do it in front of you."

All of these factors, among others, have led agencies to explore other methods of determining whether or not an offender is using drugs or alcohol. Here's a look at some of the emerging technologies that you should be aware of:

- **Hair Analysis** – It has been demonstrated that when a person ingests drugs, residues from the drug remain permanently entrapped in the hair. As the hair shaft grows, it produces a linear record of the compounds absorbed. As a general rule, each half inch of hair stores the residue from about 30 days of usage. The typical

hair sample reveals 90 days usage. This is advantageous when a large window of detection is desirable such as in evaluating an individual's drug history. In addition, hair analysis has been upheld in court when introduced as evidence of drug use. The Virginia Department of Corrections has been studying the use of hair analysis as compared to urinalysis in several probation and parole districts since 1999.

- **Pupillometry** – Pupillometry is the measurement of the pupil's response to light. Devices using this technology expose the offender's eye to a light source, which causes the pupil to rapidly contract and dilate. The device measures contraction and dilation through the software in the laptop compares the results with baseline data to determine impairment. Results are available within one minute. Pupillometry technology has been tested on parolees in West Virginia in conjunction with urinalysis, is and the device was shown to be an accurate predictor of drug use. This technology has also been tested with probationers at the Gila County Probation Department in Arizona.
- **Saliva Analysis** – Saliva has long been utilized as a method of detecting alcohol use, but it is now possible to determine drug use as well. One product soon to hit the market will utilize technology developed by the Naval Research Laboratory. The device will collect a subject's saliva through aspiration using a suction type device similar to those used in your dentist's office. Sample collection will take 30 seconds to one minute. The saliva automatically flows into a disposable cassette that is designed to provide up to 10 simultaneous, blood-equivalent tests in a panel format, so the user does not touch the specimen. The instrument will automatically generate hardcopy test results and interpretation to provide the necessary documentation of test results.

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BY JOE RUSSO

The entire test procedure, from specimen collection to result printout, will take less than five minutes.

- **Transdermal Analysis** – An interesting technology currently in development will detect ethanol migrating through the skin. An offender would be fitted with an ankle bracelet similar to those used for electronic monitoring. The key difference is that this bracelet would incorporate a sensor that would measure and store the offender's blood alcohol level on a continuous basis throughout the day. In addition, if the offender attempts to remove the bracelet a tamper indication is stored in the system. The only active participation required of the offender would be to download the data stored on the bracelet to a central monitoring station via modem. This technology is in the prototype stage and is ready for testing in a field setting.
- **Handwriting Analysis** – Researchers are developing a device that will measure the degradation of a person's fine neuromuscular performance due to substance abuse. Handwriting dynamics represent a complex motor skill that reflects the functions of the fine motor control system of an individual. Such fine motor control mechanisms are very sensitive to drugs and other toxic agents. Therefore when a person uses drugs or alcohol his motor control system is affected and this effect is manifested and can be measure through handwriting dynamics. In its present configuration, the device is an instrumental pen with sensors that are attached to a PC with supporting software. When the offender signs his name, for example, the sensors collect precise measures of handwriting dynamics. This writing sample can be compared to either the individual's previous assessment or an established threshold for general population of non-substance impaired persons. Results of this analysis would be available within minutes. This technology is in its infancy and much work remains before it can be determined if it will be a viable method of detecting impairment.

The APPA Technology Committee is very interested in keeping track of developments in this area and will endeavor to bring these developments to APPA's membership both in this forum as well as through workshops at Institutes. For further information about the

technology committee, or if you would like to become a member or propose a workshop, please contact, either Martin Novak, Program Manager, National Institute of Justice, 810 7th Street, NW, Washington, DC 20531, phone (202) 616-0630, e-mail: novakm@ojp.usdoj.gov, or Tom Plumlee, Director-Potter, Randall & Armstrong CSCB, 600-B.S. Fillmore, Amarillo, TX 79101-2421, Phone: (806) 342- 2421, e-mail: plumlee@co.pot-

ter.tx.us. For more information on non-invasive drug and alcohol testing contact Joe Russo at 800-416-8086. 

Joe Russo is Corrections Program Manager for the National Law Enforcement and Corrections Technology Center in Denver, Colorado and is a member of the APPA Technology Committee.

ADE

SPOTLIGHT ON SAFETY

“Probation and parole professionals are at increased health risk for contracting certain communicable diseases. With the increase in the number of individuals on probation and parole, combined with the lack of meaningful health care available to many of them, we in community corrections must remain cognizant of the dangers of exposure to certain communicable diseases.” So states the pending APPA Position Statement on Communicable Diseases. Among other recommendations in the statement, APPA contends that all probation, parole and community corrections agencies should:

- have programs in place to assess the risk of communicable diseases;
- train staff about the risks of such diseases as well as how to avoid them and how to treat them;
- maintain clear and decisive policies and procedures pertaining to potential exposures to communicable diseases;
- investigate and respond to all incidents involving exposure or potential exposure; and
- establish guidelines to address, but not be limited to, the following diseases: tuberculosis; hepatitis A, B and C; and AIDS/HIV.

After approval by the APPA Board of the Directors, the full statement will be published for comment from APPA members and calendared for a membership vote. Through the position statement, APPA is acknowledging the threat communicable diseases pose to staff safety and is making recommendations for agencies to address this issue.

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Legal Issues in Probation and Parole

Introduction

The growing United States prison population has been the subject of much debate and discussion by the public and criminal justice practitioners. While the number of people incarcerated has risen dramatically during the past decade, the number of people on probation or parole has been increasing at an even faster rate. There are approximately 3.2 million individuals on probation on any given day in the United States.¹ Relatively little discussion and debate about the issues surrounding the presence of so many offenders in the community has taken place.

Along with the rise in the number of persons either incarcerated or under some form of community supervision, there has been a significant rise in the number of lawsuits filed by inmates and offenders in the community. The United States Supreme Court decides several prison law cases every term, but hears very few cases involving probation and parole.

It is unfortunate that so little attention is paid to probation and parole law, for decisions in this area impact on significant numbers of offenders and criminal justice personnel. The purpose of this column is to provide a forum for discussion of important legal issues in probation and parole. In previous columns I have examined the various rights retained by parolees and probationers, and the legal status of commonly imposed probation and parole conditions. I now turn my attention to a discussion of the leading cases in probation and parole.

Probation and parole officers are not expected to be lawyers or legal experts, but they must be familiar with the basic legal principles that affect how they supervise offenders in the community. In this and forthcoming columns I will discuss some of the major Supreme Court cases dealing with probation and parole. I will also cover some issues not decided by the high court, but which lower courts have struggled with.

The Supreme Court and Probation/Parole

The Supreme Court has decided several

cases involving the rights of offenders. These can be broken down into several categories: (1) cases dealing with the right to be released from incarceration; (2) cases dealing with the rights retained by offenders during the parole/probation revocation process; (3) cases dealing with the authority of the state to change a parole or probation decision; (4) cases dealing with the liability of criminal justice personnel involved in the release decision and supervision of offenders in the community; and (5) the applicability of constitutional protections (such as the exclusionary rule, and the prohibition on double jeopardy and ex post facto laws), to offenders in the community.

Each of these categories has one or more Supreme Court decisions. A note of caution here: While United States Supreme Court decisions are the law of the land and generally applicable to all states, each state has its own caselaw regarding the legal rights of offenders in the community. Supreme Court decisions serve as the baseline, or minimal legal protections that are afforded offenders. State courts are free to provide additional protections to offenders if they so chose, and a number of state courts have done so. Probation and parole officers must be aware of any additional limitations placed on them by local court decisions.

So why, if probation and parole officers are not expected to be lawyers, and local law may differ, have I chosen to discuss the leading Supreme Court cases? Because an understanding of these cases provides the criminal justice caseworker with a better understanding of the rights possessed by offenders, and an understanding of the rationale of the high court provides the caseworker with some guidance in their decision-making.

Until the middle of the 20th century, offenders had few rights. The Bill of Rights, with its protections of individual rights, applied only to the federal government, not the states. The exclusionary rule and Miranda warnings were unheard of. Those convicted of crimes were often treated as "slaves of the state,"² who lost most of their rights. Courts took what was

referred to as a "hands-off" approach to the rights of prisoners, choosing not to become involved with the affairs of corrections agencies, which were part of the executive branch of government.³ If prisoners had no rights, then courts need not oversee correctional agencies dealing with prisoners.

Courts also paid scant attention to the rights of probationers and parolees, treating them as essentially equivalent to inmates. Any number of restrictive probation and parole conditions were upheld, with courts often falling back on the rationale that neither probation nor parole was a right, but merely a privilege, something granted by the state which could be modified or revoked at any time.

By the 1940s courts began paying closer attention to the rights of prisoners, as part of a growing trend towards increased protection of individual rights. In 1941 the Supreme Court held that inmates had a right to unrestricted access to federal courts.⁴ The civil rights movement of the 1960s and a change in the membership of the Supreme Court resulted in tremendous changes in criminal justice procedure and correctional practices.

Under Chief Justice Earl Warren, the Court extended a number of protections to criminal defendants. The Supreme Court also began to extend protection of individual rights to inmates. In 1962 the Supreme Court incorporated the Eighth Amendment into the Fourteenth Amendment.⁵ This had the effect of requiring state correctional agencies to respect the Eighth Amendment ban on "cruel and unusual punishment." The Court, in a series of cases, also required correctional administrators at all levels to accord basic procedural rights to offenders. Paralleling the increased attention paid by the high court to correctional institutions was an increased attention to the rights of those under community supervision. In a series of cases decided during the 1970s the Supreme Court extended a number of due process rights to probationers and parolees.

The Supreme Court in the past decade has retreated to a degree from its aggressive examination of correctional policies and

BY CRAIG HEMMENS

procedures, and again taken something of a hands-off approach. Nonetheless, there has been established a significant body of caselaw affording some basic due process rights to offenders.

Due Process and Criminal Offenders

In examining the rights of criminal offenders, the Supreme Court has focused, in large part, on the issue of due process. The Fifth and Fourteenth Amendments to the Constitution require that the government provide criminal offenders with "due process." What this means, in practice, is that before the state can take away the liberty or other rights of a person, it must follow certain procedures which are intended to prevent the state from acting arbitrarily, capriciously or unfairly.

The Supreme Court method of analysis regarding due process claims has generally been to determine whether there exists either: (1) a specific constitutional requirement of due process, such as the right to have counsel present; or (2) a "state-created liberty interest." A state created liberty interest is created when a state regulation or procedure gives something of value to an inmate or parolee/probationer. An example is when the state chooses to allow incarcerated offenders to gain "good-time credits" and to become eligible for early release from incarceration.⁶ While there is no constitutional right to parole, once the state provides for such an occurrence, it is labeled an "entitlement" and the state is prevented from denying the entitlement to an otherwise qualified individual without providing due process. What this means, in practice, is that the state may deny an entitlement, but only after following certain procedures that are intended to ensure that the denial of the entitlement is not arbitrary or unfair.

In future columns I will discuss in greater details the parameters of the "state-created liberty interest" doctrine and the Supreme Court's definition of what constitutes due process in the context of granting or denying parole, and parole and probation revocation.

Endnotes

¹ Bureau of Justice Statistics, *Correctional Populations in the United States* 1995. Washington, D. C: United States Department of Justice (May, 1997).

² *Ruffin v. Commonwealth*, 62 Va. (21 Gratt.) 790 (1871).

³ Christopher E. Smith, *Law and Contemporary Corrections* (2000). Belmont, California: Wadsworth.

⁴ *Ex parte Hull*, 312 U.S. 546 (1941).

⁵ *Robinson v. California*, 370 U.S. 660 (1962).

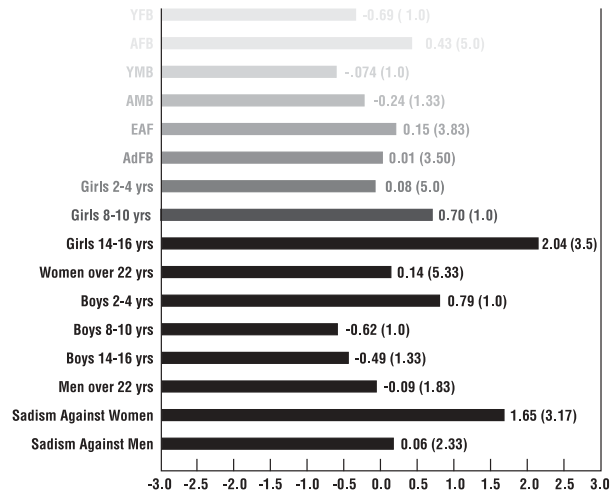
⁶ John W. Palmer and Stephen E. Palmer, *Constitutional Rights of Prisoners* (6th edition, 1999). Cincinnati, Ohio: Anderson Publishing. □

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Strategic Alignment in Community Supervision of Offenders

New ways of thinking about community supervision of offenders have been emerging for several years. Disenchantment with the status quo in probation seems to be leading to a rethinking of the purpose, role or function of community supervision. This rethinking has even led to suggestion that probation needs to be reinvented (Burrell, 2000). Leading the discussion on these concerns have been Corbett, et al (1999) and Beto, Corbett and Hinzman (1999). They are suggesting that probation needs to follow a new and enhanced model of community involvement so that probation is fundamentally reshaped. The new probation officer will be given responsibilities of working in the community using skills associated with community organizing, community problem-solving and community interventions with a wide variety of offenders, both adult and juvenile.

Principles of Effective Intervention

These suggested changes in probation have been developing parallel to, and without a doubt, as a response to the research and discussions by Harland (1996), Andrews (1990) and Gendreau (1990). Evidence shows that many correctional interventions produce significant reductions in recidivism and that these programs have identifiable characteristics. In addition to the risk principle and need principle, they indicate the need for a third principle: the responsivity principle. Gendreau (1996) states that characteristics of offenders should be matched to therapists and programs. In the case of probation, this would mean that interventions should be matched to offender type and to probation officers' style. Some probation officers who have a concrete problem-solving style would be better supervising offenders in highly structured programs. Part of this equation is being attempted in probation according to Hinzman (1999). He reports an attempt to match offender profiles to individual offender programming. He does not mention the additional matching of probation officers with the other two factors: offenders and programs. Matching officers with offenders and programs would constitute an alignment of the major strategies in community supervision. Strategic alignment in community supervision is directed at making the organization more productive and a better place to work (Burrell, 2000). Alignment in this sense, suggests that the talents, skills and abilities of the probation officers be matched to the primary strategies of supervision in a department and the characteristics of the offenders being supervised. The heart of alignment is accurate knowledge of the offenders, staff and interventions. As Beto, Corbett, & Dilluilo (2000) point out, this alignment must be developed in the context of public safety and community values.

