the journal of the American Probation and Parole Association

PERSPECTIVES

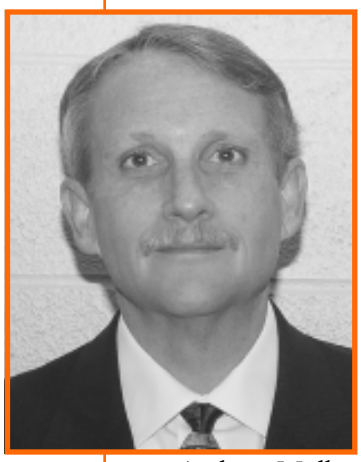
Volume 28 *Number 2* *Spring 2004*

Violent and Non-Violent Probationers:

DO THEY REALLY DIFFER?

President's Message

On November 3, 2003, I made a change in my career and in my residence, leaving state and local community corrections employment after 26 years, and moving 90 miles north to the Washington, DC area. On that date, I began employment with the Community Corrections Division of the National Institute of Corrections (NIC). Needless to say, both the change in employment and residence was something I would not have contemplated nor considered a year ago. However, factors in one's life, sometimes uncontrollable and sometimes planned, lead one to make life changes. Occasionally those changes are negative and occasionally they can be positive. This has been one of those positive changes.



Andrew Molloy

Conveniently, it is the topic of change I want to address in this message to the readership of Perspectives. As community corrections professionals or people associated in some way with our profession, we confront change everyday. I fervently believe that probation, parole and community corrections staff deal with assorted and nearly constant change day-in and day-out. Such change manifests itself through change in offenders' behaviors and actions, their families' dynamics, the needs of victims of crimes, the behaviors and actions of the courts, prosecutors, parole boards, defense bar, treatment providers and others we have contact with on a daily basis. There is no concrete, set script for community corrections professionals on how to respond to these changes. And, often, these changes require rapid, best judgment decisions that may have a tremendous impact on the lives of those with whom we supervise and work, and the communities we serve.

Community corrections professionals, in my opinion are bombarded by external factors far more often than anyone else in the corrections profession; factors that can significantly change how we do business. When looking nationally at the budget cuts in states and localities over the past couple of years, community corrections often took significant cuts. These cuts have had a major impact on how we conduct our business in the community; changing how we go about getting the job done. We have witnessed staff cuts, layoffs, unfilled vacancies and furloughs; wage freezes; resource cuts; caseload growth; program shut downs; and offenders released early to ease escalating prison and jail populations.

We are experiencing changing expectations for our profession. Legislators and funding sources want to see results that justify funding. No longer can we get by with anecdotal reasons for requiring funding. We now must have evidenced-based practices implemented and outcome measures that support our efforts. This is a change, but a good one. If we can show probation, parole and community corrections practices are justifiable and the intervention programs associated with community corrections are effective, then we can hope to see funding increased, or at least remain level. If anything, it will be politically much more difficult to cut our funding if we can demonstrate the effectiveness of our work.

In addition to the impact of the budget cuts, we have experienced other changes in our profession. We are seeing a changing role for the probation, parole and community corrections line officer. Officers are now expected to be much more involved with victims, families, law enforcement agencies, treatment providers, collateral contacts, community groups and others. And while these expectations are good for effective offender supervision and our viability to the community, line officers have also faced escalating caseloads that often times make it difficult to meet these grand expectations.

Our workforce is changing. We are seeing new people coming into our profession who are technology savvy, looking to "move up the promotional ladder" quickly, seeking greater compensation within shorter periods of time, and ready to change professions more quickly than those of previous generations would have ever considered. So, seasoned veterans face the challenge of retaining the younger members of the workforce and helping them grow into our future leaders. Recruitment, retention and the ongoing development of staff is a major consideration for our changing workforce.

Continued on page 4

Continued from page 3

Along with our changing workforce, we are seeing changes in how we view our offender population. There has been a growing recognition of the impact that offenders with mental illness are having on our workloads and the preparation necessary to effectively supervise these individuals. Elderly offenders and their associated health and mental health needs are having an increasing impact on how we conduct our practice. We are challenged with discovering effective supervision approaches necessary with a growing female offender population while attempting to meet their unique needs through appropriate resources (e.g., health, housing, child care, job training, mental health, victimization issues). Domestic violence offender caseloads are growing and the victims of their violence require our services. Specialization of caseloads or, at least, the specialization of approaches remains an ongoing imperative, but tenuous resource allocations often make it difficult to effectively implement the necessary and/or proven supervision strategies, treatment regimens and intervention approaches.

And we are now seeing a change in the view that as a nation we can incarcerate our way out of the crime problem. Many policy makers, legislators and decision influencers are starting to appreciate the high cost of incarceration, and they are now beginning to recognize community corrections as a necessary and viable option for the control, supervision and change of at least offenders who are nonviolent, substance abusers, technical violators and/or non-career criminals. This changing attitude will have impact on our profession, but I believe in a positive way. Already we are seeing many re-entry and transition initiatives on the federal, state and local level. The abolition of parole has been a questioned political initiative, so perhaps in the near future we will see those states that abolished parole for primarily political reasons reinstate parole in part or in whole, perhaps under a new, catchy name that is politically viable and helps to address the fear of being considered soft on crime.

Change comes to us everyday, and everyday we have to adapt and respond to the changes that occur in our lives. Dealing with change is a stressful and scary endeavor. It has been suggested that people deal with significant change much like they are going through the stages of grief. For those of us in our profession, we must have the courage and heart to confront and even embrace changes head on, and strive to provide the most effective supervision of and intervention with offenders that we can, while ensuring that the needs of the communities we serve are addressed and that we work toward lasting public safety and security. Probation, parole and community corrections professionals will continue to face changes, and the challenges that those changes bring, throughout the 21st century. But, I am confident that you will turn them into positive experiences for yourself, offenders, victims of crime and your communities.

"Honestly, I haven't been using drugs."

Does your cut-rate drug test cut to the truth?

If you need accurate answers from those low priced tests, cross *your* fingers, too. These **"bargains" deliver high rates of false positives and negatives** that could involve you in **costly litigation or reduce public safety**. Stop the guessing games and get legally defensible results with Varian's On•Site® and OnTrak products.

Varian's cost-conscious screens — like our **latest innovation, CupKit** — take the guesswork out of onsite testing. Our patented manufacturing process uses advanced latex technology to give you **accurate, consistent, legally accepted results**. And our SMARTesting™ solutions manage data collection so you can **scan, read, and interpret results,** track chain-of-custody compliance, and streamline procedures.

So before you gamble on inconsistent results or settle for a false sense of security, visit **booth #99 at APPA** or **www.varian-onsite.com**. Or call us at **1•800•737•9667**.

Rapid drug test results that secure your world™

VARIAN

Please circle #70 on the reader information card.

the journal of the American Probation and Parole Association

PERSPECTIVES

Volume 28 Number 2 Spring 2004

Features

Departments

Plus!

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 a hard copy, to Production Coordinator, *Perspectives* Magazine, P.O. Box 11910, Lexington, KY, 40578-1910, or can be emailed to smeeks@csg.org in accordance with the following deadlines:

Fall 2004 Issue – May 20, 2004 ● Winter 2005 Issue – August 21, 2004 ● Spring 2005 Issue – November 11, 2004 ● Summer 2005 Issue – February 19, 2005

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:

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

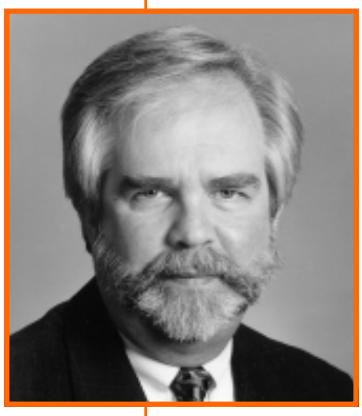
Jackson, D.J. "Electronic Monitoring Devices." *Probation Quarterly* (Spring, 1985): 86-101.

While the editors of *Perspectives* reserve the right to suggest modifications to any contribution, all authors will be responsible for, and given credit for, final versions of articles selected for publication. Submissions will not be returned to contributors.

Editor's Notes

This issue of *Perspectives* addresses some of the more challenging questions that face the field of community corrections. We hope that the articles leave you thinking and wondering about the questions, that they stimulate some dialogue with your colleagues, and finally that perhaps they might result in an idea or innovation from you that moves us farther along in our ability to meet these challenges.

In the lead article, Seng and his colleagues explore the issue of violent probationers and their performance under supervision. From the time I joined the probation field (too many years ago), I can recall this being a subject of discussion. Whether it was the old timers saying "these cases would never have gotten to probation in the old days," or the eternal question of which offenders are appropriate for placement on probation, the issue of the violent offender has been a difficult one for us to handle. The bottom line is that with plea bargaining, and jail and prison crowding, offenders with violent convictions are being placed on probation. Add to those the probationers whose current offense is not violent, but who have some history of violence - as well as the parolees released from incarceration - the question of the impact of the violent offender on community corrections is a major one. This article goes beyond the war stories and intuitive assumptions to look at the results of supervision for a good sized sample of offenders. You may be surprised at what they found.



William Burrell

In his article on the history of the juvenile court system, Lindner provides us with an interesting chronicle of the evolution of this important American contribution to criminal justice. The juvenile court has evolved over its 100+ years of existence, in particular during the latter third of the twentieth century. Despite these changes in the nature and process of the juvenile court, it is facing additional challenges today. I recently read about one school district which has begun filing delinquency complaints against students for one skipped class. In another large urban school district, additional police officers were being assigned to the most dangerous schools. These examples are but two of many which illustrate how society and policy-makers are relying more and more on the juvenile courts to deal with the problems that arise in the schools. One cannot help but wonder if the juvenile court is the proper venue for these problems, and whether the juvenile court has the capability to respond in an effective way. Are the "new" courts suited to solving youth behavior problems that have been the province of juvenile courts for more than a century? Or have the juvenile courts taken on a new role that leaves them unable to address the problems and needs of troubled youth? If the trend to reshape the juvenile court continues, making them resemble more and more the adult courts, what is the answer to Lindner's question of whether a separate juvenile court is needed?

The challenges to the juvenile court provide the backdrop for Wahl's article on mental health assessments in the juvenile justice system. He cites evidence that suggests that the majority of youth in our juvenile justice system have some degree of mental disorder. Clearly, the institutions of the juvenile justice system have become the dumping ground for kids with serious problems. The first step to dealing with these youth is a sound assessment to determine what the nature and extent of the problem is. And these can be life-threatening problems! Probation departments are often the first stop in the juvenile justice system for these youth, and they need to be able to conduct a sound assessment and respond appropriately. The experience of the Suffolk County (NY) Probation Department suggests that this is a critical need, but one that can be effectively addressed. Once again, it is a question of resources and priorities.

For the past several years, the APPA Standards Committee has been engaged in a cutting-edge effort to transform the accreditation process. Working with the American Correctional Association, your association developed the first performance-based standards for the accreditation of adult probation and parole agencies. Taylor's article about the experience of his department provides an interesting insight into the new standards and the accreditation process. As he notes, pursuing accreditation can be a very positive experience for an agency, providing feedback on all aspects of your organization. It is a powerful tool for those seeking to continuously improve their agency and its performance.

We hope you enjoy this issue, and that you find it interesting and thought-provoking. As always, we welcome your feedback!

Bill Burrell

Services Directory

General	(859) 244-8000
General Institute	(859) 244-8204
Resource Expo	(859) 244-8205
Legislative Information	(859) 244-8196
Membership	(859) 244-8207
Perspectives Advertising	(859) 244-8205
Publication Orders	(859) 244-8207
Request for Training	(859) 244-8211

Communications should be addressed to:

American Probation and Parole Association
c/o The Council of State Governments
P.O. Box 11910, Lexington, KY 40578-1910
Fax: (859) 244-8001, E-mail: appa@csg.org
Website: www.appa-net.org

Published four times annually by APPA through its secretariat office in Lexington, Kentucky.
ISSN 0821-1507

Reprints and back issues. To order back issues, single copies of articles or reprints of articles in quantities of 100 or more, please call (859) 244-8207.

Reprint permission. Direct requests for permission to use material published in *Perspectives* in writing to the Production Coordinator.

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

vision

where community partnerships are restoring hope by embracing a balance of prevention, intervention and advocacy.

We seek to create a system of Community Justice where:
A full range of sanctions and services provides public safety by insuring humane, effective, and individualized sentences for offenders, and support and protection for victims;
Primary prevention initiatives are cultivated through our leadership and guidance;
Our communities are empowered to own and participate in solutions;
Results are measured and direct our service delivery;
Dignity and respect describe how each person is treated;
Staff are empowered and supported in an environment of honesty, inclusion, and respect for differences; and
Partnerships with stakeholders lead to shared ownership of our vision.

APPA is an affiliate of and receives its secretariat services from the Council of State Governments (CSG). CSG, the multibranch association of the states and U.S. territories, works with state leaders across the nation and through its regions to put the best ideas and solutions into practice.