Matching Offenders to Treatment Interventions

The initial attempts to match offenders to treatment interventions have focused on drug abusing offenders. Falkin, Strauss, & Bohen (1999) indicate that the basic point in treatment matching is when appropriate interventions are matched to drug abusing offenders. This can result in scarce treatment resources being utilized more effectively. Reducing recidivism and relapse is the ultimate goal of treatment matching.

In their study, they found that outpatient treatment, clearly, was not effective for the group of substance abusing offenders with the most severe

drug use. This finding seems to be consistent with the risk principle of effective intervention: The most intensive interventions should be matched to the highest risk offenders.

In addition, Falkin, et al. offered two important recommendations concerning treatment matching. First, they indicate that probation departments should refer clients to various treatment programs based on assessments of the severity of drug use. The key is the utilization of instruments that provide an accurate measure of substance use or abuse. Second, they stress that for treatment matching to be successful, the probation department needs to have a variety of drug interventions available after assessments have been completed. These available options should range from residential to outpatient treatment programs.

Finally, they emphasize that treatment dose is important. Probation departments need to ensure that clients actually attend treatment programs and persist in treatment instead of dropping out or failing to appear for appointments.

Prendergast, Anglin, & Wellisch (1998) concurs with the importance of assessment in treatment matching. They stress that comprehensive screening and assessment instruments are needed to support effective treatment matching. They indicate that the technology for treatment matching has not been developed, even though there is general agreement in the field that the practice would be effective. They indicate that treatment matching would need to be theoretically grounded, clinically usable and empirically tested for the technology to support the principle and practice of matching.

They also indicate there are practical obstacles facing the implementation of effective treatment matching. Matching requires (1) a range of treatment options, (2) a sophisticated matching system based on multiple factors, (3) a diverse treatment staff, and (4) an efficient communication network that should be computer based. From their discussion, it appears that treatment matching would require a major commitment by a probation department. Selected staff would need to be trained in assessment procedures and technology. Staff and offenders would need to be assessed so that baseline data can be compiled. The data would need to be analyzed and recorded in practical and meaningful reports for managerial decision-making. The Administrative Office of the Illinois Courts has already initiated the process by assessing officers on probation strategies in a statewide training curriculum. The goal of this assessment program is to assist in managerial decision-making, by developing a baseline of information on professionals attending the training.

Matching Officers to Interventions

In order to maintain a strategic alignment in community supervision, probation officers need to be matched to interventions (Shearer, 2000). This would mean that a probation officers' work style, particular strategy or supervision style would be matched to interventions and offenders. Again, the key to this design is assessment of probation officers' work style and strategy.

What is missing from the discussions of reinventing probation and effective intervention with offenders is a method for determining probation officer style. There are numerous instruments available to measure offender risk and need, but the third factor of the responsivity principle has not received much attention. If the style or strategy of the officer could be determined, then a department would undertake an attempt to align the strategies of community supervision so that officers are consistent with specific interventions and the philosophy of the agency.

Differing Roles

Several others have suggested that probation officers perform in a number of different work roles when supervising offenders (Mangrum 1975; Van Laningham, Tabor and Diamants, 1977; Strong, 1981; Hall & Smith, 1981). These work strategies can be reduced to three categories: casework, resource brokerage and law enforcement (Cole, 1989; Abadinsky, 1987). As a caseworker, the probation officer assumes the role of a therapeutic agent whose primary mission is to help the offender solve social and psychological problems (Dressler, 1969). Somewhat less personally involved as a therapeutic counselor, the resource broker seeks to assess the needs of the offender and connect him or her with social service agencies that can appropriately address those needs (Carlson and Parks, 1979; Dell'apa, Adams, Jorgensen, and Sigurdson, 1976). Most distant from the caseworker orientation is the law enforcer, whose primary mission is to ensure community safety by monitoring the offenders activities to determine compliance with the conditions of probation and abstinence from further criminal acts (Cole, 1989; Van Laningham, Tabor, and Diamants, 1977).

Torres (1999) and Torres & Latta (2000) have discussed probation officer types extensively. Their discussions focus on the type of probation officer best suited to supervise substance abusing, adult offenders. They indicate that the law enforcer, authoritarian style of the probation officer is needed with substance abusing offenders who exhibit personality traits that would be difficult for the social worker style to work with. Some of these traits are impulsivity, sociopathy, egocentricity or low frustration tolerance. The law enforcer style of supervision would not be as uncomfortable as the social worker style, in compelling an offender into treatment. Furthermore, they focus primarily on the supervision aspect of probation, indicating that the social worker approach will not be effective in supervising substance abusing offenders. They do not include the notion of the probation officer being the treatment provider. Their conclusions are drawn from professional experience and, while they are very thought provoking and detailed, are not empirically based. An empirically based method to determine if their assertions are valid would be a step closer to expanding our professional observations and matching them to supportive data.

Nature of the Instrument

One instrument that has been developed is the Probation Strategies Questionnaire (PSQ). The PSQ was developed by Shearer (1991) and extensively refined by Sluder (1991), Sluder, Shearer, & Potts (1991), and Sluder & Reddington (1993). The rationale for the development of the PSQ originates in the literature of probation strategies and roles.

The PSQ was developed as a 24-item instrument designed to measure support for the three predominant caseload management strategies noted in the literature: casework (8 items), resource brokerage (8 items) and law enforcement (8 items). The PSQ is designed as an untimed, self completed measure that can be either individually or group administered. Subjects are usually able to complete the PSQ in about five to ten minutes.

Persons completing the PSQ are asked to indicate on a 3-point Likert-type scale, ranging from 2 (agree) to 0 (disagree), the extent to which they agree or disagree with each statement. Each scale (casework, resource brokerage, law enforcement) is scored by summing the responses to the appropriate items. Sums for the individual scales are then divided by the number of items comprising the scale so that scale scores range from a low of 0 to a high of 2.

Validity

A considerable amount of research has been completed to establish the psychometric properties of the PSQ. Sluder (1991) established the validity of the PSQ by using a panel of expert raters comprised of experienced probation officers who correctly classified all of the items in the instrument into appropriate categories (i.e. caseworker, resource brokerage, law enforcement). Sluder also conducted a factor analysis of the PSQ and determined that each scale appears to be contributing unique information consistent with the three strategies measured by the instrument.

Further information on the validity of the PAQ has been provided by Sluder and Reddington (1993). They studied the probation strategies of over two hundred adult or juvenile officers. They found several interesting relationships to probation strategies that could be useful in matching probation officers to interventions or offenders. First, their study suggested that the more time officers spend in face-to-face contact with probationers, the more likely they are to support law enforcement strategies. Second, they found that male officers are more likely than female officers to endorse offenders control strategies. Third, he found that officers who work in larger probation agencies are more likely to support offender control strategies. Finally, they did not find that caseload size or years in service as a probation officer to be related to law enforcement strategies. While a considerable amount of attention has been given to the discussion of probation strategies, their research seems to be one of the few empirical studies on the subject.

Reliability

The PSQ has also demonstrated acceptable levels of both external and internal reliability. In terms of external reliability, a test-retest administration of the instrument produced coefficients above .75 for the three scales. Internal reliability coefficients have also been calculated and produced results well within acceptable limits for an instrument of this type (Sluder & Reddington, 1993).

In summary, analysis of data from administrations of the PSQ have produced reliability and validity estimates that are well within acceptable limits for matching officer with interventions in probation departments. Using the PSQ as an assessment instrument would facilitate adherence to the responsivity principle which has not been addressed as broadly as risk and need.

Probation Strategies and Personal Skills

An obvious extension of probation strategies would be the challenge of identifying and matching the individual professional skills of an officer with one of the three strategies of case worker, resource broker or law enforcer. The goal would be to identify the work tasks that correspond to each strategy.

Burrell (2000) has suggested ways to access the culture of an agency and he mentions that specific behaviors by staff would be a way to do this. Beyond this assessment, a method to assess or inventory the specific skill strengths or weaknesses of officers to determine if personnel are being utilized most efficiently and effectively is needed. This determination can begin by looking at some of the general and specific skills needed by officers working in probation departments.

General Skills

Figure 1 presents a schematic of a suggested array of general and specific probation skills. General skills would be required proficiencies for all officers and likely to be the basis for pre-service training and certification. These skills would range from basic recording and

documentation to interviewing or legal procedures. The basic skills would be required and would support the three strategies that require additional skills.

Specific Skills

The three strategies and an array of specific skills that extend beyond the general skills are also shown in Figure 1. Several factors can be observed in this schematic. First, the technical level of the skills increases as a department moves from a law enforcer to caseworker strategy. Second, there is overlap in the three strategies indicated by the shaded areas in the figure. Third, there is a need for staff communication across the three strategies as indicated by the arrows. This communication is important because during the course of supervision, probationers, staff and intervention programs may change. This communication allows for professional override of an original strategy designation (Hoge & Andrews, 1996). For example, a probation officer, for a variety of reasons, may need to be reassigned from case worker to law enforcer. In addition, a probationer may need to be reassigned to an officer who is primarily a case worker. This professional override of the original match can only be accomplished when there is communication about how well probation officers and the offenders they supervise fit the initial match.

Implications

Probation departments need a method to match probation officers to interventions for strategic alignment of departmental functions. They also need a way to identify "community" probation officers. The PSQ is an instrument that can identify officers with different preferences for three types of officer styles. Specifically, officers who indicate a tendency toward the law enforcement orientation would be a better match for a low intensity, highly structured supervision caseload. Officers who indicate a strategy of resource brokerage would be a match for offenders with special needs that can be best met by community services. Officers who score higher on the casework scale would be best suited for working with offenders who exhibit a great deal of personal discomfort or anxiety concerning their behavior. With these cases, the officer is more appropriately suited to exhibit a higher level of interpersonal sensitivity and engage in more intensive interventions like cognitive behavioral therapy, social skills training or family interventions.

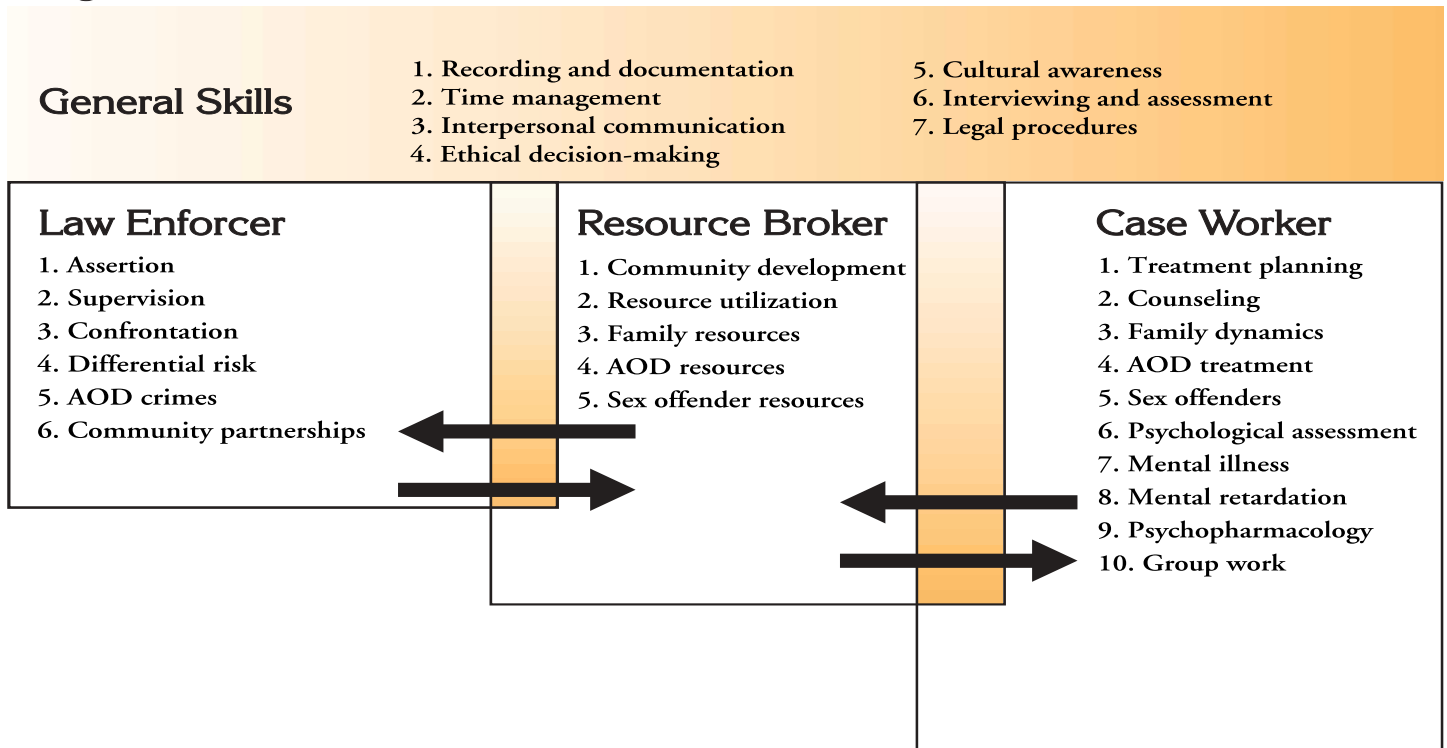
Conclusion

It has been suggested here that probation strategies be matched to specific professional skills appropriate for each strategy and supported by basic skill competencies. The practice of matching offender characteristics to interventions and treatment staff characteristics has been limited to rehabilitation initiatives. The technology of matching officers with interventions in the pursuit of strategic alignment is available. There is a need for further exploration of this potential in community supervision to determine if probation officers can be matched to departmental strategies and specific caseloads. If the technology is utilized to accomplish strategic alignments, we may be able to realize more effective and efficient practices in community supervision.

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DEPARTMENT OF PROBATION

TIME
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The

END

of Probation
and the Beginning of Community Justice

BY DENNIS MALONEY

Introduction

Several years ago, an interesting exchange took place with a group attending a community policing conference. During a plenary session, the observation was made that it was essential for law enforcement and community corrections to work in harmony, sharing strategies and information. Participant feedback reflected support for the overall presentation, with one exception. Sternly, yet politely, several delegates objected to being referred to as “law enforcement officers.” They explained that they had worked hard to stop using that title. One person noted that the term “law enforcement” is reactive and does not capture the work of helping neighborhood residents embrace and support laws to prevent crime. These were community-oriented police officers and they expected to be referred to as something consistent with that identity and role.

This incident demonstrates that representatives of the one component of the criminal justice system that continues to enjoy strong public support rejected their traditional job title and felt comfortable redefining their professional role. They did so in a way that they viewed as being consistent with what they saw as the true mission of policing. The officers’ response also implied recognition of the need for a new image of their profession and for new public expectations that might create and foster demand for community-oriented policing services. Such demand may, in turn, serve as a catalyst for organizational change to sustain and fully support the work of community-oriented police officers.

Contrast this insistence on a new name and new role for law enforcement officers with the approach of too many of us working in probation. Bearing a job title and a public image that commands neither widespread understanding nor support, probation administrators hold on to both. They do so even as legislative bodies strip away their mandate and discretion and, through mandatory sentencing practices, remove wide swaths of offender groups that could be held accountable with supervision in their communities. If the police can undergo a process of redefining their mission, public image and identity, then probation professionals should be motivated and capable of doing so as well.

This paper has two primary purposes. First, we consider problems in image and reality that impose virtually insurmountable limits on probation as we know it. Second, building on a community justice vision and restorative justice principles (Clear and Karp, 1999; Bazemore and Walgrave, 1999), we briefly describe a more holistic change in values and mission needed to move probation forward. We argue that community corrections should begin by articulating different outcomes and performance standards based on this new vision. Then these outcomes should be used to design new roles for probation professionals. Toward this end, a new mission for community corrections and justice intervention is proposed based on the goals of repairing harm, reducing risks and building community. Finally, while the name “probation” is ultimately less significant than genuine organizational and systemic reform to support a change in mission, names determine expectations of others in the system. Therefore, we argue that the term itself has outlived its usefulness, and the idea of probation is a barrier to meaningful reform in the role and function of community corrections.

The Problem with Probation: Image and Reality

When citizens are asked what probation means to them, most respond that: – “it means someone got off.” – “It means the offender got a slap on the wrist.” – “It means they didn’t have any more room for criminals in jail, so he has to go to a probation officer to report how he is doing.” Clearly, no other component of the justice system seems to

have been the object of as much public misunderstanding and ridicule. Seldom do citizens think of probationers as paying back for the damage their offenses have caused. Probation in the eyes of citizens simply is not seen as having anything to do with accountability or public safety.

Public Image: What’s In a Name?

Police are not known as “arrest and refer officers.” District attorneys are not known as “plea officers,” and judges are not known as “dispose and sentence authorities.” Yet, at some point in the history of community corrections, probation administrators allowed an activity to become a mission, and as a result, the probation function is now identified almost solely with a consequence or sanction.

Unfortunately, an image and role associated with enforcing a sanction is highly unlikely to be linked in the public’s mind to the important aspiration of many in the field to focus on prevention. The difficulty is that the word “probation” is reactive and does not suggest innovative, proactive efforts to make communities and citizens safer. The term “probation” has no apparent connection to the causes of crime, nor does it imply use of creative problem-solving strategies in response to crime when it occurs.

Even more troublesome is the problem of relating the function of probation to an increasingly critical constituency in community corrections work: the crime victim. Victim advocate Anne Seymour clearly illustrates the nature of the communication barrier in challenging probation administrators to ask the following questions: – If a crime victim drives up to a government building with a large sign that reads, “Juvenile Probation Department,” is it likely that he will conclude that staff in such a place are concerned with helping him? – Is a victim entering a facility and encountering a receptionist who advises her to wait while the juvenile probation officer assigned to the case is summoned likely to feel that this pending meeting will have anything to do with her concerns? – As victims wait in an area shared by offenders and their attorneys, hearing victimizers being coached by public defenders about what to do in an upcoming hearing, can we assume that they will feel that this place, these people or any part of this enterprise is in any way about them? If language and symbols are important to how people develop a perspective and an opinion, then someone must explain how the title, “juvenile probation officer,” is ever going to reflect an ethic of concern and respect for crime victims.

Reality: The Structural Limits of Probation Work

The problems facing probation are, of course, not restricted to image. They are a function of bureaucratic traditions and unimaginative intervention paradigms that greatly limit the creativity and influence of even the most motivated probation professionals. Most typical probation practice begins by imposing a set of conditions on offenders with little attention to the needs of individual victims, the community and citizen concerns or, for that matter, individual offender needs and assets. Adherence to these conditions is then monitored by having the offender report to the probation officer in a government building for a 30 minute meeting once a month.

Probation contracts typically amount to lengthy lists of requirements, with some states imposing over twenty standard supervision rules and conditions. Significantly, individual victims and other citizens have little or no opportunity to present their views about these conditions, and reparative obligations are largely ignored as a result. The offender has little personal investment in these conditions and, given the number and complexity, little chance of remembering them or avoiding violation.

We try to be flexible, but can and do revoke offenders when we decide that the elasticity of the rules is being stretched too thin. Terms for revocation are, therefore, highly subjective, which often adds to the sense among probationers that the system is unjust and that it is they, rather than the persons they have harmed, who are the real victims.

Probation conditions are generally stated as “shall-nots,” ensuring that offenders rarely have a genuine sense of taking active responsibility or demonstrating meaningful accountability. This is a passive approach to intervention that essentially amounts to the offender getting off probation when they minimize the number of probation rules violated for an acceptable period of time or until the heat has simply been turned off. Nothing is required of the offender, and one experienced supervisor described it, “the best probationer is a comatose one because his chances of such rule breaking are nonexistent.” As a result, there is little sense of closure and certainly no cause for celebration for achievements at termination. Such passive and insular office visit probation, in fact, reinforces offender irresponsibility and has done more than anything else to damage the image of the profession by feeding into the public stereotype that probation and community supervision is a day-at-the-beach.

Essentially, probation practice has little grounding in research or theory. If there is an intervention theory in use, it is generally based on the rather bizarre assumption that surveillance and some guidance can steer the offender straight. Millions of dollars have been earned by consultants teaching probation workers new ways to talk to offenders, and we gather at conferences hoping to learn better strategies for this strange, generally one-directional, communication. The primary tool used is insight-oriented counseling between probation officers and offenders, administered through routine office visits. Beyond this, any intervention that flows from probation is centered on that which results from referrals to treatment and remedial service.

While we acknowledge that training, effective treatment and, especially, opportunities to practice and demonstrate productive skills may positively shape an offender's behavior, such services should not be provided in ways that are removed from the community that suffered the original harm. Additionally, if we are worried about the public image of probation, we should be especially concerned when services are separated from obligations to repair for the damage the offender has caused to victims and other community members. When this occurs, the public can only conclude that there was little or no accountability for the offense because, as even some critics of reparative obligations acknowledge, we fail to address the common “charge that intervention is a form of entitlement to offenders ... Given the principle of less eligibility, any provision of treatment services to offenders is open to attack because such social welfare is undeserved ... (whereas interventions that seek to repair harm to victims and community, and listen to the voices of those with a stake in the harm allow us to) move away from the principle of entitlement to the principle of social exchange” (Levrant, et al. 1999, pg. 22).

Visions of Change: Beyond the Trappings and Traps of Probation

Much has been written in recent months about needed changes in the focus of community corrections, and there has been a good deal of speculation about the future of probation. While varied in their prescriptions, recommendations for reform focus primarily on three issues: movement from the office (or “fortress probation”) to the community; the need for probation departments to develop more effective partnerships with police and others to better share information and resources (Corbett,

1998); and the need to respond to offenders using a strengths-based or asset-building protocol rather than a deficit-focused approach (Clark, 1998; Bazemore, Nissen and Dooley, 1999).

Certainly, movement into the community and away from the office, building partnerships that break down the insularity of probation, and assessing offenders through a different “lens” that views them as potential resources rather than as liabilities (Bazemore and Terry, 1997) must be viewed as essential components of reform aimed at changing the image and reality of probation. Yet, each strategy seems vulnerable to being implemented in a vacuum, as if it were the magic bullet program or activity that will rescue probation with no larger vision of criminal justice reform. For example, while most attention, by far, has been given to getting probation professionals out of the office, several recent initiatives to force staff into the field to work with families of juvenile offenders (e.g., Bazemore and Day, 1996) have demonstrated that getting out of the office does not guarantee that officers will in any way change what they do.

Most importantly, even a more coherent package of reform initiatives seems unlikely to get us out of the boxes of probation, as we know, it in the absence of fundamental organizational change. At a minimum, if we want probation officers to engage the community, we should ensure that barriers to such engagement are addressed and that community corrections leaders and managers develop performance standards and incentives that reward professionals for tasks other than office visits, caseload management and having their paperwork ready for court.

In other words, neither changes in the location of probation offices and officers, new partnerships, nor changes in how we view offenders are likely to make much of a difference if staff understand their responsibility in terms of their “cases” and understand the case as the equivalent of the offender. Given this understanding, it should not be surprising that the essence of the probation job is, in practice, easily reduced to enforcing court sanctions and, at best, seeking to motivate individual probationers. Using community policing as an analogy, managing cases is in many ways the community corrections equivalent of police officer responses to 911 calls (Goldstein, 1988). Both arrest and casework are individualistic approaches that define and reward success based on incident-driven, reactive responses and, therefore, prevent criminal justice professionals from engaging in more meaningful and impacting problem-solving and community-building activities (Bazemore and Schiff, 1996).

Therefore, we are skeptical, though more hopeful, about even the more holistic prescriptions for bolder reforms such as those that build on the community policing theory of “broken windows” as applied to a new preventative neighborhood-based probation (Clear and Corbett, 1997; Dunlap, 1998). Although such proposals move in the right direction and seem less vulnerable to taking on a “program of the month” or “activity” focus, they appear at a minimum to demand a rather dramatic change in the mission and role of probation to accompany desired transformations in its location and emphasis. More generally, they also seem to be in search of a larger set of values or normative theory that can begin to balance the weight of traditional probation trappings with a clear vision for reform that challenges the dominance of the casework model as the core of intervention. Some are finding such a vision articulated in the goals of community justice and the principles of restorative justice.

Community and Restorative Justice

The term “community justice” has been used generally to describe a preference for neighborhood-based, more accessible and less formal

justice services that, to the greatest extent possible, shift the focus of justice intervention to those most affected by crime. According to one definition, community justice includes:

“All variants of crime prevention and justice activities that explicitly include the community in their processes. Community justice is rooted in the actions that citizens, community organizations and the criminal justice system can take to control crime and social disorder. Its central focus is community-level outcomes, shifting the emphasis from individual incidents to systemic patterns, from individual conscience to social mores, and from individual goods to the common good.” (Clear and Karp 1999, p.25, emphasis ours)

Community justice is best illustrated in practice by a variety of related initiatives – including community policing, community prosecution, victim support and services, community courts and community corrections programs — that maximize the inclusion of the community in active working partnerships with the criminal justice system. Because a community justice mission is also grounded in a commitment to the community as primary client or customer of the justice system, this orientation requires that criminal justice agencies consider neighborhood concerns for disorder, fear of crime and quality of life issues that may seem directly related to the crime rate or to formal criminal justice functions. Consistent with the definition above, outcomes pursued in criminal justice focus on goals beyond those associated with simply changing the behavior of individual offenders, but seek, ultimately, to build or strengthen the capacity of community groups to prevent and control crime.

Community justice also includes many of the core principles and practices generally associated with restorative justice.¹ Restorative justice is a new way of thinking about crime that emphasizes one fundamental fact: Crime is a violation of individuals, communities and relationships. If crime is about harm, it “creates obligations to make things right” (Zehr, 1990:181), and in turn, justice must amount to more than punishing or treating those found guilty of lawbreaking. Restorative justice is, therefore, best described as including “all responses to crime aimed at doing justice by repairing the harm, or healing the wounds, crime causes (Bazemore and Walgrave, 1999, p. 26; Van Ness and Strong, 1997).” Because defining “harm,” and determining what should be done to repair it, is best accomplished with input from crime victims, citizens and offenders, restorative justice advocates promote practices such as victim/offender mediation or dialogue, family group conferencing and a range of other informal decision making processes aimed at developing a reparative plan in response to each crime with direct input from these stakeholders. Restorative justice, therefore, includes these decision making processes and the sanctions or obligations that make up such reparative agreements with the offender to repair the harm done to victims and the community, as well as a variety of policies and practices that flow out of a commitment to meeting the needs of victim, offender and community as primary, active “stakeholders.” Most importantly, restorative justice principles have implications for transforming traditional criminal justice functions such as rehabilitation, sanctioning, victim service and risk management (Bazemore and Walgrave, 1999). Additionally, part of a systemic response

to crime, community and restorative justice practices are not limited to one kind of offense, one type of offender or one component of the criminal justice system. Rather, restorative justice practices and policies have been operationalized in various forms at the level of prevention in schools and families, as well as in the most secure facilities in the criminal justice system or as part of offender reentry to the community.

Prevention, Response and Location.

A first priority of community justice is prevention, based upon proactive efforts that move beyond the typically narrow, traditional response focused on the needs and risks presented by individual offenders (Barajas, 1995; Clear and Karp, 1999). Instead, community justice advocates promote community-building and problem-solving initiatives to prevent crime by addressing the conditions that cause it. These initiatives seek to enhance neighborhood stability, improve the quality and nature of community social networks, and expand local capacity to manage conflict by strengthening the skills and capacities of citizens, community groups and socializing institutions. Community justice advocates might, for example, seek to address underlying problems of school and community crime and misbehavior by implementing restorative justice decision making processes, such as family group conferencing, as a positive response to disciplinary infractions and a possible alternative to suspension in a local middle-school (Reistenberg, 1996). Community justice advocates might also seek to strengthen local youth development strategies aimed at creating new participatory roles for young people (e.g., in community service, local civic groups, employment) and to strengthen youth/adult relationships by advocating institutional change that promotes opportunities for personal growth for all citizens, including offenders (Brown and Polk, 1996; Bazemore and Terry, 1997).