APPA Affiliate Members

Arizona Chief Probation Officers Association
Association of Paroling Authorities International
Association of Women Executives in Corrections
CA Probation, Parole & Corrections Association
Canadian Training Institute
Chief Probation Officer's Association of New Jersey
Chief Probation Officers of California
Crime Prevention Coalition of America
Dismas Charities, Inc.
Florida Assn of Community Corrections
Georgia Probation Association
Iowa Correctional Association
Illinois Probation & Court Services Association
Indiana Correctional Association
International Community Corrections Association
International Corrections & Prisons Assn
Kansas Association of Court Services Officers
Kansas Community Corrections Association
Kentucky State Parole Officers Association
Kansas Correctional Association
Massachussettes Parole Officers Association
Minnesota Association of Community Corrections Act Counties
Minnesota Association of County Probation Officers
Minnesota Corrections Association
Missouri Probation & Parole Officers Association
Middle Atlantic States Corrections Association
North Carolina Probation & Parole Association
New Jersey State Parole Officers' PBA #326
New York State Public Employees Federal Div. 236
New York State Council/Prob. Administrators
National Association of Drug Court Professionals
National Association of Probation Executives
New England Council on Crime & Delinquency
New Zealand Association of Probation Officers
Ohio Chief Probation Officers Association
Oregon Association of Community Corrections Directors
Pennsylvania Probation,Parole & Correction
NYS Probation Officers' Assoc.
Probation Association of New Jersey
Probation & Community Correction Association of Australia
Probation & Parole Compact Administrators Association
Probation Officers Association of Ontario
Probation Officers Professional Association of IN
South Carolina Probation & Parole Association
Texas Probation Association
Utah Correctional Association
Virigina Probation & Parole Association
Volunteers in Prevention, Inc.
Volunteers of America
West Virginia Association of Probation Officers
Western Correctional Association

American Probation and Parole Association

Corporate Members

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

BI Incorporated

Monica Hook
MarketingCommunications Manager
6400 Lookout Road, Suite 101
Boulder, CO 80301
Phone: (800) 241-2911
Fax: (303) 218-1250a
Email: monica.hook@bi.com
Website: www.bi.com

SecurityLink / ADT

James Walker
National Sales Manager
111 Windsor Drive
Oakbrook, IL 60523
Phone: (630) 573-1863
Fax: (630) 573-8007
Website: www.securitylink.com

Varian, Inc.

Jacquie Sheehey
Marketing Manager
13000 Weston Parkway
Cary, NC 27513
Phone: (800) 737-9667
Email: jacquie.sheehey@varian.com
Website: www.varian-onsite.com

National Curriculum and Training Institute

Gary Bushkin
President
319 East McDowell Road
Suite 200
Phoenix, AZ 85004-1534
Phone: (602) 252-3100
Fax: (602) 252-4736
Email: gbushkin@NCTI.org
Website: www.ncti.org

Securicor EMS

Richard Russo
Marketing Coordinator
30201Adventura
Rancho Santa Margarita, CA 92688
Phone: (800) 589-6003
Fax: (800) 327-1178
Email: marketing@ems.securicor.com
Website: www.securicor.com/ems

For more information on corporate membership, please contact:

Susan Meeks, APPA
c/o The Council of State Governments
P.O. Box 11910
Lexington, KY 40578-1910
(859) 244-8205 Fax (859) 244-8001
Email: smeeks@csg.org

Resolution on Tax Refund Offset Proposal to Further Compliance with Court Orders

WHEREAS, the American Probation and Parole Association (APPA) recognizes that allowing court-ordered penalties, fines, fees and restitution surcharges to be willfully ignored diminishes public respect for the rule of law, and recognizes that it is in the interest of the courts that their orders be honored; and

WHEREAS, significant dollars in court-imposed penalties, fines, fees and restitution surcharges are willfully ignored; and

WHEREAS, a United States Treasury Offset Program allows for the Federal income tax refund interception of Federal tax dept, Temporary Assistance to Needy Families (TANF) child support debt, Federal agency non-tax debt, non-TANF child support debt and State tax debt (other than child support); and

WHEREAS, collection of debt through tax refund offset would be among the most accurate, least intrusive, least burdensome ways available to satisfy debt owed to State courts; and

WHEREAS, collection of debt through a tax refund offset mechanism would contribute to public trust and confidence in the courts;

NOW, THEREFORE BE IT RESOLVED that the American Probation and Parole Association support legislation to add conforming language to Federal statutes that will enable the States to intercept Federal tax refunds for legally enforceable orders that are willfully ignored.

Proposed Constitutional Amendment

Note: The following constitutional amendment was passed by the APPA Board of Directors on February 8, 2004 at the Winter Training Institute in Reno, Nevada. This amendment will be presented to the general membership for approval at the Membership Meeting in Orlando, Florida on Tuesday, July 28. Please direct any comments or questions regarding this amendment to Gary Yates, Constitutional Review Committee Chair at (513) 785-5815 or Yatesgw@butlercountyohio.org.

Article V, Section 14 (current)
The Regional Directors shall be elected for a six (6) year term as determined by the scheduling of the Annual Institutes with one-third (1/3) of the Regional Directors to be elected biannually.

Article V, Section 14 (proposed)
The Regional Directors shall be elected for a three (3) year term as determined by the scheduling of the Annual Institutes with one-third(1/3) of the Regional Directors to be elected at the expiration of their terms.

Technology Update

Hair Testing: The Present and the Future?

In previous updates I have written about the trend towards the development of drug and alcohol testing technologies that utilize alternative specimens. In this update I would like discuss hair testing in some depth and make the readership aware of a new product in development that might have some future application in the field.

Drug testing via hair analysis has been commercially available for several years, and in that time the technology has been utilized primarily in the area of workplace drug screening. In the criminal justice arena, many law enforcement agencies are using hair analysis for pre-employment screening as well as in-service testing. Community corrections, thus far, has been slow to accept this technology.

The scientific principle behind hair analysis is that as a person ingests drugs the drugs circulate through the bloodstream. As the blood circulates, it nourishes developing hair follicles and trace amounts of the drug or its metabolites become entrapped in the hair shaft. As the hair shaft grows, it produces a linear record of the compounds absorbed. As a general rule, hair grows at the approximate rate of half an inch per month. Laboratories typically analyze the first 1 ½ inches of the hair sample, therefore each test is examining a window of time roughly three months in length. This obviously represents a much larger window of detection than can be achieved by other methods. In addition, hair specimens are much less difficult to collect and are far less vulnerable to manipulation than urine specimens. A number of field studies have documented the utility of hair testing as monitoring tool, but all suggest that the technology be used to complement and not replace urinalysis. Hair testing seems extremely useful in situations such as intake where you are trying to get a more thorough sense of the nature of an offender's substance abuse problem or in cases where it seems apparent that the offender is "beating" the urinalysis test.

So, why then has community corrections been slow to accept hair analysis? Well, like every other technology, hair testing is not perfect. One issue is the racial bias controversy. Some researchers postulate that drugs bind more readily with dark, coarse hair than with lighter, finer hair resulting in an inequality in test results in that, all other things being equal, a person with darker hair has a greater chance of testing positive than a person with lighter hair. On the other side of the issue, research has been conducted that examined and compared urine test positives and hair test positives for cocaine in Caucasian and African-American arrestees, and the results showed no clear link between specific hair color and hair analysis outcome. At this point the issue seems unresolved. Other, more tangible issues, such as time and money, may also be barriers to widespread use of hair analysis. Currently, hair samples must be collected by the agency or designee and sent off to a laboratory for analysis. The resulting delay between collection and results creates a disadvantage when compared to other available technologies that offer point of contact results allowing staff to use the information right away. The other barrier may be price. Agencies might pay laboratories $60 or more per sample, depending on volume, which is far more than they are accustomed to paying for drug tests. One spin offered by the labs is that hair testing is in fact the most economical method of acquiring thorough, accurate, quantitative information on an offender's drug use noting that $60 buys 90 days worth of data. While this is a logical argument, it doesn't seem to be working as most people can't recover from the sticker shock fast enough to think about potential value. Another possibility may be that, for the majority of offenders, agencies are not comfortable waiting 90 days between drug tests

If the cost and time issues are truly two of the main reasons agencies are not embracing hair analysis, there may be good news on the horizon. A company called DrugRisk Solutions (DRS) in upstate New York is working hard to develop an affordable, point of contact hair analysis device that might breakdown the aforementioned barriers. Still in the prototype stages, the device will use supercritical fluid extraction technology to detect trace amounts of drugs in the hair. This device would have several advantages over existing methods. Among them include the need for a much smaller sample size. The DRS product will require approximately 10 strands of hair compared to the 60 strands or more required by existing laboratories. In addition, testing can be completed with the DRS product in less than 30 minutes for a cost per test at around $20. The cost of the analyzer has not yet been established. While still providing a 90 day window of drug use, the DRS technology would provide a relatively quick and inexpensive screen for negative results. Positive results would still need to be referred to a lab for confirmation.

If this product reaches the market and is demonstrated to function as promised, it will then be interesting to see if the field is ready to add hair testing into their drug testing toolbox or if other issues continue to limit its usefulness to community corrections.

This Point of Contact Hair Analysis device, among other new developments, will be spotlighted at the NLECTC's 5th Annual Innovative Technologies for Community Corrections Conference on June 14-16, 2004 in Boston, MA.

To learn more about the APPA Technology Committee or the 5th Annual Innovative Technologies for Community Corrections Conference, please contact Joe Russo, Program Manager, National Law Enforcement and Corrections Technology Center, 2050 East Iliff Avenue, Denver, CO 80208, Phone (800) 416-8086, email: jrusso@du.edu. ❐

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

BY JOE RUSSO

Spotlight on Safety

SMILE! - You May Be on a Candid Camera Phone!

Do you have anything on your desk or in your office that you would not want your offenders to have the opportunity to study at length? It might be documents relating to their case or some other offender, pictures of your family, or items that may help them gain personal information that could jeopardize your safety or the safety of your family.

Have you ever had a conversation with an offender that you would not want heard by others?

With the advent of small, easily concealed cell phones with microphone attachments and picture taking capabilities, new safety issues are raised for officers. In the APPA safety training we have discussed the need to do periodic safety audits of your office to assure that articles that could possibly disclose personal information regarding you and your family are not displayed to offenders and other visitors. In the past, visitors to your office only had time to view this information while they were in your office. Now, with covertly taken pictures, they or others can study items in your office that provide information about where you live, where your children go to school, and personal things that are important to you such as friends and pets. Would you want an offender to have a picture of your child or spouse that they could study at their leisure or take with them to help identify that person for an assault or kidnapping?

Many agencies are not allowing non-professional visitors to bring cell phones into courthouses, courtrooms and probation offices. This restriction has aided some agencies in justifying magnetometers for their building or offices. Irrespective of your agency's policy regarding the admittance of cell phones, remember the ease with which offenders and others can record information in your office or during your contact with them on the street or in their home. Follow this rule of thumb - do not say anything you would not want to be recorded, and do not display anything that you would not want others to view. ❐

Robert L. Thornton *is the Director of the Community Corrections Institute in Eatonville, WA and Chair of the APPA Health and Safety Committee.*

Call for Presenters

American Probation and Parole Association
Winter Training Institute
Anaheim, CA - February 13- 16, 2005

The American Probation and Parole Association is pleased to issue a call for presenters for the Winter Training Institute scheduled to be held in Anaheim, California on February 13-16, 2005. Institute participants include community supervision and corrections personnel, the judiciary, treatment providers, criminal justice researchers and others who are interested in the field of community justice. Presentations should relate to the following topics:

- Community Justice Initiatives and Innovations
- Diversity
- Executive Management
- Human Resources
- International Issues
- Juvenile Justice Issues and Programming Strategies
- Legal Issues
- Mental Health
- Multi-Agency Collaboration/Interdisciplinary Participation
- Parole Issues and Post-Incarceration Supervision Strategies
- Pre-Trial Services
- Program Specialization in Community Supervision and Corrections
- Sentencing Strategies and the Judiciary
- Substance Abuse
- Technological Innovations
- Victims' Issues
- Women in Community Justice

The above-suggested topics are not all-inclusive. Other topics related to the field of community supervision and corrections are acceptable.

Submission Guidelines

Persons interested in submitting a proposal for consideration should provide the following information needed to comply with APPA training accreditation requirements and to apply for permission to grant continuing education units to a variety of professions (i.e., Social Workers, Substance Abuse Counselors, Continuing Legal Education, etc).

Workshop proposals should provide the following information:

1) Length of Workshop: Indicate session length.
   - Workshop, 90 minutes (workshops held on Monday, February 14 and Tuesday, February 15)
2) Workshop Title: A snappy title that catches the attention of participants and identifies the primary focus of the workshop.
3) Workshop Description: A clear, concise, accurate description of the workshop as it will appear in the program (average length is 30 words; submissions on disk in Microsoft Word are preferable).
4) Training/Learning Objectives: Describe the measurable skills, knowledge, and/or new capacity the participant will gain as a result of workshop (i.e., at the end of the training, participants will be able to list five of 10 causes of suicide.) List a minimum of three training/learning objectives.
5) Faculty Information: Provide name, title, agency, address, phone, and email for all proposed faculty. Panel presentation should consist of no more than two or three persons; however, a fourth can be added as a moderator.
6) Resume or Vitae: Include brief resume or vitae of each faculty member.
7) Primary Contact: Submit name and complete contact information for person submitting workshop proposal.

Presentation summaries may be mailed, faxed or emailed by May 14, 2004 to:

Joe Russo
NLECTC
2050 East Iliff Avenue
Denver, CO 80208
Phone: (800) 416-8086
Fax: (303) 871-2500
Email: jrusso@dci.edu

Workshop proposals should be received no later than May 14, 2004. Winter Institute program track committee members will contact the person who nominated the workshops(s) to indicate their selection for the Institute. Please note that it is APPA's policy that, regrettably, expenses and fees associated with participation cannot be reimbursed by APPA.

Project Announcement

Elder Abuse

The Office for Victims of Crime (OVC) has awarded a $200,000, 18-month Cooperative Agreement to the American Probation and Parole Association. The project will be conducted in collaboration with Justice Solutions and the American Bar Association Commission on Law and Aging and will develop a model training curriculum to provide probation and parole officers with knowledge and skills to identify and respond to elder abuse victims. Abuse is a significant problem for America's growing older population. Probation and parole officers may identify elder abuse in families of offenders on their caseloads and be able to intervene proactively for the benefit of these elderly.

This three-phase project will first conduct a training analysis through a survey of the field, review of current literature, and examination of existing curricula. In Phase 2, the training curriculum will be developed and accredited. The curriculum will then be pilot tested in four one-day training programs during Phase 3. APPA also will introduce a resolution on elder abuse for adoption by its membership.

For additional information, contact:
Ann Crowe
American Probation and Parole Association
P. O. Box 11910
Lexington, KY 40578-1910
Phone: (859) 244-8198
Fax (859) 244-8001
Email: acrowe@csg.org

PLAN TO ATTEND!

American Probation and Parole Association

29th ANNUAL TRAINING INSTITUTE

Co-sponsored by the Florida Association of Community Corrections

Orlando, Florida ★ July 25-28, 2004

COMMUNITY CORRECTIONS...