In seeking to be responsive, community justice practitioners first address victim and community needs (Barajas, 1995) while also exploring possibilities for reintegrating the offender as a productive citizen. Based on the fundamental vision of partnership between criminal justice professionals and the community members as co-producers of justice, advocates also propose that responses to crime must seek to empower crime victims, offenders other citizens and community groups to play active roles in both planning and agenda-setting. Being responsive also means being accessible and user-friendly and toward this end. To the greatest extent possible, both responses to crime and prevention activity are organized at the neighborhood level. However, simply locating programs and agency outposts at the neighborhood level is not new. So called community-based programs, which focus solely on changing the behavior of the offender and do little to meet the needs of crime victims or to enhance community capacity for problem solving, do not meet the criteria as community justice interventions.

While the vision of community justice and restitution principles are essential in our view, changing the mission of probation must also involve developing a clear blueprint for a new role for community justice officers as well as a new mandate for community corrections agencies. Such a blueprint must, in turn, be grounded in a different vision of the

responsibilities of citizens and community groups in the production of public safety and of the relationship between the community and the criminal justice system.

Rethinking the Role of Government and Community: New Roles and a New Mandate for Criminal Justice Agencies

Van Ness and Strong's distinction between the role of community and government suggests that there are some things government/criminal justice systems do well, but some things that are better left to the community. On one hand, critics of formal court and other criminal justice processes argue that preventing and responding to crime is not a job for experts who lack connection with those harmed by crime by applying rule-driven procedures in an adversarial court procedure (Stuart, 1996). On the other hand, advocates of community justice contend that there are vital resources and creativity within the community to which government has not traditionally had direct access. For example, supporting and reintegrating victims and offenders into productive social roles are tasks most effectively handled informally by community members and groups who can help delinquent youths develop new skills, improve school performance, and who can connect with other community organizations or small businesses that may provide employment opportunities.

The core restorative justice idea of a more active role for victim, offender and community in all justice functions, has dramatic implications for the role of probation professionals. This implied transformation can be generally described as a change from the role of surveillance and sanction-enforcement specialist, or service provider, to that of facilitator of informal, community responses to crime and mobilizer of community resources. As Vermont Commissioner of Corrections John Gorsych put it: "While we currently attempt an end-run around these community resources to work directly with offenders, in a restorative community justice model, justice professionals would work as much or more with and through citizens and community groups, families, victim advocates and support groups, and socializing institutions (e.g. school, work). In doing so, they seek to bring about positive change in the situation of both lawbreakers and crime victims."

These new roles, and the implied new relationships between justice professionals and citizens suggested by community justice proponents, are now only beginning to emerge. As the relationship between justice systems and communities evolves, through stages beginning with the current system-driven expert model and ending, in theory, with a community-driven approach (Pranis, 1997, p. 10), even gradual shifts in the role of the probation officer from primary surveillance and service provider to partner with the community should also bring about changes in this community/government relationship. Such shifts will be driven, in part, by the creativity and energy of citizens taking on more responsibility and providing input to justice decision making in a more collaborative process.

The Realities of Community and the Potential for Community-Building

Many community corrections professionals rightly complain that citizens and community groups in the neighborhoods where their clients live simply do not possess the skills and resources to respond effectively to crime or to contribute to its prevention. Indeed, in the last three to four decades, many have observed that communities are losing their capacity to respond as they once did to many of the problems that now find their way into arrest files, court dockets and probation caseloads. Criminal justice agencies and systems have expanded their reach and taken on increasing responsibility for tasks once dealt with by citizens at the neighborhood level by less formal means. As a result, efforts to centralize and professionalize social control and socialization functions seem, over time, to have sent the message to communities to leave crime, conflict and trouble to the experts. Ironically, in doing so, some have suggested that government agencies may have inadvertently undercut the role and responsibility of citizens, institutions and community groups in responding to crime, conflict, and disorder:

When agents of the state become the key problem solvers, they might be filling a void in community; but just as in interpersonal relationships, so in community functioning, once a function is being performed by one party it becomes unnecessary for another to take it on ... parents expect police or schools to control their children; neighbors expect police to prevent late night noise from people on their street; and

"Children grow up in communities, not programs. Development is most strongly influenced by those with the most intensive, long-term contact with children and youth—family, informal networks, community organizations, churches, synagogues, temples, mosques and schools. Development is not achieved only through services, but also through supports, networks and opportunities."

(American Youth Policy Forum 1995, p. 6)

citizens expect the courts to resolve disputes . . . informal control systems may (therefore) atrophy like dormant muscles . . . (Clear and Karp, 1999, p.38).

Village-level social controls that once supported neighborhood adults in exercising informal sanctions over young people are perhaps most noticeably missing in many communities today. In addition, many communities seem to have lost many of their traditional sources of social support in the form of informal networks, which aided in the socialization of young people. While this apparent deficit in community skills and resources can be viewed as a rationale for even more system expansion — including more prisons and jails as well as more probation officers — it can also be viewed as a challenge to community corrections in our assessment efforts to identify or rediscover strengths even in the most devastated, high risk communities (e.g., McKnight, 1996). Equally important, is that real community deficits be viewed as a challenge to community corrections to target intervention toward enhancing community strengths. Local and informal sources of social control and social support, in fact, represent the social capital (Putnam, 2000) that proponents of community justice wish to revitalize.

While we believe that beginning this transition is essential, we are also aware that it represents a giant leap forward for probation, as we know it. If we believe that all community corrections efforts, including probation, function most effectively when they contribute to the capacity of the community to deal with crime, then administrators must develop prevention and intervention strategies that devote at least as much energy and resources to building community capacity as to tracking, supervising and changing the behavior of individual probationers.

Focusing for a New Mission: Repairing Harm, Reducing Risk, Building Community

One of the most practical and persuasive attempts to move toward a new mission emerged in a 1998 national work session hosted by the Office of Justice Programs with the specific charge to “Rethink Probation.” Practitioners and researchers from across the country gathered to engage in an honest assessment of probation and to chart a course for the field. Facilitated by Michael Smith and Walter Dickey of the University of Wisconsin Law School, participants debated the purpose and definition of probation and then worked to achieve consensus around the following conclusion: The mission of probation should be simply stated as repairing harm, reducing risk and building community.

Not only did the group achieve consensus about the three core elements of the mission, it also stressed that the temporal order of the elements was important. In a civil society, when one member of the community offends another, a primary responsibility should be to attend to the person suffering harm. Then, within the context of easing that person’s trauma, probation should also work to ensure that the propensity to re-offend has been reduced while working to strengthen the community’s resistance to crime. A primary intervention strategy then becomes one of ensuring that offenders do their part to repair the harm. Until offenders make a sincere effort to initiate restitution payments and complete reparative service, they should not be entitled to tax supported counseling or training services. When such effort to repair harm is demonstrated, the community is more likely to support services and create roles and relationships to assist offenders in becoming productive citizens, thereby increasing the likelihood that true reintegration will occur (Bazemore, Nissen, and Dooley, 1999). This logic of earned

redemption and restorative reintegration is the basis for an enlightened mission. It suggests clear community justice goals for corrections that are easily communicated and capable of garnering widespread support and understanding.

Outcomes and Process

With our work focused on repairing harm, reducing risk and building community in a process that maximizes stakeholder participation, the role of probation as community justice begins to take on a clear definition in terms of outcome and process. Our process will be generally on the right track when our response to each and every case involves: 1) a thorough assessment of the nature of the harm to victim, community and offender/family; 2) development of a plan to repair this harm; and 3) assignment of roles and responsibilities in the reparation to offender, community, justice professionals and crime victims (Zehr, 1990) — all with primary input from the latter three principal stakeholders. The effectiveness of our interventions can then be gauged by the extent to which they contribute to performance outcomes such is illustrated in Table 1.

If we truly are what we measure, such basic performance standards can guide us in setting priorities for intervention² that can transform the focus of current activities from passive to proactive while working with

Table 1

Repairing harm:	Does the activity contribute to the likelihood that victim needs are being met, restitution requirements are being fulfilled and community reparative service orders are being completed? Has the victim received assistance to reduce trauma due to the crime?
Reducing risk:	Does the activity demonstrate effectiveness in reducing the likelihood of reoffending? Does it contribute to change in the role and image of the offender from liability to asset and allow offenders to practice and demonstrate competent behavior? Is there a particular focus on building relationships between offenders, law abiding citizens and community groups that provide informal social support and social control and foster development of internal resistance to crime?
Building community:	Does the activity contribute to the development of a stronger, more resilient community capable of sustaining informal means of social control and supporting and reintegrating offenders and victims?

the community to determine the source of the problem and developing strategies to replace the negative conditions with positive resources.

Serving the Community: A Case Study of the New Vision in Practice³

How might the new mission be carried out in practice? Compare the value of a carefully designed restitution and community work service approach, which features community development projects, with traditional approaches to probation. In Deschutes County, Oregon, for example, community justice officers work with community organizations to assess critical community needs. Once determined, staff arrange for teams of offenders who have court ordered community service requirements to participate in crew work projects aimed at meeting these needs.

Based on their expertise and interests, community volunteers step forward to help with planning and supervision. If projects require supplies, civic groups and community organizations raise the funds to pay for them. Offenders first complete required work service hours, then are allowed to continue working in the project to earn money from a restitution fund. The fund is supported through completion of paid work performed under contract for municipalities in the county. These restitution hours are credited to the offender's individual account, and their victims get paid back in a timely manner.

The program operates seven days a week and the community service workers are deployed based on an assessment of offender risk to the public. Staff supervise up to ten offenders a day for as long as seven hours each day. Teams have helped construct a child advocacy center for abused children, built new parks, conducted fund-raising drives for community projects in conjunction with local tourist industry businesses, constructed homes for Habitat for Humanity, helped organize an effort to build a homeless shelter, and currently are planning to construct a domestic violence safe house.

When the work on service efforts is finished, the community celebrates the completed projects with large groups of citizens attending completion ceremonies to cheer the contributions of the workers. The goal of the entire process is to allow offenders to gracefully earn their redemption so that eventually, and naturally, citizens cease referring to these workers as offenders.

The almost magical change in the demeanor and outlook of offenders when they are asked to work with others to help community members is difficult to describe in fully rational terms. Test this approach against the concrete outcomes of our proposed mission for probation. Harm, at least in financial terms, is restored to victims within weeks of the probation order. Harm to the community is restored through completion of meaningful work that contributes to the common good and builds community relationships. Additionally, since citizens and community groups are central in assessing community needs, designing projects to meet these needs and helping to get the work done, ownership for quality of life and crime reduction no longer rests on the shoulders of criminal justice professionals and public officials. Even if an argument could be made that this approach is no more likely to affect recidivism than counseling and other forms of treatment programs, the benefits to the community and victims (and the goodwill that grows out of these), in the form of restitution, community service and community development, alone, are worth the effort. And as even critics of the value of such work and of restorative and community justice acknowledge:

... it seems likely that this [public] support would increase if offenders, as part of their correctional service, were working to restore victims and the community ... Why should citizens want to invest in or

do good for offenders? One potentially compelling and progressive answer is that doing so will allow offenders to restore those they have harmed and will make them less likely to harm again. (Levrant et al., 1999).

Regarding the crime reduction potential of such activity, there is also a growing body of empirical research that suggests that low crime societies are those where: "Community members do not mind their own business" (Braithwaite, 1989). In addition, recent empirical studies of collective efficacy affirm at the neighborhood level that such informal social control is indeed the primary factor keeping youth crime rates low even in the most high risk Chicago neighborhoods (Sampson, Roedenbush, and Earls, 1997). Community corrections cannot by itself create such informal control nor can it manufacture informal social support, which arguably helps many offenders reintegrate into their communities. In Deschutes County, Oregon, and a growing number of jurisdictions in diverse communities, criminal justice agencies have sought to play an important role in supporting initiatives such as those previously described that build community efficacy. These agencies have demonstrated the power of citizens and community groups that have been asked to contribute their skills and resources and placed in positions of authority.

Could supervision of the type just described effect recidivism? Daily contacts between offenders and law abiding citizens provide opportunities for relationship building, for bonding with conventional organizations (e.g., schools, work places, faith communities), and reinforcement of positive performance. Since it is the control and support connections with such individuals and groups — not success in compliance with probation rules or completing counseling programs — that shields probationers from the temptation to commit new crimes. The risk of re-offend is, thereby, likely to be reduced. Couple these practices with a more fully developed, relational approach to reintegration (Bazemore, Nissen and Dooley, 1999), including effective treatment such as cognitive training, and there is a basis for a comprehensive crime reduction and prevention package⁴.

Doing a Few Things Well Rather Than a Lot of Things Poorly: Resource Priorities for Added Value In Community Corrections

How can community corrections professionals add community building and other tasks to their current workload? They can't. To carry out the requirements of this new role and address the goals of the new mission, we must find ways to gain time and reconfigure resources.

Gaining Time

Perhaps the answer lies, in part, in first clarifying what we now do and what we really need to do for and with offenders. On one hand, the 20 conditions of supervision are an obvious recipe for incompetence and continuous frustration if not organizational mental illness. On the other hand, a performance-based, time-limited and behavior-targeted supervision outline might, for example, resemble the following: obey the laws of the state for at least one full year; pay restitution to your victim at the rate of \$XX per month for X months; complete XX hours of work service to restore peace in your community; and attend and successfully complete a specified training course to gain the skills to become a responsible and productive citizen. The offender's incentive is that completion of these requirements will result in the court entertaining a motion to terminate the order at the end of the ninth month (or earlier if possible). If an offender is paying restitution on time, completing work service according to schedule, successfully participating in a prescribed training course (or employment and education) and has not committed

a new offense for nine months, do these significant accomplishments warrant some reward in the form of early release from supervision—at least for the vast majority of offenders?

This approach would, in turn, buy us time to focus more attention on high risk offenders and would also allow more time for our other two clients — the victim and our community. While some jurisdictions require up to four supervisory visits per month, averaging an hour per visit, reducing the number of visits by structuring offenders' time in service, education or work experience could substantially reduce the need for one-on-one supervision. In addition, through mutual involvement of staff, offenders and citizens in creative community service we also provide a more meaningful context for completing face-to-face contacts. By decreasing the months and years of supervision and reducing the time taken up with revocation hearings by limiting the number of probation conditions, we start to realize substantial gains in time to serve victims and other citizens in the community. For those concerned about need for therapeutic treatment for offenders, this can be provided prescriptively rather than programmatically based on assessed risk and need. Additionally, a substantial amount of counseling (often more meaningful) could be provided in context while working with the offender on community service projects (Bazemore and Maloney, 1994).

Reallocating Resources

While substantial new tax revenues to support a new system of community justice are not likely, probation departments in every county have other resources that can be redeployed. Simple gestures such as offering community and victim groups the use of probation office space for organizing and meeting would go a long way toward building the necessary relationships with those groups to promote development of an active partnership. Stationing community justice officers in the community and outside the central office could also create space in these offices for the activities of these groups such as restorative conferencing, mediation/dialogue and other informal decision making alternatives to court sentencing

Adopting a New Brand Name

The vision of community justice can never be effectively communicated by the term “probation.” As a brand name, probation is unfortunately irretrievably associated in the public consciousness with a lack of accountability and a reactive agenda.

As is often the case, the private sector can provide us with valuable lessons about taking the pulse of the public when projecting a brand name for our product. In making a decision about the future of the Edsel in the 1950s, the Ford Motor Company could have most likely resolved the technical problems with this automobile. Instead, Ford realized that the brand name could never gain public confidence and discontinued the model. As the Edsel of the justice system, probation too could be retooled. We could, for example, redesign our drive train and make the kind of cost-cutting and time-saving reforms described above. Yet, even if we made the service operate better, we are still up against a failed brand name. It is time to face the reality that probation as the name of our field and probation as it is too commonly practiced has

gone the way of the Edsel.

The first consideration is that we adopt a name that resonates with the three elements of a mission focused on repairing harm, reducing risk and building community. Another consideration is that the title not limit our policy and practice by associating it with a narrow correctional agenda and mandate, which has no real place for the proactive focus on community building. Finally, if the participation of victims and community members is essential, both groups must feel comfortable and welcomed. The words “community” and “justice” together suggest an agenda that is at once both preventative and restorative. Together, the words are proactive and evoke the notion of building a fair and just community. Victims and other citizens get an image of an inclusive system that is no longer just offender-focused and does not simply process and manage cases.

Probation, in name and in practice, should become community justice. A “Department of Community Justice” would be staffed by community justice officers supported by numerous citizen volunteers who understand their common mission to be repairing harm, reducing risk and building community while striving to involve and meet the needs of victim, offender and community in every case. In the absence of an organizational home in which the community justice idea can grow and flourish (and/or the likelihood of funds to create such a place), probation departments with staff, buildings and other resources should step up to claim a leadership role by retooling to serve as an organizational center for community justice. In doing so, as suggested in the introduction to this paper, the model of community policing is one that can be productively emulated. While citizens and agencies are acknowledged partners in community policing efforts, they depend upon the police bureau to provide an organizational home for their community policing efforts. Where community policing values have taken hold, citizens regard themselves as an integral part of the policing process. The same can occur within probation departments, renamed “community justice” and reorganized around the new community-focused mission.

Conclusion: The Death of Old Probation and the Beginning of Community Justice

Those of us who are probation managers, as well as those of us who study and write about community corrections, are seldom accused of being risk takers, nor have we generally spent much time developing the capacity to anticipate change in the way that good athletes, and truly effective public servants, do. Currently, however, we have an unprecedented opportunity to take risks that could truly transform and revitalize community corrections. For the first time, the momentum may be on our side as social service agencies, schools, clergy, businesses and policymakers are adopting a new common discourse that reflects a growing sense of urgency about threats to the viability of community life. Indeed, the widely used phrase “it takes a village” signifies nothing if not concern about the critical decline in the competency of citizens and community groups to address problems they once routinely solved without criminal justice or social service intervention.

Many in criminal justice are on the same page with these advocates for rebuilding social capital in communities. Perhaps most surprising to

“I knew where the rebound was going to be before the shooter released the ball.”

—Bill Russell

some, is the fact that a good deal of the leadership for the movement to community as the focus of public action is coming from within the ranks of community criminal justice professionals. At the national level, the U.S. Department of Justice has advanced community justice and it is gaining momentum that will hopefully not be slowed even in a new administration.

Somewhat surprisingly, given its apparent vested interest in maintaining some semblance of a status quo in the probation enterprise, the American Probation and Parole Association (APPA) has provided superb leadership in assisting probation systems to give consideration, and even begin the transition to, the new mission discussed here (e.g., Dunlap, 1998). While the APPA has yet to announce "the death of probation," we respectfully suggest that the time may be right for that organization to consider changing its name to the American Community Justice Association.

We believe that it should be no surprise to anyone that probation professionals have been playing primary leadership roles in the larger move toward a new mission for the criminal justice system. Prosecutor and community justice leader, Ronnie Earle, once remarked that he viewed probation officers as the all important "shock troops" of community and restorative justice. While we like this image of leading the charge on the front lines, we prefer to think of community corrections as the vanguard—both plotting strategy and when appropriate, engaging in the necessary battles.

The broad potential support beyond the criminal justice system and the discovery by national leaders of the virtues of the community justice vision and mission of repairing harm, reducing risk, and building community leads us to believe that there is a rare opportunity to get out front in this emerging paradigm shift. If anxiety is a source of change, we are indeed a most anxious group. The nation has locked up its two millionth inmate. State legislatures are mandating more and more prison sentences. Public confidence in probation is low. What is there to risk?

End Notes

¹Conversely, some would wish to say that restorative justice principles include many of the core precepts and practices of community justice. While there is disagreement over the extent of remaining differences between restorative and community justice, there is much merging of the concepts in field applications. Some support for the view that more systemic and community-focused visions of restorative justice and less system-focused and more informal/community-oriented statements of community justice represent more convergence than divergence of agendas.

²The importance of office work is, on the other hand, greatly diminished, and casework, generally, is given lower priority and reduced as much as possible to a clerical function. We understand that the new mission has implications for broader systemic change that would impact the way judges, prosecutors, defenders and police carry out their respective responsibilities. For discussion of changes in roles of these other professionals see Dunlap, 1998; Karp, 1999.

³For case studies in reorganization to implement community justice in a variety of urban settings and in various professional contexts not limited to community corrections, see Clear and Karp, 1999; Karp, 1999; Dunlap, 1998; Bazemore and Schiff, 2001.

⁴Though sanctions such as restitution and community service were never intended as complete multi-modal treatment programs and are only one component of a complete restorative approach to rehabilitation (Bazemore, Nissen and Dooley, 1999), offenders who completed restitution and fulfilled community service requirements have been shown to be significantly less likely to recidivate (Schneider, 1986; Butts and Snyder, 1990), and unlike most other sanctions, reparative obligations have never demonstrated negative impacts on recidivism. Similarly, though victim/offender mediation and various forms of restorative justice conferencing are short-term informal decision making models best contrasted with court hearings rather than treatment programs, they have been shown in empirical studies to have surprisingly strong and consistent impact on offender recidivism (Umbreit, 1999). Moreover, victims and communities that received restitution and met with offenders expressed strong support for the justice system as well as greater satisfaction and reduced fear. If administered properly, the public is generally more willing to allow offenders to remain in the community as long as they worked to earn and pay restitution and perform community work service (Pranis and Umbreit, 1991; Schwartz, Guo, and Krebs, 1992; Moon et al, 2000).

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Community Justice Concepts and Strategies – a compilation of information from many contributing authors, each an expert in their area of community justice. The individual articles identify the unique community partnerships and initiatives that is community justice.

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“How exciting to see APPA taking leadership in an approach to justice which can potentially revolutionize our communities.”

—Norm Helber, Chief Probation Officer,
Phoenix AZ

“This book offers a truly comprehensive vision for what true justice should look like, balancing the interest and needs of victims, offenders, and the community. It is a must read for justice practitioners, victims service providers, and allied professionals who are interested in a new vision of justice.”

—Anne Seymour, Public Safety Consultant,
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Bridging the Gap:



Assessment Theory to Casework Practice

About two years ago the San Diego County Probation Department began examining how we supervise offenders and considering changes that must occur if we were going to have better outcomes and safer communities. We felt that we had to rise above the negativity and depression that comes with years of believing and operating as if nothing works. We started to educate ourselves in the latest research, and, as we did, we found some answers that energized us and engaged us in a commitment to a long-term system change.

As a result of that process, we took steps to bridge the gap between theory and practice by developing a case plan/case review document that helps us more effectively supervise defendants in our intensive supervision caseloads. Traditionally, our job has been to monitor compliance with court ordered conditions of probation. Now, however, we have added a focus on Level of Supervision Inventory (LSI) scores and the criminogenic needs that directly relate to recidivism. Interventions, whether court ordered or officer generated, are now part of the case plan, and defendants have an opportunity to address and remove the barriers in their lives, that research indicates, block their lawful participation in our communities.

Theory

Our process began when a visionary within our organization brought Dr. Edward Latessa, from the University of Cincinnati, to San Diego to talk to us about “What Works” in corrections (Latessa, E.J., 1999). Dr. Latessa’s presentation was fresh, informative and, most of all, hopeful as he presented research-based data to show that probation works if you apply it correctly. He taught us to use actuarial risk/needs assessments to measure the crimes our defendant’s committed in the context of a whole life and, thereby, have the ability to work with the whole person. He taught us about identifying criminogenic needs and designing interventions to address those needs, so that the individuals we work

with can have a chance at long term cognitive and behavioral change. He cautioned that not everything works for everyone, so matching interventions with offender needs makes sense if you really want to make a difference. Dr. Latessa also encouraged us to involve the offender in the process, instead of only giving directives from our various positions of authority.

Dr. Latessa confirmed that the reason a lot of us chose to work in the field of corrections is a valid one. For years we’ve been hearing that “nothing works”; now, however, the “What Works” literature provides us with verification that helping offenders choose the path of prosocial behaviors, ultimately leading to safer communities, is not wasting our time.

While we were learning from Dr. Latessa, we also began to change our concept of community supervision. We studied the “Broken Windows” report and decided that the delivery of supervision services must not only address criminogenic needs, but address them in the context of the communities in which the offenders lived (Wilson, J.Q and Kelling G., 1982). We wanted a pro-active approach, which meant going into communities and forming partnerships with law enforcement, family members and community organizations as we all begin to focus on the offender and his or her individual and community needs. Realignment of our priorities would include victim reparation and the impact of an offender’s behavior on our communities.

Implementation

Learning the theory was just our first step. About a year ago, that same visionary brought Brad Bogue of Colorado’s Justice Systems Assessment Training (JSAT) to San Diego to teach us how to use the assessment tools that Dr. Latessa introduced to us (Bogue, B., 1999). We were instructed on how to administer the Level of Service Inventory (LSI) and the Adult Substance User Survey (ASUS), which enabled us

to begin measuring levels of risk to the community and to begin identifying criminogenic needs of offenders. We learned that the following specific areas in an offender's life directly relate to recidivism:

- anti-social thinking, including inappropriate attitudes, values and beliefs;
- anti-social behaviors, including impulsive and inconsiderate acts perpetrated on others;
- negative peer associations with family or friends;
- emotional instability, including psychopathy and mental illness;
- dysfunctional family interactions and relationships; and
- substance use, including abuse and dependence (Andrews, D.A., and Bonta J.L., 1995).

We realized that our job would now be to use valid instruments to identify those areas before we made assumptions about offenders and selected interventions to use in the supervision process.

Brad Bogue, in his instructions, taught us not to discard our intuitions, but rather to use them in the assessment process to explore the various domains covered in the LSI. He also taught us how to use motivational interviewing techniques designed to involve offenders in the assessment process to help motivate them toward change. We practiced new skills, audiotaped our interviews, and sent them off to JSAT staff for the quality assurance they provided as they critiqued our techniques and reviewed our scoring computations. Our staff worked hard for this system change.

Case Distribution

While we were incorporating the theory and learning new techniques, we were also restructuring our supervision system. With 20,000 supervised adults on formal probation in San Diego, we were tasked with designing an efficient and effective system, which could expand and contract intensity of supervision in relation to offender level of risk and degree of compliance. We're in the process of working with our redesign, using three levels of supervision. We provide intensive supervision services to high risk and violent offenders. Teams, comprised of probation officers, probation aids and clerical support, provide a lesser degree of supervision to medium risk and stabilized offenders. Low risk offenders, as well as those non-violent offenders in compliance with court orders, are supervised with a minimum amount of supervision.

Synthesis

Now we knew what to assess and how to assess it, but the results of the assessments were resting comfortably on the left-hand side of each case file and in our expensive computer system. Everyone started asking, "What do we do with these results?" To answer the question we formed a committee, comprised of line staff and supervisory staff who had a real interest in using the information we had in a meaningful and efficient way. Together we discussed outcome and process goals for offenders and ourselves, and the result of our committee work is an intensive supervision case plan/case review document that helps supervision officers as they monitor court ordered conditions and address criminogenic needs throughout the supervision process.

We approached the document development project by agreeing that court ordered conditions were not always adequate in addressing offender needs. Assessments completed prior to sentencing can assist the court with the creation of a court order that addresses criminogenic needs. However, in our county, supervision officers currently complete

the assessments after sentencing. Because we didn't consider the court order to be sufficient in addressing all needs, we decided we had to create a case plan document that went beyond the order. We wanted to motivate offenders to deal with all identified issues, so we had to include interventions-whether court ordered or not. We knew that some offenders wouldn't be interested in any new direction that wasn't court ordered; however, we decided that the challenge for us was to offer them anyway and use our skills to persuade and motivate those who were ready for change. At the same time, we had to identify those with psychopathic tendencies so appropriate interventions, such as increased supervision, could be used in those cases.