Finding Solutions Through the MAGIC Within Us

- Over 80 educational workshops
- Exciting and fun networking opportunities
- Test and compare the newest products
- National experts address today's topics

The Marriott World Center pool grounds.

Hotel Reservations

All Institute events will be held in the Orlando World Center Marriott where championship golf, award-winning cuisine, or an exquisite spa experience beckons under sun-filled skies. Find yourself in the midst of Orlando's legendary theme parks and attractions. The Orlando World Center Marriott is just 1.5 miles from Walt Disney World and 5.5 miles from SeaWorld. With something for everyone, enjoy the hotel's 10 restaurants and lounges, on-premise championship golf course, six pools with soothing waterfalls and curvy slides, hundreds of acres of tropical gardens and deluxe guestrooms with balconies. For more information about activities available at the Orlando World Center Marriott, visit their website ad www.marriott.com.

APPA has secured for Institute attendees an incredibly reduced rate of $99 single or double occupancy. To make your lodging reservations, telephone the Orlando World Center Marriott at 800-564-3181 or log onto the APPA website at www.appa-net.org. When calling by phone, make sure you reference the APPA Institute to receive these rates.

EARLY REGISTRATION FEES

$275 - special fee for APPA members and members of the Florida Association of Community Corrections

$335 - non-member fee

Register before July 5, 2004 to receive these discounted rates!

For further information

Phone: (859) 244-8204 or Email: appa@csg.org

Website: www.appa-net.org

Ohio Line Officers of the Year

The Ohio Chief Probation Officers Association presented their annual George W. Farmer Line Officer of the Year awards at the APPA 28th Annual Training Institute in Cleveland on August 26, 2003. The awards named for the former Superintendent of the Probation Development section of the Ohio Department of Rehabilitation and Correction are presented annually to a probation or community corrections officer from each of the areas of adult felony supervision, adult misdemeanor supervision and juvenile supervision, who have performed their assigned duties in an outstanding manner and/or made significant contributions to the respective probation or community corrections profession at the local, regional or state level. The recipients may also have brought credit or honor to the profession through participation or involvement in community activities or programs.

The 2003 recipients are field officers actively involved in supervision, who will also be nominated for the 2004 APPA Scotia Knouff Line Officer of the Year Award, are from left to right; Robert Capuano, Felony Probation Officer with the Cuyahoga County Adult Probation Department in Cleveland, Beth Wolery, Juvenile Probation Officer with the Franklin County Juvenile Court in Columbus and Daniel K. Malott Misdemeanor Adult Probation Officer with the Clermont County Municipal Court in Batavia.

Mental Health Assessments

The Problem

The notion that the mentally ill juvenile offender and his/her family are clinically under served has gained momentum in recent years (Redding, 1999). While the knowledge base on mental health concerns for youth in the juvenile justice system is still emerging, scientific studies based on well-standardized procedures concur that as many as 65 percent of these youth have a diagnosable disorder (Garland et. al., 2001, Teplin et. al., 2002; Wasserman et al., 2002). In spite of this information, one study found that only 40 percent of those youth diagnosed with a substance abuse disorder and 34 percent diagnosed with anxiety, mood or disruptive disorder had received earlier services (Novins et.al., 1999). It should concern practitioners that data demonstrates an association between youth suicide and contact with the juvenile justice system (Gray, et al., 2002). Standardized, comprehensive screenings and assessments are necessary to accurately identify youth at emergent risk and to determine mental health service needs.

Center for the Promotion of Mental Health in Juvenile Justice

These recent important advances in mental health research contributed to the founding of the Center for the Promotion for Mental Health in Juvenile Justice in 2001, with Gail Wasserman, Ph.D. as Director. The Center is dedicated to providing expert guidance to juvenile justice setting regarding best practices for mental health assessment and referral. In addition, the Center assists juvenile justice programs in determining how to implement these procedures and how to map appropriate mental health services on them. To that end, the Center develops products to move information and knowledge between the fields of juvenile justice and mental health and provides recommendations for practice. Ultimately, the goal of the Center is to impact change at a systemic level. The Center is currently working with approximately 40 sites across 15 states.

Existing Standards

In the last decade, several organizations have developed broad standards and guidelines for management of youth in detention and corrections facilities (i.e. American Correctional Association, 1991; Council of Juvenile Correctional Administrators, 2001; Office of Juvenile Justice and Delinquency Prevention, 1994; American Association for Correctional Psychology, 2000; and the National Commission on Correctional Health Care, 1999). These reports offer recommendations regarding how and when to assess for both emergent risk and more long ranging mental health issues among youth in secure care. However, recommendations for mental health practices are often embedded in larger documents that discuss all aspects of site management, which results in highly variable practices across settings.

Assessment Practices in Juvenile Justice Settings

The Center attempted to focus such existing standards on assessment of justice system youth in two stages. First, they developed a survey, administered in two formats (paper and internet), in which juvenile justice staff (clinical and non-clinical) nationwide reported on assessment practices in their work settings and then expressed their opinions on best practices for such assessments. Early on in the survey process, there was recognition that that staff who work with youth under community supervision represented a population that had not been accessed in the past. As past president of the American Probation and Parole Association, I was asked to represent our profession in several meetings. Our membership list was used to mail surveys to those members who worked in the juvenile justice area. The survey highlighted important issues that we then addressed in the second stage: a consensus conference.

The Consensus Conference, "Mental Health Assessment in Juvenile Justice Settings" was co-sponsored by the Center for the Promotion of Mental Health in Juvenile Justice, the Center for the Advancement of Children's Mental Health (both at Columbia University) and the National Center for Mental Health and Juvenile Justice on April 17, 2002 (see Wasserman et al., 2003 for a more detailed review of this conference). Attendees were well-acquainted with system collaboration and

BY RAY WAHL

s in the Juvenile Justice System

knowledgeable about policy implications of conducting mental health assessments in juvenile justice settings. The program included a series of scientific presentations by mental health experts and a review of results of the practitioner survey.

Recommendations

The Consensus Conference resulted in the delineation of six specific recommendations for conducting assessments in juvenile justice settings:

1) Provide an evidence-based., scientifically sound mental health screening within the first 72 hours of a youth's arrival at the facility.

2) Provide an evidence-based, scientifically sound mental health screening and/or assessment for all youth as early as possible in order to determine need for mental health services.

3) A sound mental health assessment must be based upon careful review of information from multiple sources and must measure a range of psychiatric disorders.

4) Provide an evidence-based, scientifically sound screening or assessment for all youth preparing to leave a post-adjudicatory secure facility and return to their communities.

5) Provide evidence-based, scientifically sound screening/ assessment on a regular basis for all youth.

6) Ensure that mental health staff are professionally credentialed, or directly supervised by credentialed staff. Provide training for staff appropriate to their role for assessment in evidence-based, scientifically sound mental health screening/assessment procedures.

An Example of an Assessment Instrument: Voice DISC

The Diagnostic Interview Schedule for Children (DISC) is a family of highly structured psychiatric interviews, with parent and youth versions (Shaffer et al., 2000), previously used in research investigating prevalence of mental disorder among justice youths (Atkins et al., 1999; Duclos et al., 1998; Garland et al., 2001; Randall et al., 1999). Developed for epidemiologic purposes, the new voiced format renders it particularly useful for clinical applications in justice settings (Wasserman et al., 2002; the Voice version generates disorders present in the past month. Among justice youths, the DISC's validity has been demonstrated against externalizing disciplinary problems (Friman et al., 2000) and offense history (Wasserman et al., 2002). Recent data show no significant differences in the one-month reliability of diagnoses between self- and interviewer-administered versions; most Kappas ranged between 0.5 and 0.7 (Lucas et al., 2002). Test-retest reliability is as good as, or better than, previous versions (Shaffer et al., 2000).

Using the Voice DISC in a Community Setting

Schools and probation often provide unique opportunities to assess mental health issues when a child acts out. Such a unique site can be found in Suffolk County, New York. Suffolk County is the home to over 1.4 million people, and the socio-economic circumstances of families range from the wealthy in the Hamptons, to the poverty stricken in Islip.

Probation staff from Suffolk County were first introduced to the Voice DISC at the APPA Annual Training Institute in Denver. Suffolk County was looking for a way to do mental health screening as part of a diversion level that is built into the juvenile justice law in New York. The purpose of this diversion program is to deliver prevention services to juveniles without formal family court intervention. Only minor delinquencies are eligible for diversion, but funding is available for services when a family does not have insurance. If a youth is part of the diversion program, probation has 60 days to deliver services to the youth. The case can be extended for another 60 days with supervisor approval.

Under the leadership of Vincent Iaria, Director of Suffolk County Probation, his organization began to explore ways of using the Voice DISC to identify mental health needs of children entering the juvenile justice system. After staff were trained on the assessment tool, four computers were set up in the probation office. After agreement to participate in the screening is established, the youth answers "yes" and "no" questions on the screening tool. After assessment, a plan is presented to the parent and they have to agree to obtain services for their child. If a youth is suicidal, the parents must take the child to the state hospital. If they need services, parents commit to obtain them or they can be determined to be neglectful.

Suffolk County is the first county in New York to use the Voice-Disc in collaboration with the Center for the Promotion of Mental Health in Juvenile Justice. The Center provided Suffolk County with the Voice DISC software, training and implementation support free of charge. In addition, the Center provides ongoing technical assistance, also free of charge.

The county has realized several advantages in using the Voice DISC. First, administering the tool does not require a trained mental health professional. Secondly, it is a quick way to assess large numbers of children coming into the juvenile justice system for mental health problems. Mr. Iaria

reports that the "kids are willing to share more information with a computer than with a person" and parents have been cooperative in allowing their children to participate in the testing. Iaria hopes to "save money spent on residential treatment and the by-products of lack of treatment, such as teenage pregnancy" and sees moving into the area of prevention as something the field of probation has been encouraged to do in recent years. His ultimate goal is to use the tool as part of a risk assessment process at the predispositional phase, and can be included in information gathered during the presentence investigation process. Of the 73 youth who have taken the Voice DISC, six had positive diagnoses, 34 had multiple intermediate diagnoses, and three had suicidal symptoms that required immediate attention.

Conclusion

The key to addressing mental health issues in the juvenile justice system is early assessment of needs of youth. Addressing mental health issues can be viewed as an attempt to prevent future delinquencies. But if entities such as schools and probation are in a unique position to assess mental health needs, tools need to be available that are easy to administer and do not require trained mental health professionals to administer them. Those resources are simply not available. The Voice DISC is a tool that meets the above criteria. Recently, the issue of treatment of juvenile offenders was referred to the APPA Juvenile Justice Committee. They have been asked to develop a resolution, similar to the one developed for adult criminal offenders, that will be presented to the board of directors at the 2005 Annual Training Institute. For more information about this tool, agencies can view the Center for the Promotion of Mental Health in Juvenile Justice's website at Columbia University by visiting www.promotementalhealth.org.

Bibliography

American Association for Correctional Psychology (2000), Standards for psychology services in jails, prisons, correctional facilities, and agencies. Criminal Justice and Behavior 27:433-494

American Correctional Association (1991), Standards for juvenile detention facilities. Lanham, MD: American Correctional Association (available form 4380 Forbes Blvd., Lanham, MD 20706-4322).

Atkins DL, Pumariega AJ, Rogers K (1999), Mental health and incarcerated youth. I: Prevalence and nature of psycopathology. J Child Fam Studies 8:193-204

Duclos CW, Belas, J, Novins DK, Martin C, Jewett CS, Manson SM (1998), Prevalence of Common psychiatric disorders among American Indian adolescent detainees. J Am Acad Child Adolesc Psychiatry 37:866-873

Council of Juvenile Correctional Administrators (2001), Performance-based standards for juvenile correction and detention facilities. www.performance.standards.org

Friman PC, Handwerk ML, Smith GL, Larzelere RE, Lucas CP, Shaffer DM (2000), External validity of conduct and oppositional defiant disorders determined by the NIMH diagnostic interview schedule for children. J Abnorm Child Psychol 28:277-286

Garland A.F., Hough R.L., McCabe K.M., Yeh, M., Wood P.A., Aarons G.A. (2001) "Prevalence of Psychiatric Disorders in Youths Across Five Sectors of Care." Journal of American Academy of Child and Adolescent Psychiatry, 40:409-418.

Gray, D., Achilles, J., Keller, T., Tate, D., Haggard, L., Rolfe, R., Cazier, C., Workman, J., and McMahon, W. (2002). "Utah Youth Suicide Study Phase I: Government Agency Contact Before Death." Journal of the American Academy of Child Adolescent Psychiatry. Vol 41, No. 4, April 2002.

Interview with Vincent Iaria, Director of Suffolk County Probation, July 2003.

Lucas CP (2003). The use of structured diagnostic interviews in clinical child psychiatric practice, in MB First (ed) Structured Evaluation in Clinical Practice (Review of Psychiatry Volume 22), Washington DC, American Psychiatric Press, pp 75-102

Office of Juvenile Justice and Delinquency Prevention (1994), Conditions of confinement: Juvenile detention and corrections facilities (Report No. 145793). Washington, DC: Office of Juvenile Justice and Delinquency Prevention

National Commission on Correctional Health Care (1999), Standards for health services in juvenile detention and confinement facilities. Chicago, IL: National Commission on Correctional Health Care

Novins, D.K., Ducelos, C.W., Martin, C., Jewett, C.S., Marson, S.M. (1999) "Utilization of Alcohol, Drug, and Mental Health Treatment Services Among American Indian Adolescent Detainees." Journal of the Academy of Child and Adolescent Psychiatry, 38:1102-1108.

Randall J., Henggeler SW. Pickrel SG, Brondino MJ (1999), Psychiatric comorbidity and the 16-month trajectory of substance-abusing and substance-dependent juvenile offenders. J Am Acad Child Adolesc Psychiatry 38:1118-1124

Redding, R.E. (1999). "Barriers to Meeting the Mental Health Needs of Juvenile Offenders." Developments in Mental Health Law, 19(1):1-4, 14-23.