With a holistic approach in mind, our case plan/case review document was created to provide innovative interventions for the offender. Court orders inherently address some of the targeted behaviors and concerns, so those were easy to include. For example, an anger management program deals with impulsive behavior, and drug testing conditions address substance abuse issues. But what about the offender who could benefit from new friends or structured leisure time activity? Additionally, what about the prosocial mentoring that could occur from an offender's non-criminal family member or supervision officer? We had to include these interventions as well, if we wanted to increase the likelihood of offender success and increased community safety. Now we have a document that seems to cover it all. Court ordered conditions now sit side by side with those interventions that target the underpinnings of criminal behavior.

The process we designed also has a built-in case review phase. Officers evaluate each case, including each intervention and the offender's compliance with court orders, every six months. The officers integrate that evaluation with updated LSI scores to see if the plan is working or if the officer and his or her supervisor need to strategize and change course. These quantitative measures of case progress help us decide which cases can safely move to lower levels of supervision.

The Future

Our case plan/case review document is certainly not the last step in our system change. There are training needs that must be addressed. We need improved technical assistance to support our work. Our process, and the forms we've created to implement the process, will be critiqued by staff who will undoubtedly offer suggestions leading to fine-tuning and revision. Our operation manual needs revision to incorporate our changes in policy and procedure. Community resources must be developed to adequately address offender needs. Quality control and outcome measures must be in place to monitor our work and our results.

Our case plan/case review is available to any jurisdiction that would like to review our work to date. We encourage your jurisdiction to take the steps you believe you need to take to ensure the field of corrections begins to recover, revitalize and place itself in a position to show the results of the good work we do.

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Myths and Facts about

Sex Offenders

There are many misconceptions about sexual offenses, sexual offense victims, and sex offenders in our society. Much has been learned about these behaviors and populations in the past decade and this information is being used to develop more effective criminal justice interventions throughout the country. This document serves to inform citizens, policy makers, and practitioners about sex offenders and their victims, addressing the facts that underlie common assumptions both true and false in this rapidly evolving field.

- ☐ **Myth:** “Most sexual assaults are committed by strangers.”
- ☒ **Fact:** Most sexual assaults are committed by someone known to the victim or the victim’s family, regardless of whether the victim is a child or an adult.

Adult Victims:

Statistics indicate that the majority of women who have been raped know their assailant. A 1998 National Violence Against Women Survey revealed that among those women who reported being raped, 76 percent were victimized by a current or former husband, live-in partner, or date (Tjaden and Thoennes, 1998). Also, a Bureau of Justice Statistics study found that nearly 9 out of 10 rape or sexual assault victimizations involved a single offender with whom the victim had a prior relationship as a family member, intimate, or acquaintance (Greenfeld, 1997).

Child Victims:

Approximately 60 percent of boys and 80 percent of girls who are sexually victimized are abused by someone known to the child or the child’s family (Lieb, Quinsey, and Berliner, 1998). Relatives, friends, baby-sitters, persons in positions of authority over the child, or persons who supervise children are more likely than strangers to commit a sexual assault.

- ❑ **Myth:** “The majority of sexual offenders are caught, convicted, and in prison.”
- ☒ **Fact:** Only a fraction of those who commit sexual assault are apprehended and convicted for their crimes. Most convicted sex offenders eventually are released to the community under probation or parole supervision.

Many women who are sexually assaulted by intimates, friends, or acquaintances do not report these crimes to police. Instead, victims are most likely to report being sexually assaulted when the assailant is a stranger, the victim is physically injured during the assault, or a weapon is involved in the commission of the crime.

A 1992 study estimated that only 12 percent of rapes were reported (Kilpatrick, Edmunds, and Seymour, 1992). The National Crime Victimization Surveys conducted in 1994, 1995, and 1998 indicate that only 32 percent of sexual assaults against persons 12 or older were reported to law enforcement. (No current studies indicate the rate of reporting for child sexual assault, although it generally is assumed that these assaults are equally under-reported.) The low rate of reporting leads to the conclusion that the approximate 265,000 convicted sex offenders under the authority of corrections agencies in the United States (Greenfeld, 1997) represent less than ten percent of all sex offenders living in communities nationwide.

While sex offenders constitute a large and increasing population of prison inmates, most are eventually released to the community. Some 60 percent of those 265,000 convicted sex offenders noted above were supervised in the community, whether directly following sentencing or after a term of incarceration in jail or prison. Short of incarceration, supervision allows the criminal justice system the best means to maintain control over offenders, monitor their residence, and require them to work and participate in treatment. As a result, there is a growing interest in providing community supervision for this population as an effective means of reducing the threat of future victimization.

- ❑ **Myth:** “Most sex offenders reoffend.”
- ☒ **Fact:** Reconviction data suggest that this is not the case. Further, reoffense rates vary among different types of sex offenders and are related to specific characteristics of the offender and the offense.

Persons who commit sex offenses are not a homogeneous group, but instead fall into several different categories. As a result, research has identified significant differences in reoffense patterns from one category to another. Looking at reconviction rates alone, one large-scale analysis (Hanson and Bussiere, 1998) reported the following differences:

- child molesters had a 13 percent reconviction rate for sexual offenses and a 37 percent reconviction rate for new, non-sex offenses over a five year period; and
- rapists had a 19 percent reconviction rate for sexual offenses and a 46 percent reconviction rate for new, non-sexual offenses over a five year period.

Another study found reconviction rates for child molesters to be 20 percent and for rapists to be approximately 23 percent (Quinsey, Rice, and Harris, 1995).

Individual characteristics of the crimes further distinguish recidivism rates. For instance, victim gender and relation to the offender have been found to impact recidivism rates. In a 1995 study, researchers found that offenders who had extrafamilial female victims had a recidivism rate of 18 percent and those who had extrafamilial male victims recidivated at a rate of 35 percent. This same study found a recidivism rate for incest offenders to be approximately nine percent (Quinsey, Rice, and Harris, 1995).

It is noteworthy that recidivism rates for sex offenders are lower than for the general criminal population. For example, one study of 108,580 non-sex criminals released from prisons in 11 states in 1983 found that nearly 63 percent were rearrested for a non-sexual felony or serious

misdeemeanor within three years of their release from incarceration; 47 percent were reconvicted; and 41 percent were ultimately returned to prison or jail (Bureau of Justice Statistics).

It is important to note that not all sex crimes are solved or result in arrest and only a fraction of sex offenses are reported to police. The reliance on measures of recidivism as reflected through official criminal justice system data (i.e., rearrest or reconviction rates) obviously omits offenses that are not cleared through an arrest (and thereby cannot be attributed to any individual offender) or those that are never reported to the police. For a variety of reasons, many victims of sexual assault are reluctant to invoke the criminal justice process and do not report their victimization to the police. For these reasons, relying on rearrest and reconviction data underestimates actual reoffense numbers.

☐ **Myth:** “Sexual offense rates are higher than ever and continue to climb.”

☒ **Fact:** Despite the increase in publicity about sexual crimes, the actual rate of reported sexual assault has decreased slightly in recent years.

The rate of reported rape among women decreased by ten percent from 1990 to 1995 (80 per 100,000 compared to 72 per 100,000) (Greenfeld, 1997). In 1995, 97,460 forcible rapes were reported to the police nationwide, representing the lowest number of reported rapes since 1989.

More recently, when examining slightly different measures, it appears that rates have continued to drop. The arrest rate for all sexual offenses (including forcible rape and excluding prostitution) dropped 16 percent between 1993 and 1998. In 1998, 82,653 arrests were logged for all sexual offenses, compared to 97,955 arrests in 1993 (Federal Bureau of Investigations, 1997 and 1998).

☐ **Myth:** “All sex offenders are male.”

☒ **Fact:** The vast majority of sex offenders are male. However, females also commit sexual crimes.

In 1994, less than one percent of all incarcerated rape and sexual assault offenders were female (fewer than 800 women) (Greenfeld, 1997). By 1997, however, 6,292 females had been arrested for forcible rape or other sex offenses, constituting approximately eight percent of all rape and sexual assault arrests for that year (FBI, 1997). Additionally, studies indicate that females commit approximately 20 percent of sex offenses against children (ATSA, 1996). Males commit the majority of sex offenses but females commit some, particularly against children.

☐ **Myth:** “Sex offenders commit sexual crimes because they are under the influence of alcohol.”

☒ **Fact:** It is unlikely that an individual who otherwise would not commit a sexual assault would do so as a direct result of excessive drinking.

Annual crime victim reports indicate that approximately 30 percent of all reported rapes and sexual assaults involve alcohol use by the offender (Greenfeld, 1998). Alcohol use, therefore, may increase the likelihood that someone already predisposed to commit a sexual assault will act upon those impulses. However, excessive alcohol use is not a primary precipitant to sexual assaults.

- ❑ **Myth:** “Children who are sexually assaulted will sexually assault others when they grow up.”
- ☒ **Fact:** Most sex offenders were not sexually assaulted as children and most children who are sexually assaulted do not sexually assault others.

Early childhood sexual victimization does not automatically lead to sexually aggressive behavior. While sex offenders have higher rates of sexual abuse in their histories than expected in the general population, the majority were not abused. Among adult sex offenders, approximately 30 percent have been sexually abused. Some types of offenders, such as those who sexually offend against young boys, have still higher rates of child sexual abuse in their histories (Becker and Murphy, 1998).

While past sexual victimization can **increase the likelihood** of sexually aggressive behavior, most children who were sexually victimized never perpetrate against others.

- ❑ **Myth:** “Youths do not commit sex offenses.”
- ☒ **Fact:** Adolescents are responsible for a significant number of rape and child molestation cases each year.

Sexual assaults committed by youth are a growing concern in this country. Currently, it is estimated that adolescents (ages 13 to 17) account for up to one-fifth of all rapes and one-half of all cases of child molestation committed each year (Barbaree, Hudson, and Seto, 1993). In 1995, youth were involved in 15 percent of all forcible rapes cleared by arrest—approximately 18 adolescents per 100,000 were arrested for forcible rape. In the same year, approximately 16,100 adolescents were arrested for sexual offenses, excluding rape and prostitution (Sickmund, Snyder, Poe-Yamagata, 1997).

The majority of these incidents of sexual abuse involve adolescent male perpetrators. However, prepubescent youths also engage in sexually abusive behaviors.

- ❑ **Myth:** “Juvenile sex offenders typically are victims of child sexual abuse and grow up to be adult sex offenders.”
- ☒ **Fact:** Multiple factors, not just sexual victimization as a child, are associated with the development of sexually offending behavior in youth.

Recent studies show that rates of physical and sexual abuse vary widely for adolescent sex offenders; 20 to 50 percent of these youth experienced physical abuse and approximately 40 to 80 percent experienced sexual abuse (Hunter and Becker, 1998). While many adolescents who commit sexual offenses have histories of being abused, the majority of these youth do not become adult sex offenders (Becker and Murphy, 1998). Research suggests that the age of onset and number of incidents of abuse, the period of time elapsing between the abuse and its first report, perceptions of how the family responded to the disclosure of abuse, and exposure to domestic violence all are relevant to why some sexually abused youths go on to sexually perpetrate while others do not (Hunter and Figueredo, in press).

☐ **Myth:** “Treatment for sex offenders is ineffective.”

☒ **Fact:** Treatment programs can contribute to community safety because those who attend and cooperate with program conditions are less likely to re-offend than those who reject intervention.

The majority of sex offender treatment programs in the United States and Canada now use a combination of cognitive-behavioral treatment and relapse prevention (designed to help sex offenders maintain behavioral changes by anticipating and coping with the problem of relapse). Offense specific treatment modalities generally involve group and/or individual therapy focused on victimization awareness and empathy training, cognitive restructuring, learning about the sexual abuse cycle, relapse prevention planning, anger management and assertiveness training, social and interpersonal skills development, and changing deviant sexual arousal patterns.

Different types of offenders typically respond to different treatment methods with varying rates of success. Treatment effectiveness is often related to multiple factors, including:

- the type of sexual offender (e.g., incest offender or rapist);
- the treatment model being used (e.g., cognitive-behavioral, relapse prevention, psycho-educational, psycho-dynamic, or pharmacological);
- the treatment modalities being used; and
- related interventions involved in probation and parole community supervision.

Several studies present optimistic conclusions about the effectiveness of treatment programs that are empirically based, offense-specific, and comprehensive (Lieb, Quinsey, and Berliner, 1998). The only meta-analysis of treatment outcome studies to date has found a small, yet significant treatment effect—an eight percent reduction in the recidivism rate for offenders who participated in treatment (Hall, 1995). Research also demonstrates that sex offenders who fail to complete treatment programs are at increased risk for both sexual and general recidivism (Hanson and Bussiere, 1998).

☐ **Myth:** “The cost of treating and managing sex offenders in the community is too high—they belong behind bars.”

☒ **Fact:** One year of intensive supervision and treatment in the community can range in cost between \$5,000 and \$15,000 per offender, depending on treatment modality. The average cost for incarcerating an offender is significantly higher, approximately \$22,000 per year, excluding treatment costs.

As noted previously, effective sex offender specific treatment interventions can reduce sexual offense recidivism by eight percent. Given the tremendous impact of these offenses on their victims, any reduction in the re-offense rates of sex offenders is significant.

Without the option of community supervision and treatment, the vast majority of incarcerated sex offenders would otherwise serve their maximum sentences and return to the community without the internal (treatment) and external (supervision) controls to effectively manage their sexually abusive behavior. Managing those offenders who are amenable to treatment and can be supervised intensively in the community following an appropriate term of incarceration can serve to prevent future victimization while saving taxpayers substantial imprisonment costs (Lotke, 1996).

Statistics and Characteristics of Adult and Juvenile Sex Offenders

Sexual assault statistics:

- 1995 estimates indicate that 260,300 rapes and attempted rapes and nearly 95,000 sexual assaults and threats of sexual assault were committed against persons 12 years of age or older (Greenfeld, 1997).
- In 1998, 20,608 arrests were made for forcible rape and 62,045 arrests were made for other sexual offenses (FBI, 1998).
- 43 percent of all rapes/sexual assaults occur between 6 p.m. and midnight.
- Six out of every ten rapes/sexual assaults occur in the homes of victims, family members, or friends (Greenfeld, 1997).
- Sexual assault victimizations are highest among young adults between the ages of 16 and 19, low income individuals, and urban residents (Greenfeld, 1997).