Shaffer, D.M. Fisher, P.W., Lucas C. Dulcan, M.K., Schwab-Stone, M.E. (2000) "NIMH Diagnostic Interview Schedule for Children Version IV (NIMH Disc IV): Description, Differences from Previous Versions and Reliability of Some Common Diagnosis." Journal of the American Academy of Child Adolescent Psychiatry, 39 :28-30.

Teplin, L.A., Abram, K.M., McClelland, G.M., Dulcan, M.K., and Mericle, A.A. (2002) "Psychiatric Disorders in Youth in Juvenile Detention." Archives of General Psychiatry, 59:1133-1143.

Wasserman, GA, Jensen PJ, KO SJ, Cocozza JJ, Trupin EW, Angold A, Cauffman E, Grisso T (2003). Mental health assessments in juvenile justice: Report on the consensus conference. Journal of the American Academy of Child and Adolescent Psychiatry 42(7): 752-761.

Wasserman, G.A., McReynolds, L. Lucas, C., Fisher, P.W., Santos, L. (2002) "The Voice Disc-IV with Incarcerated Male Youth: Prevalence of Disorder." Journal of American Academy of Child and Adolescent Psychiatry, 41: 314-321. ❐

***Ray Wahl** is the Utah Juvenile Court Administrator and serves on the Steering Committee for the Center for the Promotion of Mental Health in Juvenile Justice out of Columbia University.*

Agency Accreditation:

The Performance-Based Standards Experience

Accreditation of correctional agencies is a practice that is well recognized in the United States. Beginning with the establishment of the Commission on Accreditation for Corrections1 in 1975, the accreditation process has grown and matured. The first manual, Adult Parole Authorities, was published in 1976, followed by the Manual of Standards for Adult Probation and Parole Field Services in 1977. The first probation and parole systems, Oklahoma and Utah, became accredited in 1981.2 Standards for the various correctional agencies and functions have gone through multiple editions, being changed and updated to reflect the dynamic nature of this field. The most recent step in this evolutionary process is the conversion of the standards to a performance-based model.

In 2001, the American Probation and Parole Association's Standards Committee, working with the American Correctional Association (ACA), began the task of writing the fourth edition of Standards for Adult Probation and Parole Field Services. The new edition would be performance-based standards,

the latest concept incorporating measurement not only of what an agency does, but how well it does it. Agency performance is now measured by results as well as compliance with policies and procedures. The Standards Committee rewrote the standards extensively, incorporating the latest thinking in community corrections while converting the document to the performance-based approach. A field test version was approved in September 2002, and field test agencies were solicited. (A performance-based version of the juvenile probation and aftercare standards is presently under development.)

BY DAVID K. TAYLOR

Field Testing of the New Standards

With the extensive work done to revise the standards, it was essential to give them a "reality test" before they were formally adopted for the accreditation process. This is done through a process of field testing, where an agency or agencies volunteer to go through the accreditation process with the new standards. The field test agencies provide extensive feedback on the standards, which proves valuable for refining the standards. The Montgomery County (Ohio) Adult Probation Department was one of the agencies that volunteered to field test the new performance-based standards for adult probation and parole. Their experience with accreditation made them well suited to this role.

In 1984, the Montgomery County Adult Probation Department began exploring the idea of accreditation under ACA. At that time, only four departments in the entire country, all state operations, were accredited under Standards for Adult Probation and Parole Field Services, 2nd edition. Montgomery County signed a contract with ACA on August 1, 1985, formally beginning the accreditation process. After many months of policy and procedure development and the creation of files full of supporting documentation, an audit was held in December 1986. The department received a compliance rating of 96.2 percent, and was awarded accreditation on March 30, 1987.

In the ensuing years, Montgomery County has continued to maintain its accredited status, but accreditation is a rarity for probation and parole agencies nationally. According to ACA, there are presently only 17 agencies accredited under Standards for Adult Probation and Parole Field Services. A similar number are accredited under Standards for Juvenile Probation and Aftercare Services.

Montgomery County had been accredited under the second and third editions, and offered to field test the new fourth edition. An audit was conducted May 21 and 22, 2003, and the agency was found in 100 percent compliance with all applicable expected practices. Accreditation under these standards was awarded on August 11, 2003, making Montgomery County the first agency in the country accredited under the fourth edition.

The Performance-Based Standards

The fourth edition contains 202 expected practices divided into three general areas: community, offender and agency. Within each category are goals and several performance standards. Under each performance standard are one or more expected practices. It is these that drive the policy and procedure of the agency. The expected practices encompass every aspect of an agency's operation, from hiring to training, employee discipline and grievance, presentence reports, offender supervision, community relations, safety and victim interaction. Some expected practices, such as those relating to facility safety and firearms, are mandatory. An agency must be in compliance with all mandatory expected practices to receive accreditation. Others are not mandatory, but an agency must be in compliance with 90 percent of those.

The stated goal of the community section is "A safe and vital community where the public feels safe and lives free of the risk of harm." Performance Standard 1B states: The community is actively engaged in crime prevention. Under this performance standard are several expected practices, including 4-APP-1B-01 which states: The agency supports efforts to develop community resources that prevent crime and that promote reintegration of offenders. To demonstrate compliance with this expected practice, an agency will incorporate policy and procedure which provides for interaction with community agencies and supports the development of programs aimed at reducing criminal activity by probationers/parolees and promote efforts at offender reintegration. The agency will show compliance with its own policy and procedure through various process indicators, formerly known as secondary documentation. These could involve minutes of meetings with community agencies, program rosters, grant requests, or any other documents which show that the agency is working to develop and promote these programs.

Under the offender section are several performance standards, including 2A which states: Offenders behave lawfully while under the supervision of the agency. Expected Practice 4-APP-2A-01 requires that: The agency has a classification process that identifies offender program needs and the level of supervision. Again, an agency will demonstrate compliance with this expected practice by developing policy and procedure that requires the prompt classification of offenders through a valid risk/needs assessment instrument, and will show that offenders are supervised according to this instrument and are placed in programs dependant on their needs.

The agency section focuses on personnel and training issues. Strict rules regarding the issuance of and training in firearms are included (applicable only to agencies that arm staff), along with general training and personnel requirements.

In conjunction with performance standards, agencies track performance through a variety of outcome measures. Outcome measures are really at the heart of performance-based standards. Outcome measures are incorporated into each performance standard area, and are formulated to establish ratios. An example is "average agency caseload for the past 12 months," divided by "total number of offenders who participated in community service work in the past 12 months" (2F(6)). That outcome measure is a part of Performance Standard 2F, which is: Offenders take responsibility for their actions. An agency establishes baseline data for itself at the initial audit and can track change over time. A higher ratio is reflective of more offenders performing community service work, and an increase in this ratio over time is seen as a positive change. Another outcome measure divides the average agency caseload over the past 12 months by the number of grievances filed in that same period. The goal, of course, is zero, and movement towards a lower ratio is positive.

The Accreditation Process

Accreditation under any version of standards is a rigorous process. For an agency to be awarded accreditation, it must undergo an on site review by a team of auditors (called the Visiting Committee) who are professionals in the corrections field. The auditors will spend multiple days at the agency reviewing files, talking with staff and offenders, and observing agency operations. The agency has the burden of showing compliance with all applicable expected practices and to show a quality of life that is commensurate with an agency deserving of accreditation. Auditors know they may find a certain level of dissatisfaction among both staff and offenders, but the general question is: Is this a good agency to be employed in and to be supervised by? Auditors must be satisfied that staff have the resources necessary to do their jobs, and that offenders are supervised appropriately. Following the audit, a report is made to ACA's Commission on Accreditation for Corrections, and a panel hearing is held at a national conference. A panel of commissioners reviews the report and questions the agency about its operation. Only then, after a majority vote by the commissioners, is an agency formally awarded accreditation.

Why Accreditation?

As described above, the accreditation process is rigorous and demanding. The question inevitably becomes, why would any agency voluntarily subject itself to such a process? What can accreditation offer an agency which is already providing a quality service that it cannot achieve itself? The answer to the second

question is "plenty," and therein lies the answer to the first.

Probation and parole agencies are monopolies. We are the "only game in town." We deal with offenders, victims, other agencies, attorneys, the media and a host of others who, by choice or otherwise, become involved with the criminal justice system. The people we come in contact with, the stakeholders, have a legitimate interest in knowing that public agencies are operated in a professional and efficient manner. Likewise, we as agencies want to know that we are utilizing the best correctional practices in our operations. In a recent article, Kevin Wright highlighted the need for accountability.

"Today, public accountability emphasizes results-oriented management that assures that funds are spent appropriately to achieve explicit and stated outcomes. This requires agencies to identify what programs or services are intended to achieve and to develop means to monitor and track their success as well as instances where they fail to meet expectations."3

Accreditation can go a long way to meeting this need. As intimidating as it may be, agencies benefit greatly from the review auditors provide. It is easy for an agency to think that they know what they are doing, but a trained auditor can help an agency uncover areas where they might not be performing as well as they think they are. Auditors can help uncover weaknesses that agency staff, due to their close proximity, are unable to see. Conversely, auditors can help an agency assess what it is doing well, and help an agency highlight superior practices. Every audit becomes a teaching tool as much as it does an audit. An objective, independent audit provides legitimacy to any agency claiming to provide a quality service, be it a correctional agency, or any other type of business. Accreditation provides the accountability that the public deserves and which agencies need to provide.

Accreditation helps an agency stay on the cutting edge. All agencies have experienced the pain of budget cuts, staff reductions, reduction of services and the like. It is easy in these times to cut back on what we do well, and know we should be doing. For an agency to maintain accreditation, it must undergo an audit every three years, and that audit will focus on the entire three year period. Critical functions cannot be put off or the agency will not be in compliance with that expected practice. Litigation does not stop because budgets are tight, nor do the public's expectations of supervision and accountability. The cost of accreditation is far less that the cost of even one lawsuit. Accreditation helps to maintain a sense of focus on what is critical, and helps an agency continue to provide essential functions.

Accreditation helps an agency maintain a sense of professionalism and consistency that is valued by staff at all levels. Policy and procedure development is the cornerstone of accreditation, and provides staff with a clear sense of how to do their jobs. Sound, effective policies and procedures are developed with input from all levels of the agency, so that they are both desirable and doable. Such development allows line staff and administration to work together on an area of mutual concern. Policy and procedure provides consistency throughout an agency, be it city, county or state. Essential functions are carried out the same way everywhere. While some applications may vary depending on the site, the basics are the same. Staff at all levels know that they are operating under best correctional practices and can be proud of the services they provide. The expected practices of the fourth edition provide for professional treatment of all staff, offenders, victims and members of the public.

Accreditation requires hard work, dedication, and a willingness to be scrutinized by others. But when it is all over, accreditation is clearly the right choice. It is an accomplishment that an agency and all associated with it can be proud of - to be recognized as one of the best.

Endnotes

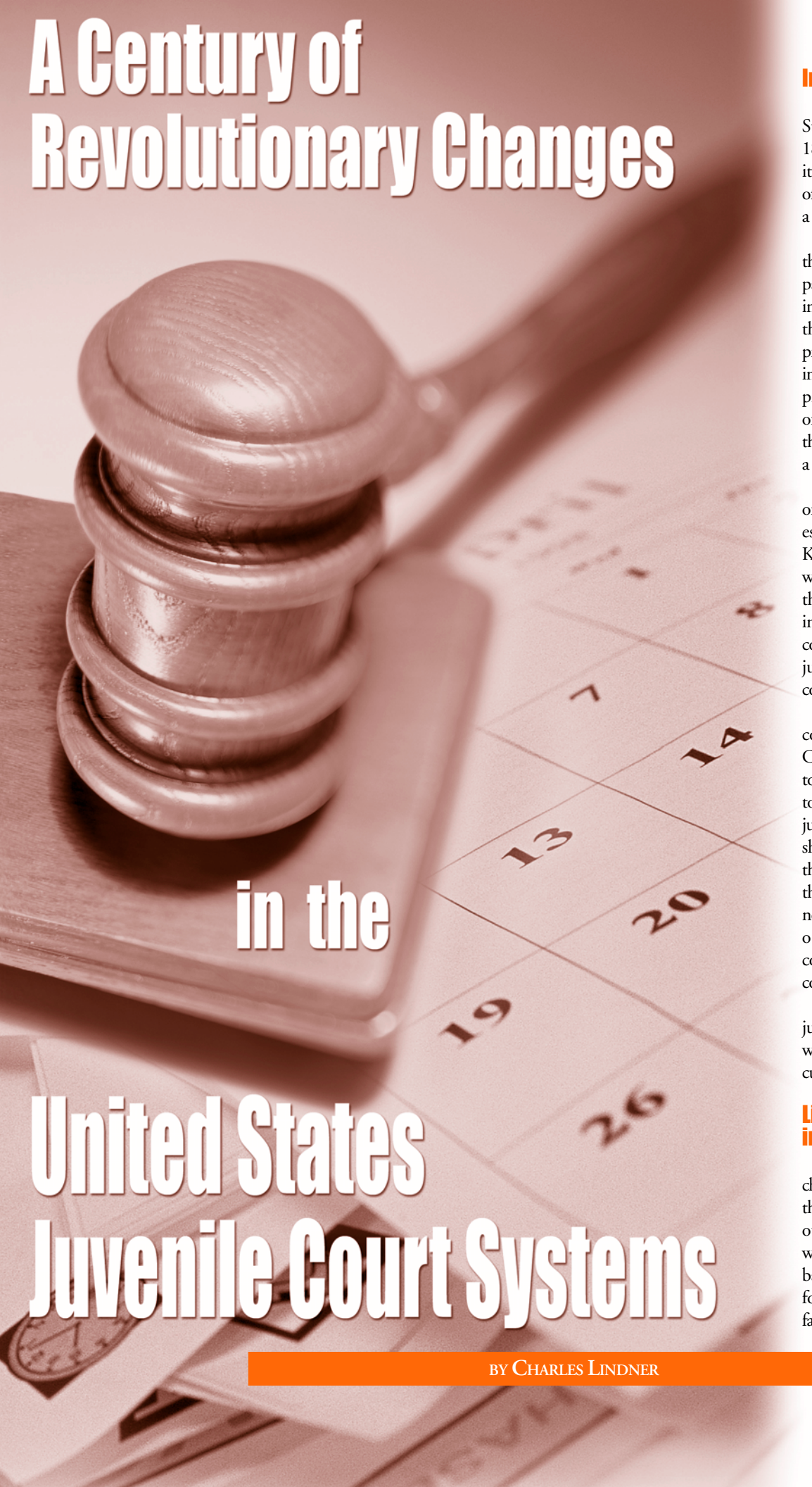
[1] The accreditation process is managed by the American Correctional Association.

[2] Keve, Paul. Measuring Excellence: The History of Correctional Standards and Accreditation. Lanham, MD: American Correctional Association, 1996.

[3] Wright, K. "Developing a National Performance Measurement System." Federal Probation, v.67, n. 1, June 2003. pp.37-40. ❐

David K. Taylor *is Accreditation Manager for the Montgomery County Adult Probation Department in Dayton, OH.*

A Century of Revolutionary Changes in the United States Juvenile Court Systems



BY CHARLES LINDNER

Introduction

The first juvenile court in the United States was created in the city of Chicago in 1899. It was revolutionary in the sense that it removed juveniles from the jurisdiction of the adult criminal court and established a court exclusively for children.

Originally, the philosophy underlying the early juvenile court was the doctrine of parens patriae, manifested in "the best interests of the child." Accordingly, unlike the adult criminal court, treatment and protection of the child was accorded greater importance than punishment. In order to promote these goals, all due process rights of juveniles were waived, for at least in theory, the juvenile would be protected by a benign and benevolent judge.

In the 1960s and 1970s, a number of United States Supreme court rulings essentially reshaped the court process. Known as the due process model, juveniles were given rights essentially comparable to those providing legal protection to adults in the criminal court. Nevertheless, the concept of treatment and protection of the juvenile remained a major concern of the court.

The controlling model of the juvenile court shifted again in the mid-1980s. Consistent with the nationwide movement towards more punitive sentencing and due to increases in youngsters' crimes rates, the juvenile courts of the United States similarly shifted to increased sanctions. Similar to the "just deserts model" of the adult courts, the philosophy of the juvenile courts were not only concerned with the "best interests of the child," but now also gave consideration to the "protection of the community."

This article will review the creation of juvenile courts, the revolutionary changes which have reshaped the court system and current practices.

Living Conditions of Children in Large Cities in the 1800s

In the 1800s, life was brutal for children of impoverished families, especially those living in large cities. Families lived in overcrowded tenement apartments, without such amenities as indoor toilets, bathtubs or showers. It was not unusual for a single apartment to house several families, each having a single room and the

use of a shared kitchen. In the absence of government funded welfare programs, some had to turn to the paltry handouts of private charitable agencies.

Life was especially difficult for the children of the poor. Many were encouraged to leave home and live on the street, as the families often neither had support nor room for their children. Many children under the age of ten left school to earn money by selling newspapers, running errands, rag-picking or petty thefts. Some went "junking" which was to find discarded wood, metal, rags and other materials and objects to sell to junk dealers for pennies. Many were encouraged by their family and friends to earn money through minor criminal acts, such as shoplifting or stealing coal for heating. For impoverished young women, prostitution was sometimes made necessary to support the family and to survive.

Conditions were especially harsh for immigrant families. Not only did most arrive without funds or resources, but their lives were made more difficult because of language difficulties, inadequate educations, a lack of relevant job skills, and culturally endorsed practices of having large numbers of children. Robert Ernst (1965: 52-3) provided a vivid portrait of conditions in New York City during the mid-1800s.

Life in the slums was a continual struggle against illness and death. The high incidence of disease in New York was directly related to the sanitary condition of tenement dwellers, of whom a large number were the foreign born or their children. In the crowded immigrant quarters quarantine was an impossibility, and communicable diseases erupted into epidemic proportions.

Jacob A. Riis (1890: 150-1), writing contemporaneously, found an army of homeless boys all over the city of New York. In answer to the question of where they came from, he stated:

> *Some are orphans, actually or in effect ... Sickness in the house, too many mouths to feed. ... There is very little to hold the boy who has never known anything but a house in a tenement. Very soon the wild life in the streets holds him fast, and thenceforward by his own effort there is no escape.*

Over the years, reform groups sought to ameliorate the conditions of the poor, often by progressive legislation. This included a number of private charitable organizations, many of which were religiously oriented. However, in the absence of governmental welfare programs, there were simply too many poor and too few dollars.

Many reforms were specifically focused on children. A major attempt to rehabilitate troubled juveniles was the reform school movement. Juvenile correctional facilities were initially opened in the first half of the nineteenth century throughout the United States. Subsequently, state and municipal governments administered these institutions for juvenile delinquents "and by 1890, almost every state outside the south had a reform school, and many jurisdictions had separate facilities for male and female delinquents" (Krisberg and Austin, 1978: 21).

There were a number of precursors to the creation of a juvenile court, all of which were intended to improve the living conditions of youths from troubled families. The Houses of Refuge, the first of which was established in New York City in 1925 (Folks, 1902), were residential facilities intended to be benevolent and protective of the wayward children, many of whom were living in the street. In actuality, life in the Houses of Refuge was not easy and discipline was quite harsh:

Placing offenders on a diet of bread and water or depriving them of meals altogether were milder forms of discipline, but were coupled with solitary confinement if a severe punishment was deemed necessary. Corporal punishments, used alone or in combination with other corrections, consisted of whipping with cat-o'-nine tails or menacing with a ball and chain. The worst offenders were shipped off to sea (Bartollas & Miller, 2001: 241-243).

The philosophy of the Houses of Refuge was to prevent juveniles from becoming delinquent because of the influences of the street, and "reforming them in a family-like environment" (Siegel & Senna, 2000: 438). Although, most of the children were status offenders and had not committed a criminal act, the Houses of Refuge often utilized a jail model with strict rules and harsh punishments, including corporal punishment. Within a short time, a number of cities built similar Houses of Refuge. Unfortunately, although originally a reformist move, the Houses of Refuge turned conservative and were no longer considered in the forefront of reform. They instead incorporated the system of contract labor, the cell system, and the use of corporal punishment (Folks, 1902).

Another experiment, beginning in the second half of the 19th century and continuing for about 75 years was the "placing out movement" or the "orphan train movement." The plan of Charles Loring Brace, head of the Children's Aid Society, was to send orphans and dependent and neglected children to the Midwest, so as to escape the poverty, crime and pollution of New York City. Juveniles were transported by train, in groups of 20 to 40, to cities in the western states, where arrangements had been made for a large public meeting in the local school or town hall, so that the residents of the area could choose which children, if any, would be given shelter in their homes. In some cases, this might include several siblings of the same family (Holt, 1992; Folks, 1902; Brace, 1880). There was great interest by the farmers in taking children into their homes for extra laborers. Others housed the children out of a sense of charity, while some simply wanted the love and companionship that only a child could offer. The program was ended in 1929, after about 100,000 children had been shipped to the West (Folks, 1902). Many of the children benefited greatly, for instead of living on the street, in a public facility or in a reform school, they were given the opportunity to live with a family. Some were adopted by the families with whom they lived. Many enjoyed stable homes, obtained an education, learned the discipline of work, and went on to successful careers. But some children worked unrelentingly at difficult tasks, and some children ran away from the homes in which they were placed.

Reformers were also active in establishing juvenile detention homes. Even prior to the creation of a juvenile court, reformers struggled to develop detention homes for juveniles as a substitute for co-mingling juveniles and adults in jails or police lockups. This lessened the likelihood of their being victimized by adult inmates. In addition, the reduced contact of juveniles and adult offenders diminished the opportunity for juveniles to learn criminal attitudes or skills (Flexner, 1910).

Despite the humane concept inherent in the removal of juveniles from adult jails, there was critical resistance to the construction and maintenance of detention homes. The concept of a separation of juveniles from adults was new and its potential benefits were not fully understood. Some critics viewed the practice as excessively lenient and unnecessarily expensive. For example, in Chicago the original law creating a juvenile court provided that juveniles could not be confined with adults pending their hearings, but funds were not allocated to pay for detention costs. As a result, the costs of detention were originally borne by contributions from private persons (Platt, 1977; Bowen, 1925).

For a number of years after the turn of the century, detention homes were maintained in different ways. In New York City, homes were run by the Society for the Prevention of Cruelty to Children. In some cities, the detention center was maintained by the municipality, in others by private

organizations, while other cities had no detention homes at all. Eventually, detention centers were recognized as essential to the protection of juveniles and were established in all large cities.

The Early Relationship of Probation and the Juvenile Court

One of the dominant forces supporting the creation and growth of the juvenile court was the development of a probation system. The probation system was especially important to the first juvenile court as probation officers supervised the youngsters and provided other services to the court. As other juvenile courts were developed nationwide, they too relied on probation for administration.

The juvenile court movement accelerated the growth of probation, serving as an integral part of many juvenile court programs. As a result, probation for adults did not expand as quickly (Dressler, 1969). This phenomenon was also attributable to the public's greater willingness to exculpate juvenile offenders while punishing adult criminals. During the early years of the Chicago juvenile court, officials in the system were magnanimous in their praise of the probation service. As contemporaneously stated by one of the first juvenile court judges:

> *"And then, of course, as we have recognized from the very beginning, we need the probation officer. The probation officer is the right arm of the court; it cannot do without him or her (Mack, 1925: 315).*

Reasons for the Creation of a Juvenile Court

As noted, there was significant opposition to the origin of a juvenile court. Some believed that it was unnecessary in that it would duplicate the role of the adult criminal courts, that it would be unnecessarily expensive, and that it would serve to "mollycoddle" juveniles (Whitman, 1916; N.Y.S Probation Commission, 1918).

One of the basic reasons for the creation of a juvenile court was to remove children from the harshness of criminal court sanctions. Punishment is the raison d'etre for criminal courts in accordance with a retributive theory of justice. In recognition of the malleability of juveniles and their immaturity, it was the belief of reformers that they should not be punished with the same harshness as adults. In the juvenile court, it was presumed that judges would be benign, and that the court would substitute protection and rehabilitation for brutal punishment.

Another reason was to reduce co-mingling between adults and juveniles. This would lessen their exposure to criminal attitudes and skills. In addition, it was believed that the stigmatization of the child would be reduced if he or she was processed behind closed doors in the juvenile court. Unlike the criminal court, the proceedings and records would not be open to the public, so as to reduce the negative labeling of the child.

Finally, reformers were generally dissatisfied with reformatories, many of which were considered to be brutal and harsh in their treatment of juveniles, and most important, failed to achieve the goal of rehabilitation. It was believed that commitments to these facilities would be reduced through a juvenile court which focused on extensive rehabilitative services, and the ability to make non-incarcerative referrals through a network of social services.

The Creation of the Juvenile Court

The first juvenile court was established in the city of Chicago effective July 1, 1899. The enabling legislation was named "An Act to Regulate the Treatment and Control of Neglected, Dependent and Delinquent Children." The Illinois Juvenile Court Act of 1899 applied only to children under the age of 16 who were dependent, neglected and/or delinquent. It also provided for jurisdiction over children under the age of eight who were found "peddling or selling any article or singing or playing any musical instrument upon the streets or giving any public entertainment" (Illinois statute 1899, Section 131).

The Act further provided for a separate courtroom for juvenile hearings and prohibited the detention of children under 12 years of age in jails and police stations. Most importantly, this law also authorized the appointment of probation officers whose duty it would be to:

> *…make such investigations as may be required by the court: to be present in court in order to represent the interest of the child when the case is heard; to furnish the court such information and assistance as the judge may require, and to take charge of any child before and after trial as may be directed by the court (Illinois Statute 1899, Section 131).*

Although diverted from the punitiveness of the criminal court, the juvenile court system significantly increased court jurisdiction over troubled children. A 1913 study of juvenile arrests in New York City reported that 50 percent of the arrests made in the district were for non-crimes like begging, setting bonfires, fighting, gambling, jumping on streetcars, selling papers, playing with a water pistol and similar minor non-criminal acts (Collier & Barrows, 1914). Nasaw (1985: 23) noted that "there appeared to be little rhyme or reason in the causes for arrest. Some of the children's crimes involved junking, petty thievery and playing with or on private property, but there were many more that were victimless." Therein, a great deal of non-criminal juvenile misbehavior which was not controlled by the adult criminal court, was now subject to juvenile court control.

The primary force behind the legislative passage of the Act were a group of female activists who believed that juveniles should neither be confined with adults nor subject to criminal court jurisdiction, but instead should be tried in a special juvenile court which would be guided by a philosophy of the "best interests of the child." These women were successful in the establishment of a juvenile detention center several years before the creation of the court. Years later, Platt (1977) would sarcastically name these women as "the childsavers" believing that their intentions were designed to enrich themselves, and at the same time exercise control over the juveniles, most of whom were poor and/or the children of immigrants.

The basic philosophy underlying the creation of the court was the doctrine of "parens patriae," carried over from English common law. Under this doctrine the king had the responsibility of protecting children, and others who could not care for themselves. Transported to America, the role of the king was replaced by the judiciary. Framed by the doctrine of "parens patriae," the role of the juvenile court was to act in the best interests of the child. Unlike the criminal court, whose role was to punish the transgressor, the theory underlying the juvenile court was to protect the juvenile offender through the provision of treatment and rehabilitation. Even in those serious cases where the juvenile was remanded to a reform school, it was perceived as rehabilitative in that the experience should result in improved behavior.

Innovative Practices of the Early Juvenile Court

A number of modifications of criminal court practices and procedures were put into place in the early juvenile court to accomplish the stated goals of treatment and rehabilitation of the juvenile. The major changes included:

1. A change from a punishment ideology to a treatment-oriented philosophy. No longer were juveniles to be subjected to trial and incarceration with adults, nor to the harsh punishments of a criminal court. Juveniles because of their immaturity should not be held

accountable for their acts in the same way as adults.

2. The concept of parens patriae as manifested by the "best interests of the child" would prevail. At least in theory, and in contrast to the criminal court, these concepts held the court responsible for the welfare and protection of the child while at the same time giving the court virtual control of the child through the elimination of nearly all due process rights conferred on juveniles when under criminal court jurisdiction.