Criminal history characteristics of adult sex offenders:

- In 1994, it was estimated that 12 percent of imprisoned violent sex offenders had a prior conviction for rape or sexual assault, while 61 percent had a prior felony conviction for other crimes (Greenfeld, 1997).
- In 1997, approximately 234,000 convicted sex offenders were under the care, custody or control of corrections agencies on an average day. Nearly 60 percent were under conditional supervision in the community (Greenfeld, 1997). By 1998, this number grew to 265,000.

Characteristics of juvenile sex offenders:

- Juvenile sex offenders are typically between the ages of 13 and 17.
- They are generally male.
- 30-60 percent exhibit learning disabilities and academic dysfunction.
- Up to 80 percent have a diagnosable psychiatric disorder.
- Many have difficulties with impulse control and judgment.
- 20-50 percent have histories of physical abuse.
- 40-80 percent have histories of sexual abuse.

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CENTER FOR SEX OFFENDER MANAGEMENT

CSOM

Center for Sex Offender Management

Established in June 1997, the Center for Sex Offender Management's (CSOM) goal is to enhance public safety by preventing further victimization through improving the management of adult and juvenile sex offenders who are in the community. A collaborative effort of the Office of Justice Programs, the National Institute of Corrections and the State Justice Institute, CSOM is administered by the Center of Effective Public Policy and the American Probation and Parole Association. For more information contact

Center for Sex Offender Management
8403 Colesville Rd., Suite 720
Silver Spring, MD 20910
Phone: (301) 589-9383
Fax: (301) 589-3505
E-mail: askcsom@csom.org
Internet: www.csom.org

The Center for Sex Offender Management (CSOM) would like to thank **Rob Freeman-Longo** for principal authorship of this brief. We would also like to thank **Donna Reback** for her contributions to this document. **Kristin Littel** and **Scott Matson** edited the document.

CALENDAR OF EVENTS

2001

- June 6-9 **National Association of Sentencing Advocates 9th Annual Mitigation Institute and Conference**, Nashville, TN. Contact NASA (202) 628-0871 or e-mail nasa@sentencingproject.org.
- June 7-10 **National Conference on Peacemaking and Conflict Resolution Summer Peace Building Institute 2001**, Eastern Mennonite University, Harrisonburg, VA. Contact (540) 432-4490 or e-mail spi@emu.edu.
- June 20-23 **American Professional Society on the Abuse of Children 9th Annual Colloquium**, Washington, DC. Contact ellissamcelrath@ouhsc.edu.
- June 21-22 **The Australian Institute of Criminology's 4th National Outlook Symposium on Crime in Australia**, Rydges Canberra, Australia. Contact Conference Co-ordinators at (02) 6392-9000 or e-mail conference@netinfo.com.au.
- June 24-27 **2001 National Sheriff's Association Annual Conference**, Ft. Lauderdale, FL. Contact NSA at (703) 836-7827, e-mail nsamail@sheriffs.org or visit website, www.sheriffs.org.
- July 10-13 **National Restorative Justice Training Institute**, "Peacemaking Circles in School and Community Colleges," University of MN. Fax (612) 625-8224 or (612) 624-3744 to register.
- Jul 15-18 **National Council of Juvenile and Family Court Judges 64th Annual Conference**, Doubletree Hotel, Monterey, CA. Contact NCJFCJ at (775) 784-6012.
- Jul. 22-25 **National Institute of Justice Annual Conference on Criminal Justice Research and Evaluation**, J.W. Marriott Hotel, Washington, DC. Register on-line at www.nijpcs.org/upcoming.htm or call (703) 684-5300, fax (703) 739-5533, e-mail nijpcs@ilj.org.
- Jul. 22-26 **National Association of Blacks in Criminal Justice 28th Annual Conference**, Albert B. Sabin Convention Center/Regal Cincinnati Hotel, Cincinnati, OH. Contact Gloria Batiste-Roberts at (713) 394-4200 or Barbara Thomas at (713) 613-9610.
- Aug. 5-8 **2nd Annual Prevention Think Tank Summit**, Hyatt Regency, New Orleans, LA. Register online at www.etpinc.org/ptt or call (800) 767-6171, ext.105.
- Aug. 12-16 **2001 American Correctional Association's 131st Congress of Correction Summer Conference**, Philadelphia, PA. Online information www.corrections.com/aca or contact Jeff Washington at (800) 222-5646, e-mail jeffw@aca.org.
- Aug. 12-16 **National Conference of State Legislatures 2001 Annual Meeting**, Henry B. Gonzalez Convention Center, San Antonio, TX. Contact NCSL at (303) 830-2200, fax (303) 863-8003.
- Aug. 26-29 **American Probation and Parole Association 26th Annual Training Institute**, "Charting the Course for Community Justice: Realistic, Relevant and Restorative," St. Paul, MN. Contact Krista Chappell at (859) 244-8204, e-mail kchappell@csg.org.
- Sep. 6-8 **National Restorative Justice Training Institute**, "Introductory Victim Offender Mediation & Conferencing in Property Crimes and Minor Assaults," University of MN. Fax (612) 625-8224 or (612) 624-3744 to register.
- Sep. 8-12 **Family Violence & Sexual Assault Institute's 6th International Conference on Family Violence**, Town & Country Hotel and Convention Center, San Diego, CA. Contact (858) 623-2777 ext. 427 or e-mail fvconf@csp.edu.
- Sep. 9-12 **9th Annual Workshop on Adult and Juvenile Female Offenders**, Boise, ID. Contact (801) 943-2695 or e-mail vicmik@aol.com.
- Sep. 11-13 **International Corrections Symposium: "Identifying Problems and Sharing Solutions."** Sponsored by the Dept. of Criminal Justice and the College of Education and Human Services, Central Missouri State University. Contact (660) 543-4950 or e-mail Wallace@cmsu1.cmsu.edu
- Sep. 23-26 **The International Community Corrections Association Annual Conference**, Philadelphia, PA. Contact ICCA by e-mail info@iccaweb.org
- Sep. 30-Oct. 2 **Alcohol & Drug Problems Association of N. America 14th Annual Women's Issues Conference**. Tucson, AZ. Contact Kittie Robertson at (573) 368-4377 or e-mail kittie@fidnet.com or visit www.adpana.com
- Oct. 4-6 **National Institute of Justice National Conference on Science and the Law**, Biscayne Bay Marriott Hotel, Miami, FL. Register on-line at www.nijpcs.org/upcoming.htm or call (703) 684-5300, fax (703) 739-5533, e-mail nijpcs@ilj.org
- Nov 5-6 **Assessing Psychopathy with the Hare Psychopathy Checklist-Revised (PCL-R)**, San Antonio, TX. Contact Heather Reu or Kristi Baker at (608) 829-3880 or e-mail heather@sinclairseminars.com or Kristi@sinclairseminars.com
- Nov. 10-14 **National Conference on Correctional Healthcare**, Albuquerque Convention Center, Albuquerque, NM. Contact (773) 880-1460 or visit www.nchc.org.
- Nov. 15 **Alston Wilkes Society 39th Annual Meeting & Awards Luncheon**, Seawell's Restaurant, Columbia, SC. Contact Betty Mills at (803) 799-2490.
- Dec. 1-4 **National Institute of Justice Fifth Annual International Crime Mapping Research Conference**, Adam's Mark Hotel, Dallas, TX. Register on-line at www.nijpcs.org/upcoming.htm or call (703) 684-5300, fax (703) 739-5533, e-mail nijpcs@ilj.org.
- 2002
- Feb. 10-13 **American Probation and Parole Association Winter Training Institute**, Kingston Resort, Myrtle Beach, SC. Contact Krista Chappell at (859) 244-8204, e-mail kchappell@csg.org.
- Apr. 28-May 2 **2002 American Jail Association 21st Annual Training Conference & Jail Expo**, Milwaukee, WI. Contact Pat Cain at (301) 790-3930, fax (301) 790-2941, e-mail jails@worldnet.att.net or visit www.corrections.com/aja.



Charting the Course for Community Justice:

Realistic, Relevant and Restorative

Saint Paul, Minnesota
August 26-29, 2001

Where It All Happens

All APPA workshops, intensive sessions, general sessions, resource expo and receptions will take place at the Touchstone Energy Place at RiverCentre in the charming city of Saint Paul, Minnesota.

Experience this, plus much more at the APPA Institute!

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- Take part in exciting and fun social events.

Who Should Attend?

This institute is "not to be missed" if you are a corrections professional involved in:

- | | |
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| • probation | • residential programs |
| • parole | • the judicial system |
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| • treatment | • restitution |
| • social work | • law enforcement |
| • education or training | • public policy development |
| • victim services | |

Institute Co-Sponsors

Minnesota Corrections Association
Minnesota Association of County Probation Officers
Minnesota Association of Community Corrections Act Counties

Saturday, August 25

9:00 a.m. - 12:00 p.m.
12:00 p.m. - 5:00 p.m.

APPA Executive Committee Meeting
Institute Registration

Sunday, August 26

8:00 a.m. - 9:00 p.m.
8:30 a.m. - 5:00 p.m.
8:30 a.m. - 5:15 p.m.

Institute Registration
Intensive Sessions
Special Training - Center for Sex Offender Management
APPA Board of Directors Meeting
Resource Expo Viewing
Opening Session
Opening Reception
sponsored by select APPA corporate members

Monday, August 27

7:30 a.m. - 5:00 p.m.
8:30 a.m. - 10:00 a.m.
10:00 a.m. - 11:00 a.m.

Institute Registration
Plenary Session
Education Exchange
in the Expo
Workshops
Lunch in the Resource Expo
Workshops
Workshops
Resource Expo Viewing
Reception in Resource Expo
APPA Gala Event, "Rockin' on the River"

11:00 a.m. - 12:30 p.m.
12:30 p.m. - 1:45 p.m.
1:45 p.m. - 3:15 p.m.
3:30 p.m. - 5:00 p.m.
4:00 p.m. - 6:00 p.m.
5:00 p.m. - 6:00 p.m.
6:30 p.m. - 12:00 a.m.

Tuesday, August 28

8:30 a.m. - 10:00 a.m.
10:00 a.m. - 12:00 p.m.
10:30 a.m. - 12:00 p.m.
12:00 p.m. - 1:30 p.m.
1:45 p.m. - 3:15 p.m.
3:30 p.m. - 5:00 p.m.
4:00 p.m. - 6:30 p.m.
5:00 p.m. - 6:30 p.m.

Plenary Session
Resource Expo Viewing
Workshops
APPA Awards Luncheon
Workshops
Workshops
Resource Expo Viewing
Reception in Resource Expo

Wednesday, August 29

8:30 a.m. - 9:30 a.m.
9:45 a.m. - 11:15 a.m.
Agenda is subject to change.

APPA Membership Meeting
Closing Session

Workshops

At A Glance

Monday, August 27

11:00 a.m. – 12:30 p.m.

Common Sense in the Community —
Basic Training for Community Based
Probation

Neuroscience of Addiction: Implications
for Offender Supervision and Treatment

Proactive Community Supervision: Success
in Maryland through The HotSpot
Initiative

Job Retention: Challenges and Strategies

Courts and Probation Training Staff
Collaborate: Preparing Officers to Testify

Learning from Our Staff: Using Focus
Groups to Find Out What Works!

The Possibilities are Endless: Restorative
Justice Programming in Rural Communi-
ties

The Role of Restorative Justice in Teen
Court Programs

What to Do About the Girls? (Part I)

What's a Parole Officer to Do? Supports for
Parole Staff Supervising Mental Health
Caseloads

Supervision of Offenders in Community
Corrections: The Ethical Dimension

Cognitive Reflective Communications:
From Theory to Practice (Part I)

How Do You Measure Up? Using Informa-
tion Technology to Achieve Results-Based
Performance

1:45 p.m. – 3:15 p.m.

Assessment Tools in Contemporary
Corrections (Part I)

Supervision Law: Creative and Constitu-
tional Conditions of Supervision

New York State's Fifteen Month Drug
Treatment Program: A Continuum of
Treatment that Provides Viable Sentencing
Alternatives For Courts and District
Attorneys

The Victim Component of Offender Re-
entry

Judicial Roundtable: What Works in Your
Jurisdiction?

Operation Nighthawk

Treatment in the Juvenile Justice System: A
Continuum of Care Supported by
Graduated Sanctions

Re-entry, Reintegration and Resettlement
of Offenders

What to Do About the Girls? (Part II)

Officer Stress: The Personal and Profes-
sional Impact

Innovative Practices in Sex Offender
Management Through Interagency
Collaboration and Volunteerism

Cognitive Reflective Communications:
From Theory to Practice (Part II)

3:30 p.m. – 5:00 p.m.

Assessment Tools in Contemporary
Corrections (Part II)

The "Nite Hoops" Program: It's Not Just
Basketball!

The Triangle Treatment and Supervision
Program for Domestic Violence

Achieving Victim Centered Reparative
Boards: The Vermont Experience

Restorative Justice and Parole Violators: An
Alternative to Suspension

Peacemaking Circles in the Justice System

Working with Juvenile Substance Abusers:
The Ohio Approach

Safety First

New Strategies for Identifying and
Managing Security Threat Groups in
Communities

So, You Want To Be A Chief?

A New Perspective

Workshops

At A Glance

Tuesday, August 28

8:30 a.m. – 10:00 a.m.

Community Corrections in a Crisis of Legitimacy

Innovations in Juvenile Assessment: Stories from two States on the Implementation of Risk and Strength-based Assessment in Probation (Part I)

Reparative Probation: Paradigm for Change

Roundtable on Rural Issues: Looking for Solutions

Parole Violators: Implications for Re-entry Policies

What Does Community Corrections Have To Do With Crime Prevention?

Implementing New Technology: The New York City Experience

A Community Role in Parole Board Decision-Making

Children in the Justice System: Not on Playgrounds

The Generation Gap?