Among other due process rights, juveniles were denied the right to appointed counsel, to an appeal, to a jury trial and to the confrontation and cross examination of witnesses. Similarly, court decisions were based on the preponderance of the evidence rather than the higher standard of proof of beyond a reasonable doubt as used in the adult criminal court. It was believed that due process protections were not necessary as the court was a quasi-civil court rather than a criminal court. In addition, legal protections were not considered necessary as the welfare of the child would be safeguarded by a kindly and benevolent judge, who was more interested in the rehabilitation of the child, than in punishment.

3. In the absence of prosecutors and defense attorneys, the juvenile court carried on its work with great informality and flexibility and acted as a social service function rather than in a legal manner. The two principal actors in the process were the judge and probation officer, and they exercised total control over the court process.
4. To further disassociate the juvenile court from the criminal court, a euphemistic nomenclature was adopted which was less criminally oriented. This terminology continues today. The Chart 1, is illustrative of the alternative language.
5. A tenet of the early juvenile court was that they were more interested in the needs of the child, than the deeds of the child. The original court, therefore, considered the act as a symptom of the underlying causal factors.

The First Sixty Years of the Juvenile Court

The concept of a juvenile justice system spread throughout the nation, "and by 1925 juvenile courts existed in virtually every jurisdiction in every state" (Siegel & Senna, 2000: 445). Then as now, there was great diversity between the juvenile courts in different states:

Some jurisdictions established elaborate juvenile court systems, whereas others passed legislation but provided no services. Some courts had trained juvenile court judges; others had non-lawyers sitting in juvenile cases. Some courts had extensive probation departments; others had untrained probation personnel (Siegel & Senna, 2000: 445).

Because children lacked due process protections, including the important right to appointed counsel, justice was often overlooked. Despite the rhetoric, fairness was often ignored in many juvenile court proceedings, and children were sometimes adjudicated delinquent on the whim or caprice of a judge. Without counsel, juveniles were often unable to express themselves, were intimidated by the judge, and were entirely subject to the domination of the court. In a court without due process, each judge acted with the absolute power of a king.

Often court decisions were solely at the discretion of the judge. It was not unusual to have a child who committed a social wrong, receive a longer period of incarceration than a child whose act would have been criminal were he an adult. In many instances, juveniles received harsh sentences rationalized by the court's duty to protect, treat and rehabilitate the child. For example, a child might be committed to a training or reform school, not to punish the child, but to change his behavior. Unfortunately, a disposition allegedly in the best interests of the child was hardly different from the harsh punishments imposed by the reform school administrators.

Great diversity also marked juvenile institutions. Some maintained a lenient treatment orientation, but others relied on harsh physical punishments, including beatings, straightjacket restraints, immersion in cold water, and solitary confinement in a dark cell with a diet of bread and water (Siegel & Senna, 2000: 445).

Over the years, it became clear that the early promises of the juvenile court reformers were not being fulfilled. Forceful criticisms of the injustices of the juvenile court system were expressed by lawyers, academicians and reformers, in addition to investigative committees of private and governmental child care agencies.

Paul Tappan, a law professor, was illustrative. He was critical of those reformers who believed that all children could be "saved" by the court. He instead warned that it was necessary for the courts to be more realistic in their goals. He was also critical of many of the extra-legal practices of the

CHART 1

Adult Criminal Court Terminology	Juvenile Court Terminology
Criminal	Delinquent Child
Crime	Delinquent Act
Arrest	Take Into Custody
Arraignment	Preliminary Hearing
Trial	Hearing
Conviction	Adjudication or Finding of Fact
Sentencing	Dispositional Hearing

court, stating that the juvenile court of the time was characterized by an absence of due process protections, resulting in unofficial treatment in more than half of the cases. Specifically, he criticized the absence of counsel, the secrecy surrounding privacy of hearings and decisions, the denial of a jury trial, the disregard of the rules of evidence, the denial of the right to appeal, the informality of procedures, and a failure to make and preserve adequate records. He concluded his indictment of the juvenile court by noting that:

The state's purpose may not be punitive, as the courts have tirelessly repeated, but the deprivations to the child and his parents are no less real because they are benignly inspired. The child enjoys no constitutional protection against incarceration or supervision disproportionate to the seriousness of his misconduct (Tappan, 1962: 159).

Others similarly criticized the lack of justice and fair play in the juvenile court, despite its benign and benevolent goals. The court was censured for its permissive, social agency type organization. Dunham wrote that:

When, however, the juvenile court fails directly to advert to the fact that a particular illegal act has been committed by the child and, in its zeal to "treat" the child, completely glosses over this matter, the final disposition of the child's case is very likely to seem to him confusing and even unjust. (Dunham, 1964: 347).

As criticisms grew the United State Supreme Court began to radically change the juvenile court laws throughout the nation. Using language, even stronger than many other critics of the court, Justice Abe Fortas took issue with the parens patriae concept underlying the very foundation of the juvenile court's practices. In the case of Kent v. United States, [383 U.S. 541, at 556 (1966] he forcefully criticized the lack of legal protections afforded juveniles, stating:

There is evidence, in fact, that there may be grounds for concern that the child receives the worst of both worlds: that he gets neither the protection accorded to adults nor the solicitous care and regenerative treatment postulated for children

Moreover, in writing the majority opinion, Justice Fortas argued that the rehabilitative orientation of the juvenile court was "not an invitation to procedural arbitrariness" (383 U.S. 541, at 541). The Supreme Court was warning the juvenile court to either provide adequate treatment or substantial due process protections, if it were to continue its operations.

The Second Revolution of the Juvenile Court System

A second revolution began in the middle of the 1960s and provided juveniles with many of the due process rights enjoyed by adults. Kent v. United States, 383 U.S. 541 (1966) initiated the process. In this case the United States Supreme Court held that a formal waiver hearing was required before a case could be transferred from the family to the criminal court. Although not providing many rights for juveniles, it did serve to commence the restoration of due process rights for juveniles.

In the following year, the Supreme Court ruled on the case of In re Gault, 387 U.S. 1 (1967), possibly the most important of juvenile cases. Noting the injustices suffered by juveniles without due process protections, Justice Fortas, who had previously written the majority decision in the Kent case, wrote that "under our Constitution, the condition of being a boy does not justify a kangaroo court" (387 U.S. 1, at 28, 1967). The importance of In re Gault lies in the rights given to juveniles which included: right to the notice of the charges; right to counsel; right to confront and cross-examine witnesses; and the privilege against self-incrimination.

In the case of In re Winship, 397 U.S. 358 (1970), the Supreme Court continued the expansion of juvenile rights by mandating that the juvenile court follow the highest criminal court standard of "beyond a reasonable doubt" to establish guilt, rather than the civil court standard of the "preponderance of the evidence."

The trend of providing additional rights to juveniles was temporarily interrupted with the Supreme Court rulings in McKiever v. Pennsylvania, 403 U.S. 528 (1971), and Schall v. Martin, 104 S. Ct. 2403 (1984). In McKiever, the Court ruled that due process protections do not give juveniles a right to a jury trial, although a state can grant this right if it desires. Similarly, it ruled in Schall, that juveniles could be held in preventive detention, if they present a serious risk to society to commit a new crime. The basis for the Supreme Court's ruling was the belief that adults have a right to liberty whereas juveniles only have a right to custody. As a result, it is not unreasonable to hold a juvenile for his own protection.

A number of other important cases contributed to the due process rights of juveniles. In Breed v. Jones, 421 U.S. 519 (1975) the Supreme Court ruled that children in the juvenile court are protected against double jeopardy. In Thompson v. Oklahoma, 487 U.S. 815 (1988), the Supreme Court ruled that the execution of a person who was below the age of 16 when the crime was committed is unconstitutional. In Stanford v. Kentucky, 492 U.S. 109 S. Ct. 2969 (1989) the Supreme Court held that the imposition of the death penalty on a juvenile who committed a crime between the ages of sixteen and eighteen was not unconstitutional.

The second revolution of the juvenile justice system, served to grant children in the juvenile court almost all of the same due process rights of adults,

The Third Revolution

With the United States Supreme Court granting due process rights to juveniles in the 1960s and 1970s, almost comparable to the rights of adults in the criminal court, the doctrine of parens patriae was seriously diminished, although not totally discarded. From a legal standpoint the original mold of the juvenile court was now broken. While the non-punitive, benevolent, and rehabilitative goals of the court remanded in place, the legal process governing the court was now similar to the criminal court.

A third revolution of the juvenile court took place in the 1980s. Replicating the adult criminal court's move towards harsher and more punitive sentences, the juvenile court similarly adopted a "control model." While, the early court primarily focused on treatment and the protection of the child, the control model also advocates the protection of society. For example, the Family Court Act of the State of New York, which previously provided that the purpose of the Court was to "consider the needs and best interests of the child" was amended to include "the need for protection of the community" (F.C.A., Sec. 301.1). As noted by Trojanowicz and Morash (1992: 181-3), "There is a growing trend to revise juvenile justice statutes that have traditionally emphasized rehabilitation as the primary purpose of court intervention."

Examples of this trend include:

1. All states now have waiver provisions by which certain juveniles can be tried in the adult criminal court for very serious crimes. When in the adult court, the juvenile receives all of the due process rights of an adult, but faces more punitive sanctions than in the juvenile court.
2. A number of states now permit juveniles of 16 or 17, who are tried in the adult criminal court, to face the death penalty. In Stanford v. Kentucky, 492 U.S. 361 (1989), the Supreme Court ruled that the imposition of capital punishment on a juvenile who committed a murder between the ages of 16 and 18 is permissible.
3. Some states have moved to "determinate sentencing" both for adults and juveniles. Unlike earlier sentencing in the juvenile court, which was extremely flexible and usually based on the juvenile's treatment needs, "determinate sentencing provides fixed forms of sentences for offenses. The terms of these sentences are generally set by the legislature rather than determined by judicial discretion (Bartollas, 1999).

4. A significant number of states have increased their sanctions in sentencing juvenile delinquents. As found by Feld (1988: 821), "in at least ten states, preambles to the juvenile law have been changed to focus on 'public safety, punishment, and individual accountability' as objectives." The Office of Juvenile Justice and Delinquency Prevention (1999) reported that:

During the 1980s, the public perceived that serious juvenile crime was increasing and that the system was too lenient with offenders. Although there was substantial misperception regarding increases in juvenile crime, many states responded by passing more punitive laws. Some laws removed certain classes of offenders from the juvenile justice system and handled them as adult criminals in criminal court. Others required the juvenile justice system to be more like the criminal justice system and to treat certain classes of juvenile offenders as criminals but in the juvenile court.

The juvenile court has moved virtually full circle from a rehabilitative and treatment- oriented focus to a concentration on accountability and punishment. Albanese (1994: 185) commented on the changed philosophy of the juvenile court, remarking that:

> *. . . .the last hundred years has seen the process of juvenile justice undergo a complete and cyclical change: from the treatment of all juveniles as adults to the invention of the juvenile court and the rehabilitative model to the due process model to where we are now almost back to where we started. It is ironic, but in the 1990s we are closer to treating juveniles as adults than at any time since the turn of the century.*

Today's juvenile court is so different from the original court, and more similar to the criminal courts than at any prior in the past century. This turnabout is causing many to ask whether a separate juvenile court is any longer needed.

In McKeiver v. Pennsylvania, 403 U.S. 528 (1971), Justice Blackmun writing for the majority warned that:

If the formalities of the criminal adjudicative process are to be superimposed upon the juvenile court system, there is little need for its separate existence. Perhaps that ultimate disillusionment will come one day, but for the moment we are disinclined to give impetus to it.

As the juvenile courts increasingly mirror the adult criminal courts, Justice Blackmun's concerns become increasingly important. Whether or not the juvenile court has been made obsolete by these revolutionary changes is a crucial question that must be answered.

REFERENCES

Albanese, J.S. (1994). Dealing With Delinquency: The Future of Juvenile Justice, 2nd ed. Chicago: Nelson-Hall.

Bartollas, C. (1999). Juvenile Delinquency, 5th ed. Boston: Allyn & Bacon.

Bartollas, C. & Miller, S.J. (2001). Juvenile Justice in America, 3rd ed., New Jersey: Prentice-Hall.

Bowen, J.T. (1925). The Early Days of the Juvenile Court. In, The Child, The Clinic and the Court. N.Y.: Johnson Reprint Corp.

Brace, C.L. (1880). The Dangerous Classes of New York, and Twenty Years Among Them, 3rd ed. N.Y.: Wynkoop & Hallenback.

Breed v. Jones, 421 U.S. 519 (1975).

Collier, J. & Barrows, E. (1914). The City Where Crime is Play: A Report by the People's Institute. New York, pp. 14-18.

Dressler, D. (1969). Practice and Theory of Probation and Parole (2nd ed.) New York: Columbia University Press.

Dunham, W.H. (1958). The Juvenile Court: Contradictory Orientations in Processing Offenders. From: Cavan, ed., Readings in Juvenile Delinquency. New York: J.P. Lippincott, Co.

Ernst, R. (1965). Immigrant Life in New York City, 1825-1863. Port Washington, N.Y.: Ira J. Friedman, Inc.

Family Court Act of the State of New York, Section 301.1, N.Y.: Looseleaf Publications.

Feld, B.C. (1988). The Juvenile Court Meets the Principle of Offense: Punishment, Treatment, and the Difference it Makes. Boston University Law Review, 68:5, (Nov.) pp. 821-915.

Flexner, B. (1910) The Juvenile Court as a Social Institution. The Survey (Feb).

Folks, H. (1902). The Care of Destitute, Neglected, and Delinquent Children. N.Y.: Macmillan.

Holt, M.I. (1992). The Orphan Trains: Placing Out in America. Lincoln, Nebraska: The University of Nebraska Press.

Illinois Statute 1899, Section 131.

In re Gault, 387 U.S. 1 (1967): Citing Justice Fortas.

In re Winship, 397 U.S. 358 (1970).

"Juvenile Jusice: A Century of Change" (December 1999). 1999 National Report Series. Juvenile Justice Bulletin. Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Justice.

Kent v. United States, 383 U.S. 541 (1966), Citing Justice Fortas.

Krisberg, B., & Austin, J. (1978). The Children of Ishmael. Palo Alto, CA

Mack, J.W. (1925). The Chancery Procedure in the Juvenile Court. The Child, The Clinic and the Court. N.Y.: New Republic.

McKeiver v. Pennsylvania, 403 U.S. 203 (1972), Citing Justice Blackmun.

Nasaw, D. (1985). Children of the City: At Work and At Play. Garden City, N.Y.: Anchor Press/Doubleday.

New York State Probation Commission for the Year 1917, Eleventh Annual Report (1918). Albany, N.Y.: J.B. Lyon Co.

Platt, A.M. (1977). The Child Savers: The Invention of Delinquency, 2nd ed. Chicago, IL: University of Chicago Press.

Riis, J.A. (1997). How The Other Half Lives. New York, N.Y.: Penguin Classics.

Schall v. Martin, 104 S.Ct. 2403 (1984).

Siegel & Senna (2000). Juvenile Delinquency: Theory, Practice and the Law. 7th ed. Belmont, CA.: Wadsworth.

Stanford v. Kentucky, 492 U.S. 109 S. Ct. 2969 (1989).

Tappan, P.W. (1962). Justice for the child: The Juvenile Court in Transition, edited by Rosenheim, Margaret Kenny. New York: The Free Press of Glencoe.

Thompson v. Oklahoma, 102 S. Ct. 2687 (1988).

Trojanowicz, R.C. & Morash, M. (1992). Juvenile Delinquency, Concepts and Control, 5th ed. New Jersey: Prentice Hall.

Whitman, C.S. (1916). 9th Annual New York State Probation Commission.❐

***Charles Lindner** is a Professor at the John Jay College of Criminal Justice.*

Violent and Non-Violent Probationers:

DO THEY REALLY DIFFER?

BY MAGNUS J. SENG, LORETTA J. STALANS AND MICHELLE REPP

Introduction

Criminology and criminal justice, not to mention the general public, have always shown an interest in violent crime and the violent offender. The criminological literature in particular evidences this focus in various theoretical approaches to violence and violent offenders (See for example, Spencer, 1966, Wolffgang, 1969 ; Mulvihill and Tumin, 1969; Katz,1988, Bell and Bennett, 1996, Zimring, 1998 Riedel and Welsh, 2002). The criminal justice literature approaches the issue from a more practical standpoint, seeking ways to deal with the violent offender (President's Commission on Law Enforcement and Administration of Justice, 1967; National Commission on the Causes and Prevention of Violence, 1977, Wilson, 1995, Schmalleger, 1999). While the criminal justice approaches to dealing with the violent offender deal with both adults and juveniles, adult violent offender programming tends more to incarceration and post incarceration programming.

Pre-incarceration programs especially probation for violent adults focus on felony offenders and not specifically for violent offenders (Petersilia, 1997). Juvenile violent offender programs, on the other hand, reflect an emphasis on keeping the violent offender in the community (Fagan, 1990, Champion, 2001). There is a dearth of literature on violent adult offenders on probation. One of the more comprehensive reviews of probation research literature (Perersilia, 1997) has limited discussion of violent offenders on probation except to note that they are often excluded from intermediate sanctions and other community-based programming except for intensive supervision probation. A recent article by Olson and Stalans (2001) does focus on violent offenders on probation but limits its focus to comparing domestic violence offenders to other violent probationers.

Most studies examining the predictors of violent recidivism while violent offenders are serving a probation sentence have concentrated on domestic batterers (e.g., Aldarondo & Sugarman, 1996; Bennett, Goodman, & Dutton, 2000; Kropp & Hart, 2000; Goodman, Dutton, & Bennett, 2000; Shepard, 1992). The current study takes a broader approach and seeks to examine whether violent adult probationers differ from other probationers and if so in what ways. This broader approach adds to the literature addressing whether criminal offenders specialize in committing certain crimes or whether criminal offenders participate in a wide range of criminal activity. Prior research has drawn mixed conclusions on whether criminal offenders are specialists or generalists. In a study comparing arrested burglars and arrested violent offenders, Farrington and Lambert (1994) concluded that "while there was a great deal of versatility in offending, there was also some specialization, since half of the burglars had a previous conviction for burglary and half of the violent offenders had a previous conviction for violence. Other research also has found evidence of specialization, though the majority of violent offenders are generalists (Farrington, Snyder, & Finnegan, 1988; Lattimore, Visher, & Linster, 1995; Osgood, Johnston, O'Malley, & Gachman, 1988; Simon, 1997; Weiner, 1989). When nonviolent and violent offenders are compared, studies have concluded that most violent offenders do not exclusively or consistently limit their criminal activity to violent crimes (Holland & McGarvey, 1984) and have a similar criminal background as repeat nonviolent offenders (Capaldi & Patterson, 1996). Piquero (2000) corrected design limitations in previous studies and compared frequent nonviolent offenders to frequent violent offenders. He found that frequent violent offenders are quite similar to frequent nonviolent offenders.

Studies examining specialization issues have used prospective designs or sample of arrestees. Our focus in on nonviolent and violent offenders on probation and addressed several practical questions. Compared to probationers convicted of nonviolent crimes, do probationers convicted of violent crimes (violent probationers): (a) have different needs, (b) have significantly different criminal histories, (c) receive different court imposed conditions, (d) have different outcomes, and (e) do they specialize in violent offending? If they are found to not be significantly different from other probationers, then the limits to participation in selected community based treatment programs often imposed on violent offenders could legitimately be reassessed.

Methodology

Data for this study were obtained from a survey of Illinois adult probationers discharged from probation during a four week period in November and December, 1997 and yielded data on a total of 3,364 probationers. The survey was conducted by the Illinois Criminal Justice Information Authority in collaboration with the Probation Division of the Administrative Office of the Illinois Courts. Unlike crime and most other criminal justice data, there appeared to be no seasonality associated with this discharge data. Probation officers were asked to refer back to their case files and completed the survey on the probationers' information such as basic demographics plus substance abuse and criminal history, offense characteristics, sentencing and court imposed conditions, and case outcomes. All sections of the state, urban, suburban and rural, were represented.

Definition of Violent Probationers

Research often identifies violent offenders based on the type of offense for which the probationer is currently on probation (current offense). While this is a good starting point, it is inadequate in our view, in two ways. The current offenses included as "violent" are often limited to the more traditional offenses such as homicide, robbery, assaults, batteries, domestic violence and sexual assaults. It is our contention that there are many other current offenses that have either obvious (e.g. aggravated arson) or hidden (e.g. violation of an order of protection) violent aspects to them that are best included in the list of violent current offenses.

The second way the designation of violent offenders based on current offense is inadequate is that it does not take into account prior criminal history, particularly, prior arrests for violent offenses. A probationer on probation for burglary, for example, could have had a prior arrest for a violent offense and, as such could legitimately be designated a violent offender. Criminal history information was obtained from Illinois Department of Law Enforcement "rap sheets" by Authority staff and made available for this study.

With these prior limitations in mind, we reviewed the offense data from the survey and identified 37 violent offenses. The definition of violent offender used in this study included those offenders whose current offense is identified as violent or any offender who has a history of any violent offenses as identified through rap sheet analysis. Offenses that qualified as violent crimes included: first and second degree murder, involuntary manslaughter, reckless homicide, armed or unarmed robbery, aggravated battery, battery, reckless conduct, domestic battery, aggravated assault, aggravated arson, aggravated unlawful use of weapon, unlawful use of weapon, unlawful use of weapon by felon, aggravated discharge of a firearm, harassment, mob action, intimidation, unlawful restraint, violation of an order of protection, and violation of an Illinois Bail Bond.1 Attempted crimes for these offenses as well as specific versions of these offenses such as those against a police officer or child were also included.2 The most frequent crimes were domestic battery (N = 311) and some form of battery (including aggravation, N = 190), with 52.1 percent of the violent probationers placed on probation for a misdemeanor crime and the remainder placed on probation for a felony including six offenders serving probation for some

form of homicide. In addition, offenders placed on probation for criminal damage to property against an intimate adult partner or family member were included as violent offenders because such charges are common part of domestic violence offenses. Similarly, offenders charged with a probation violation against an adult family member or intimate partner were included as violent offenders. The number of discharged probationers designated as violent offenders using the above criteria totaled 1,385. Other offenders designated as "non-violent offenders" in this report totaled 1,948 for total sample size of 3,333 discharged probationers.

The preliminary analyses were restricted to bivariate analysis using the Chi Square statistic as an indicator of significance. Six categories of variables were analyzed: demographic variables; social status and mental health adjustment; criminal history; offense characteristics; supervision strategies including court ordered conditions; and probation outcome. It should be noted that one characteristic of the Chi Square statistic is that large samples may yield significant differences even when the actual differences expressed in percentages are small. Because of this we elected to establish the following guidelines for designating a relationship as significant: Differences in percentages must exceed 5 percent and probability levels (p values) must be at least .001. Our analyses also examined differences in probation outcomes using multivariate logistic regression.

Findings

Demographic variables

Violent and non-violent offenders differed on four of the five static demographic characteristics found in Table 1. Although the two groups did not differ on average age (violent offenders, 31.9; non-violent offenders 30.3) significantly fewer of the violent offenders on probation (14.4 percent) were under age 21 than was the case for the other probationers (25.2 percent), X2 (3) = 61.70, p <001. This finding does not support the public's view that violent offenders are young teenagers. While the vast majority of discharged probationers in both groups were male, significantly fewer violent offenders (13.6 percent) than other probationers (25.7 percent) were female, X2 (2) = 71.54, p < .001. This is consistent with most profiles of female offenders. As shown in Table 1, a similar percentage of violent and non-violent offenders were Hispanic. However, a significantly higher percentage of the violent offenders compared to non-violent offenders were African-Americans, X2 (3) = 30.00, p < .001. A final demographic difference between the two groups was that more of the violent offenders (53.0 percent) than other offender (40.8 percent) had parented children, X2 (2) = 42.68 p < .001. Violent and non-violent offenders did not differ on marital status.

Social Status and Mental Health Adjustment

We examined eight characteristics of social status or mental health adjustment, which are described in Table 2. Violent and non-violent

Table 1: Comparison of Violent and Non-violent offenders Discharged from Probation on Demographic Characteristics

Demographic Characteristic	Violent Offenders (valid percentages)	Non-violent offenders (valid percentages)
Age*		
Under 21	195 (14.4%)	468 (25.2%)
21-30	475 (35.2%)	600 (32.3%)
31-40	410 (30.3%)	429 (23.1%)
Over 40	271 (20.1%)	358 (19.3%)
Female Probationers*	**186 (13.6%)**	**495 (25.7%)**
Race*		
African/American	536 (38.7)	590 (30.3%)
Hispanic	192 (13.9%)	261 (13.4%)
White	632 (45.6%)	1064 (54.6%)
Marital Status at Intake		
Divorced/Separated/Widowed	256 (19.8%)	321 (17.8%)
Married/Remarried	316 (24.5%)	375 (20.8%)
Never Married	718 (55.7%)	1106 (61.4%)
Number of Children Parented*		
None	559 (47.1%)	993 (59.2%)
One	255 (21.5%)	298 (17.8%)
Two or More	374 (31.5%)	386 (23.0%)

*$p < .001$

offenders were similar on six of the eight characteristics and differed only on educational status and prior psychiatric treatment. Table 2 presents the percentages and frequencies for each group.

Violent and other probationers did not differ on employment status or income level at intake. The majority in both groups were employed either full time or part time, but income levels were low. About a third of the probationers were making $5,000 or less annually. Over two-thirds of the probationers in both groups did not have children living with them at time of intake. This percentage was reduced to approximately 50 percent for female probationers in both groups, indicating that child care is a key factor

Table 2: Comparison of Violent and Other Probationers Discharged from Probation

Social and Mental Health Status	Violent Offenders (valid percentages)	Non-violent offenders (valid percentages)
Employment Status at Intake		
Employed Full or Part time	789 (60.0%)	1126 (60.9%)
Unemployed/Looking	411 (31.2%)	547 (29.6%)
Out of Labor Force/Student	116 (8.8%)	175 (9.5%)
Income at Intake		
$5,000 or less	374 (34.1%)	517 (32.7%)
$5,000-$10,000	119 (10.8%)	201 (12.7%)
$10,001- $14, 999	165 (15.0%)	249 (15.7%)
$15,000-$19,999	144 (13.1%)	215 (13.6%)
$20,000-$24,999	109 (9.9%)	133 (8.4%)
$25,000-$29,999	66 (6.0%)	79 (5.0%)
$30,000 or more	120 (10.9%)	189 (11.9%)
Living Alone	221 (17.4%)	300 (16.5%)
Gang Member	94 (8.2%)	86 (5.2%)
No. of Children Living w/Probationer		
None	780 (66.7%)	1153 (69.8%)
One	163 (13.9%)	224 (13.6%)
Two or More	226 (19.3%)	276 (16.7%)
Educational Status at Intake*		
No High School Diploma	588 (48.0%)	674 (38.5%)
High School or GED	473 (38.6%)	759 (43.4%)
Some College	164 (13.4%)	316 (18.1%)
Alcohol Abuse		
No	664 (61.0%)	963 (64.3%)
Yes	424 (39.0%)	535 (35.7%)
Illicit Drug Use		
No	783 (57.0%)	1079 (55.8%)
Yes	590 (43.0%)	854 (44.2%)
Prior Psychiatric Treatment*		
No	1021 (83.6%)	1528 (88.9%)
Yes	201 (16.4%)	190 (11.1%)

for female probationers. Finally, the great majority of both types of offenders were living with family or friends at intake. These findings suggest that the basic needs of these probationers as reflected in employment and income are the same for both violent and other probationers.

Measures of social and mental health adjustment were limited to the probationers' self-reports of having a history of alcohol or illicit drug abuse and whether or not the offender had a history of psychiatric treatment. More in-depth information is often not found in probation files. As shown in Table 2, a little over one third of the probationers in each group had a history of alcohol abuse. Around 43 percent of offenders in each group had a history of drug abuse. One might have expected a higher percentage of non-violent offenders than violent offenders to have a history of illicit drug abuse since over a third of the other probationers were convicted of drug offenses. These findings indicate that drug abuse is a problem for both types of probationers. The drug of choice in both groups was primarily marijuana with drugs other than marijuana taken by only a fifth of offenders in both groups. These findings do not support the media's characterization of violent offenders as "crack heads" led into violence by crack cocaine.