Dancing the Waltz Together: The Minnesota Network for the Supervision and Treatment of Sex Offenders

Can We See It Coming? School Violence—What Does it Mean to the Community Corrections Professional?

10:30 a.m. – 12:00 p.m.

Criminal Justice Programming Opportunities: Accessing Federal TANF (Temporary Assistance for Needy Families) Funds to Provide Enhanced Probation/Parole Programming

Innovations in Juvenile Assessment: Stories from Two States on the Implementation of Risk and Strength-based Assessment in Probation (Part II)

Doing More With Less

Federal Community Justice Initiatives and Resources

Identification and Supervision of Offenders with Special Needs

Citizen Engagement: A Correctional Necessity

ECSTASY—Fact vs. Fiction

What About the Repeat DWI Offender in Smaller Communities?

It Takes a Community: Therapeutic Communities in Corrections Programs

To Arm or Not To Arm... The Debate Continues

Critical Race Theory (CRT) and the Politics of Government Sponsored, Privatized Residential Community Release Programs (RCRP)

Restorative Group Conferencing

1:45 p.m. – 3:15 p.m.

Expanded Community Supervision: Involving Substance Abuse Treatment with Intermediate Sanctions

The Unique Impact of Circles for Specific Cultural Communities (Part I)

Parole Works: Parolee Job Development

Poetic Justice

So How Do We Practice Restorative Justice? (Part I)

The Best-Kept Secret in Town

Program Specialization in Community Supervision and Corrections Technological Innovations

Heroes - Survivors of Critical Incidents

Does Sex Offender Treatment Really Work?

A Perfect Fit: Let's Get Smart About Intervening in Girls' Lives Using Restorative Justice Measures

The Power of the Stage: Using Drama with Juvenile Offenders – The Play (Part I)

Throw the Book at Them: Changing Lives Through Literature

3:30 p.m. – 5:00 p.m.

Mentoring...The Way Training Should Be!

The Unique Impact of Circles for Specific Cultural Communities (Part II)

Building a Comprehensive Re-entry System

Back to the Future: Substance Abusing Offenders in the Criminal Justice System

So How Do We Practice Restorative Justice? (Part II)

Minnesota's Statewide Supervision System: Using the Internet To Provide Offender Information to the Criminal Justice Community

Building Partnerships: Involving the Community

The Power of the Stage: Using Drama with Juvenile Offenders – The Play (Part II)

Defining A Face-to-Face Contact in an Open Windows Probation Model: Maryland's Proactive Community Supervision Model

Interstate Compact: Reviewing Changes and Impact

Intensive Sessions

#1 – Issues in Developing Gender Specific Assessments: Two Pilot Efforts

Time: 8:30 a.m. – 12:30 p.m.

#2 – Involving Community Volunteers with High Risk Sex Offenders: Foolishness or a Best Practice Technique? Circles of Support and Accountability

Time: 8:30 a.m. – 5:00 p.m.

#3 – Creating the Community Connection

Time: 8:30 a.m. – 5:00 p.m.

#4 – Building Blocks Toward a Vision of Restorative Justice

Time: 8:30 a.m. – 5:00 p.m.

#5 – Youthful Offenders in Adult Systems: Putting Aftercare First!

Time: 8:30 a.m. – 5:00 p.m.

#6 – Effective Management of Domestic Violence Cases: Probation's New Approach to Victim Services and Offender Accountability

Time: 8:30 a.m. – 5:00 p.m.

#7 – Preventing Vicarious Traumatization

Time: 8:30 a.m. – 5:00 p.m.

#8 – Strategies for Offender Job Placement and Job Retention

Time: 1:00 p.m. – 5:00 p.m.

Featured Sessions

Opening Session

Sunday, August 26 – 7:00 p.m. – 8:30 p.m.

Dennis Maloney

Community Justice: Repairing Harm, Reducing Risk and Building Community

Plenary Session

Monday, August 27 – 8:30 a.m. – 10:00 a.m.

Azim Khamisa

A Father's Journey from Murder to Forgiveness

A powerful and inspiring story that offers hope for the restoration of lives brutalized by acts of violence. This session is sponsored by The National Council of Juvenile and Family Court Judges.

Closing Session

Wednesday, August 29 – 9:45 a.m. – 11:15 a.m.

Billy Mills

Global Unity Through Global Diversity

His triumphs through the sports world have led Billy Mills to realize the importance of bringing diverse people together to work toward a mutual understanding. His message translates to the need for corrections professionals to understand the clients we serve as well as each other. You won't want to miss Billy's inspiring message that can be applied to you! This session is sponsored by MHS.

Travel Information

Your Ticket of Savings!

Delta Air Lines and Northwest Airlines have been selected as the official carriers for the APPA 26th Annual Training Institute in St. Paul. Both airlines offer *bonus* meeting discounts. To receive the discount, be sure to note the file number for Delta or Northwest Airlines when making the reservation.

▲ Delta Air Lines Bonus Discounts!

Discount for tickets purchased more than 60 days in advance:

10% off non-refundable tickets

15% off regular coach tickets

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Delta Airlines: 1-800-241-6760

Refer to file number: **DMN 167057A**

If confirming reservations directly with your travel agency, please instruct your agent to call Delta to register the reservation under the meeting name of American Probation and Parole Association and refer to file # **DMN 167057A** to guarantee your discount.

✈ NORTHWEST AIRLINES Bonus Discounts!

Northwest Airlines is offering a 10% discount on published fares purchased more than 60 in advance of travel to the APPA Institute in St. Paul and a 5% discount on published fares purchased within 60 days of travel.

Call the Northwest Meeting Services Reservations Desk at 800-328-1111 (7:30 a.m. – 7:30 p.m. (central time) Monday through Friday. Refer to WorldFile number: **NMTHG**



Carlson Wagonlit Travel

To ensure the additional bonus discount on your airfare, contact the official travel agency of the American Probation and Parole Association:

Carlson Wagonlit Travel

Call 1-800-445-0419

5:30 a.m. – 8:30 p.m., EST, Monday-Friday

Identify that you are attending the APPA Institute to obtain special airfares

Registration Information

Payment

Payment in full for all Institute activities must accompany your registration form. Check, money order, VISA, Master Card or American Express are accepted as payment for the Institute's registration fees. Sorry, credit cards or purchase orders will not be accepted as payment for the Gala Event—checks only please. Checks must be made out to the American Probation and Parole Association and payable in U.S. dollars. Payments received in Canadian dollars will be invoiced for the conversion difference plus a \$10 service fee. Registrations postmarked on July 28, 2001 or later are not eligible for the early registration fee and must include the regular registration fee.

Cancellation/Refund Policy

A full refund, less a \$50 processing fee, is available until August 3, 2001. **No refunds are available after August 3, 2001.** In order to receive a refund, written requests must be sent the APPA Institute, c/o The Council of State Governments, P.O. Box 11910, Lexington, KY 40578-1910 or faxed to (859) 244-8001. All requests for refunds must be postmarked or faxed by August 3, 2001. Registrations are not transferable.

Lodging Information

For detailed information about each hotel, visit the APPA website at www.appa-net.org.

For your added convenience, APPA is pleased to provide the services of a professional housing bureau to coordinate your hotel arrangements. Please complete the hotel reservation form and return it to the housing bureau. Questions about accommodations should be directed to the housing bureau at lcondrad@stpaulcvb.org.

	1 person	2 people	3 people	4 people
Holiday Inn RiverCentre	\$114.00	\$114.00	\$124.00	\$134.00
Embassy Suites Saint Paul (all suites)	\$134.00	\$134.00	\$144.00	\$154.00
Radisson Riverfront Hotel Saint Paul	\$114.00	\$124.00	\$134.00	\$144.00
Radisson City Center Saint Paul	\$114.00	\$124.00	\$134.00	\$144.00
The Saint Paul Hotel	\$144.00	\$144.00	\$159.00	\$174.00

**Note – Rates include a nominal fee to provide transportation among hotels for all participants.*

Housing Instructions

- Reservation forms must be postmarked or faxed to the Housing Bureau and received by **July 30, 2001**.
- To ensure that your hotel request is handled quickly and efficiently, please print all information requested and complete the form in its entirety.
- Rooms are assigned on a first-come, first-serve available basis. If rooms are no longer available in the hotel(s) of your choice, you will be placed in the next closest available hotel.
- To avoid duplication, please do not mail and fax your housing form.
- If you are sharing a room, send only one form with the names of the persons who are sharing; be sure to include all names. Include earliest arrival date and latest departure date.
- Allow seven working days for processing. Once the housing bureau has processed your reservation, you will receive an acknowledgment by mail or by fax. If you have not received an acknowledgment from the housing bureau within ten days, please contact the housing bureau at lcondrad@stpaulcvb.org or fax at (651) 265-4999. You will receive confirmation of your reservation directly from the hotel.
- After July 30, 2001, rooms and rates are based on availability. Room rates quoted are subject to a 13% state and city room tax.
- Early departures, changes or cancellations received after July 30, 2001, may be subject to penalty fees set by hotel.

Confirm Reservation to: (only one acknowledgement will be sent)

Name _____
 Company _____
 Address _____
 City _____
 State _____ Zip _____
 Daytime Phone _____
 Daytime Fax _____
 Email _____

Arrival Date _____ Departure Date _____

Hotel Preference:

- _____
- _____
- _____

Number of Persons in room: 1 2 3 4 other _____

List names of all occupants:

- _____
- _____
- _____
- _____

Room Type Requested:

☐ King Bed ☐ 2 Double Beds

Guarantee Payment (required to hold room)

Credit Card No _____

Credit Card Type _____

Expiration Date _____

Signature _____



Please specify any special needs/requests.

☐ Please check if you are an exhibitor at the APPA Institute.

Mail or Fax this form prior to July 30, 2001 to:

Saint Paul CVB Housing Dept
 175 W Kellogg Blvd #502
 Saint Paul MN 55102-1200
 FAX: (651) 265-4999
 Email Address: lcondrad@stpaulcvb.org

Registration Form

APPA 26th Annual Training Institute • August 26-29, 2001

Please use a photocopy of this form for each registrant. Please print clearly.

Last Name: _____ First Name: _____

Title: _____

Agency/Organization: _____

Business Telephone: _____ Business Fax: _____

Address: _____
(location where confirmation should be sent)

City: _____ State: _____ Zip: _____

Email Address: _____

Registration Fees

<i>Includes general sessions, exhibit receptions and workshops. (All fees are per person.)</i>	Early Rate Before July 27	On or After July 28	Amount
Member of APPA or co-sponsoring Assn. To qualify for this rate you must be a member of one of the following (please mark those that you hold current membership in) <input type="checkbox"/> APPA Member - Please indicate your membership category and your membership number. <input type="checkbox"/> Individual member <input type="checkbox"/> Agency member Membership # <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> Expiration Date <input type="text"/> <input type="text"/> — <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="checkbox"/> Co-sponsoring Association - Please check all that apply <input type="checkbox"/> MN Corrections Assn. <input type="checkbox"/> MN Assn. of County Probation Officers <input type="checkbox"/> MN Assn. of Community Corrections Act Counties	\$265	\$310	\$ _____
Non-member If you are not a member of APPA or or the co-sponsoring associations, you are required to pay the regular registration fee. Memberships will be verified.	\$310	\$355	\$ _____
Intensive Sessions Available only to registrants of Institute. Attendance at intensive sessions only is not permitted. Specify Intensive Session # _____ (see page 6 for list of Intensive Sessions)	\$30	\$30	\$ _____
Family Registration This rate is available to immediate family members not employed in the corrections field. Allows entry into general sessions, exhibit receptions and workshops. Luncheon is not included. Specify Family member's name _____	\$50	\$50	\$ _____
Awards Luncheon Ticket (August 28) One luncheon ticket is included in full registration. Registration fee for family members does not include a luncheon ticket	\$35	\$35	\$ _____
APPA Membership One year of individual membership. <input type="checkbox"/> New Member <input type="checkbox"/> Renewal	\$35	\$35	\$ _____ 61-16-00-1000-4020
Grand Total Enclosed			\$ _____ 61-16-00-2060-4401
Is this your first attendance at the APPA Institute?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	
Please indicate the number of years worked in community corrections	<input type="checkbox"/> 9 or less	<input type="checkbox"/> 10-24	<input type="checkbox"/> 25 or more

Payment

☐ Check Enclosed ☐ Government Purchase Order Enclosed; PO # _____

Charge to: ☐ VISA ☐ MasterCard ☐ American Express

Card Number: _____ Expiration Date: _____

Signature: _____ Date: _____

Special Assistance

☐ Please check if you require special provisions to fully participate in this Institute. Attach a written description of needs.

Confirmation/Refund Policy

A full refund, less a \$50 processing fee, is available until August 3, 2001. **No refunds are available after August 3.** In order to receive a refund, written requests must be sent to the APPA Institute, c/o The Council of State Governments, P.O. Box 11910, Lexington, KY 40578-1910 or faxed to (859) 244-8001. All requests for refunds must be postmarked or faxed by August 3.

Mail this form to:

APPA Institute
c/o The Council of State Governments
P.O. Box 11910
Lexington, KY 40578

or Fax to:

(859) 244-8001

To better plan Institute workshops and activities, please supply us with the following information.

Job Jurisdiction

- ☐ Federal
- ☐ State
- ☐ County
- ☐ City
- ☐ Private firm/business
- ☐ Academic Institution
- ☐ Province
- ☐ Nonprofit organization
- ☐ Other _____

Primary Work Area

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

Length of Experience in Corrections

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

Highest Level of Education

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

Geographical Area

- ☐ Urban
- ☐ Rural

Gender

- ☐ Male
- ☐ Female

Professional Category

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

Race/Ethnicity

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

Mark all Expenses that are Reimbursed

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

Mark Past Attendance at APPA Annual Institute

- ☐ First Time
- ☐ 2-4
- ☐ 5-6
- ☐ 7-9
- ☐ 10 or more

APPA Federal ID # 56-1150454

probation, parole & community supervision officers' week

over eighty thousand
officers
work in our
communities
every day
to help
ensure public safety

July 15-21, 2001

American Probation and Parole Association • 859/244-8203 • www.appa-net.org



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

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