Violent offenders differed from non-violent offenders on educational status and prior psychiatric treatment. Almost half (48.0 percent) of the violent offenders had not completed high school while this was the cases for a little over a third (38.5 percent) of the non-violent offenders, $X2\ (2) = 28.96$, $p < .001$. The vast majority of probationers in both groups did not have a history of psychiatric treatment, but slightly more of the violent offenders (16.4 percent) than non-violent offenders (11.1 percent) did so, $X2\ (1) = 17.99$, $p < 001$. These findings indicate that offender needs are remarkably similar in both groups particularly in regards to employment and substance abuse. On the other hand, violent offenders on probation compared to non-violent offenders on probation tended to be older, African-American and Caucasian men who had not completed high school but had parented children.

Criminal History

Prior criminal history variables included the total number of arrests, number of arrests for drug or property offenses, the number of convictions and the number of probation sentences. Because data on prior criminal history in the survey responses appeared unreliable, prior criminal history data were obtained from a review of Illinois Department of Law Enforcement records, commonly called "rap sheets." These data were incomplete in that data were missing on approximately 23 percent of the cases. No demographic or offense characteristic were significant predictors of whether a rap sheet was available or not. In a logistic regression, three variables were significant predictors, but only explained 7 percent of the variance and less than 1 percent of those who did not have a rap sheet were accuracy classified. Offenders on standard probation were less likely to have a rap sheet,

Table 3: Comparison of Violent and Non-Violent Probationers on Criminal History Variables

Criminal History Variables	Violent Offenders (valid percentages)	Non-violent offenders (valid percentages)
Total Prior Arrests*		
None	111 (9.2%)	399 (38.2%)
One	176 (14.6%)	279 (26.7%)
Two	174 (14.5%)	163 (15.6%)
Three or More	741 (61.6%)	204 (19.5%)
Prior Drug Arrests*		
None	807 (66.9%)	1024 (81.3%)
One	209 (17.3%)	147 (11.7%)
Two	98 (8.1%)	56 (4.4%)
Three or More	92 (7.6%)	33 (2.6%)
Prior Property Arrests*		
None	651 (54.0%)	947 (75.3%)
One	253 (21.0%)	191 (15.2%)
Two	109 (9.0%)	66 (5.4%)
Three or More	192 (15.9%)	53 (4.2%)
Prior DUI Arrests		
None	1095 (90.8%)	1127 (89.4%)
One or more	111 (9.2%)	143 (10.6%)
Total Prior Convictions*		
None	521 (43.6%)	740 (70.6%)
One	278 (23.2%)	192 (18.3%)
Two	171 (14.3%)	67 (6.4%)
Three or More	226 (18.9%)	49 (4.7%)
Prior Adult Probation Sentences*		
None	643 (53.8%)	784 (74.8%)
One	332 (27.8%)	183 (17.5%)
Two	133 (11.1%)	54 (5.2%)
Three or More	88 (7.4%)	27 (2.6%)

*p < .001

offenders who used marijuana or both marijuana and illicit hard drugs were more likely to have a rap sheet, and those classified as a violent offender were more likely to have a rap sheet. It is our belief that the pattern of findings on criminal history variables reported here would not be essentially altered were complete data available, given the unpredictability of who had a rap sheet missing.

There were statistically significant differences between the violent and other probationer on five of the six criminal history variables. ***Table 3*** presents the frequencies and valid percentages within each group on all of the criminal history measures. A much higher percentage of violent offenders (61.6 percent) than non-violent offenders (19.5 percent) had a history of three or more prior arrests, and non-violent offenders were more likely to have no prior arrests. Because prior arrests for violent offenses were included in the definition of a violent offender, this definition may contribute to the difference between the groups. When we examine only the cases that had no prior arrests for violent crimes, the difference observed at three or more prior arrests disappears (violent, 11.7 percent; other, 19.5 percent) and the relationship at no prior arrests also becomes less dramatic and reverses (violent = 52.1 percent, non-violent = 38.2 percent), X2 (3) = 15.99, $p < .001$. This is more realistic since it is reasonable to expect that many probationers in both groups would have a prior arrest history.

However, there were significant differences by type of prior arrest in ways that confirm that violent offenders do not restrict their offending to violent offenses. As shown in Table 3, a significantly higher percentage of violent offenders had at least one prior arrest for a drug offense and had at least one prior arrest for a property crime. Violent offenders on probation were much more likely to have a history of two or more prior convictions (33.2 percent) than non-violent offenders on probation (11.1 percent). The majority of probationers in both groups had not been on probation before. However, violent offenders on probation were also significantly more likely to have been on probation two or more times before. Overall, these findings indicate that the violent probationers studied here had a more extensive criminal history than other probationers.

Offense Characteristics

The specific offense characteristics examined compared the two groups on offense class, whether or not a weapon was used and specific victim variables including the number, age and gender of victims and the relationship of the offender to the victim. Finally, we examined differences in initial risk classification. With the exception of victim age, there were significant differences between the two groups on all of the offense characteristics. The vast majority of victims in both groups were adults (violent group, 81.1 percent; other group 82.6 percent).

The majority (54.1 percent) of violent offenses were misdemeanors and the majority (45.5 percent) of the other offenses were felonies, X2 (2) = 23.86, $p < .001$. This is likely due to a number of factors. The number of serious violent offenses (e.g. murder, robbery, assault) was small. Also, domestic battery which had the highest frequency within the violent offense group is a Class A misdemeanor in Illinois unless certain conditions are met.3 On the other hand, many property offenses and drug offenses that have high frequencies within the other offense group are felonies. Even when classification of violent offenses is restricted to the more traditional listing than the one we have used in this study, the percentage distribution remains in the same direction, that is the majority of violent offenses are misdemeanors. An additional observation is that the court is often reluctant to grant probation to violent felony offenders. As we note later in this report, this should be considered when excluding violent offenders from participation in various community programs.

In the vast majority of offenses a weapon was not used but violent offenders were significantly more likely to use a weapon (24.6 percent) than were non-violent offenders (1.9 percent), X2 (1) =388.15, $p < .001$. Violent offenders were much more likely to have one or more victims in their current offense (53.0 percent) than was the case for non-violent offenders (15.0 percent), X2 (3) = 591.92, $p < .001$. Most violent offenses involved only one victim. The majority of other offenses (85 percent) were classified by probation staff as having no victim, a curious finding given the presence of drug and property crimes in the offender group. As noted, 15 percent of other offense were classified as having a victim(s). While about a third (34.6 percent) of the victims of non-violent offenders were female, two-thirds (66.7 percent) of the victims of violent offenders were female X2 (2) = 106.92, $p < .001$. This gender difference may reflect the substantial proportion of domestic violence offending.4 Interestingly, a much higher percentage of other offenses involved both male and female victims (21.7 percent) than was the case (3.6 percent) of violent offenses. A substantially higher percentage of violent offenders (60.7 percent) were involved in a domestic relationship with the victim than was the case (12.1 percent) for non-violent offenders, X2 (1) 163.71, $p < .001$. Finally, violent offenders were more likely (65.4 percent) than non-violent offenders (30.4 percent) to be initially classified as maximum risk and only 6.2 percent of violent offenders compared to 20.2 percent of non-violent offenders were classified as minimum risk, X2 (2) = 323.6, $p < .0001$. This is likely partly due to a common practice of automatically classifying offenders with a current violent offense as maximum risk because of the offense, but also due, no doubt, to other factors as indicated by the differences noted above. Clearly the offense characteristics and criminal history of the violent offenders studied differ substantially form those of non-violent offenders.

Supervision Strategies and Court Ordered Conditions

A number of options are available to the court in addition to placing an offender on probation. Many probation orders have special conditions attached that require the probationer to pay restitution, pay probation fees, pay court costs, pay restitution, participate in drug screening (urinalysis), participate in a variety of treatment programs, serve specific number of hours in community service, and observe a curfew. In addition, the probationer may be assigned to a variety of specialized caseloads that provide special services and heightened supervision not usually provided under standard probation.

We used Chi Square analysis to test whether the court placed different conditions on violent offenders. We found statistically significant differences between violent and non-violent offenders on five of the ten variables representing court ordered conditions. While the vast majority of probationers were on standard probation, not surprisingly, a significantly higher

percentage of violent offenders (24.4 percent) were assigned to specialized caseloads (intensive probation or domestic violence units) than was the case for non-violent offenders (8.2 percent), X2 (3) = 256.49, p < .001. Interestingly, only 88 non-violent offenders (5.2 percent) were assigned to specialized DUI or drug caseloads despite the fact that 56.6 percent of non-violent offenders were convicted of either DUI or drug offenses. However, a significantly higher percentage of non-violent offenders (30.8 percent) were required to participate in drug screening (urinalysis) compared to violent offenders (24.9 percent), X2 (1) = 13.01, p < .001, and a significantly higher percentage of non-violent offenders (50.5 percent) than violent offenders (39.5 percent) were ordered into substance abuse treatment, X2 (1) = 39.21, p < .001. Though both violent and non-violent offenders had a similar need for substance treatment and monitoring of drug use, the court was more likely to order treatment and urinalysis for non-violent offenders. The court probably did not have information about substance abuse and illicit drug use of many violent offenders because treatment evaluations are often not used at the sentencing stage. The difference in court ordered substance abuse and urinalysis occurs because of lack of information and the court's reliance on the convicted offense. Overall, however, significantly more of the violent offenders (64.1 percent) than non-violent offenders (54.8 percent) were ordered into some type of treatment X2 (1) = 28.64, p < .001; this difference reflects the fact that 29 percent of the violent offenders were ordered into domestic violence treatment.

Violent and non-violent offenders received similar court orders to pay restitution, court costs and probation fees. Restitution was part of the probation order in about 20 percent of the cases in both groups. Seventy percent in both groups were required to pay supervision fees and 52 percent in both groups were required to pay court costs. However, more of the non-violent offenders (54.2 percent) were assessed fines than violent offenders (48.6 percent), X2 (1)= 9.69, p < .003. Employed non-violent offenders compared to employed violent offenders were more likely to receive fines, with a difference of 11 percentage points. When the current offense was a misdemeanor, 79.3 percent of employed non-violent offenders were assessed a fine compared to 68 percent of employed violent offenders, X2 (1) = 15.41, p < .001. When the current offense was a felony, 58.3 percent of non-violent employed offenders compared to 47.6 percent of violent employed offenders were assessed a fine, X2 (1) = 6.5, p < .01. There were no significant differences between the groups when the offenders were unemployed, p < .23.

Overall, 23.9 percent of non-violent offenders and 19.3 percent of violent offenders were ordered to perform community service, which is not a statistically significant difference. From a practitioner's view, however, the court is often reluctant to order community service for violent offenders so we further explored this possibility. Both non-violent and violent offenders who committed a misdemeanor offense had a similar likelihood of receiving a community service order. However, when the current offense was a felony, 32.2 percent of non-violent offenders compared to 22.4 percent of violent offenders received a community service order, X2 (1) = 12.4, p < .001. This difference was stable across employment status and relationship of the offender to the victim. There also was a difference between violent offenders and non-violent offenders based on geographical location. In suburban areas surrounding Chicago, 48.3 percent of non-violent offenders were ordered to complete community service whereas only 24 percent of violent offenders received this order, X2 (1) = 14.97, p < .001. In rural areas, about 22 percent of both non-violent and violent offender groups received community service, p < .52. In Cook County, which includes Chicago, community service was ordered for 24 percent of non-violent offenders and 19.2 percent of violent offenders, which is not a very substantial or significant difference, X2 (1) = 3.71, p < .054. Thus, violent offenders received differential treatment and were less likely to receive community service orders if they lived in the suburban areas surrounding Chicago or committed a felony. Finally, in both groups curfew was ordered for approximately 4 percent of the offenders.

These findings indicate that the court does impose different conditions for violent offenders, most notable the likely assignment of violent offenders to specialized caseloads, and some type of treatment. On the other hand, the court in suburban areas is more reluctant to order community service for violent offenders. Moreover, substance abuse treatment and screening are more likely to be imposed on non-violent offenders, even though violent and non-violent offenders have a similar need for such conditions. This, no doubt, is due to the fact that more of the other offenses than violent offenses involved drugs. In addition, many community based drug treatment programs restrict participation of violent offenders.

Probation Outcomes

To what extent do violent offenders differ from other probationers on probation outcome? Are violent offenders less successful on probation than non-violent offenders and if so in what ways? Probation outcomes such as technical violations and filing of a Violation of Probation Petition (VOP) are not pure measures of probationers' noncompliance; these measures also reflect probationer officers' discretionary decision making. Typically, probation officers first provide informal warnings and then may file a VOP for more persistent noncompliance.

We first used Chi Square analysis to examine probation outcomes. Table 4 presents the frequencies and percentages within the violent offender and non-violent offender samples on 14 probation outcomes. Table 4 shows that violent offenders and non-violent offenders differed on only 6 of the 14 probation outcomes. The groups were similar on discharge status, probation revocations and use of administrative sanctions. The majority of both groups received a positive discharge, about 15 percent had their probation revoked, and about 20 percent spent some time in jail while on probation. Table 4 also indicates that the groups also had similar rates of technical violations for missed office appointments, nonpayment of fees, and drug or alcohol use. The groups also had similar rates of arrests for any new crime six months after their probation discharge.

A greater percentage of violent offenders (46.5 percent) than non-violent offenders (39.2 percent) received one or more technical violation during supervision, X2 (1) = 16.62, p < .001. As noted above, the groups did not differ on the reason for such violations such as drug use, missed appointments or nonpayment of fees. However, of those offenders ordered into any type of treatment, more violent offenders (32.1 percent) than

non-violent offenders (21.1 percent) received technical violations for noncompliance with treatment orders, X2 (1) = 30.76, p < .001.

The samples of violent and non-violent offenders also differed on arrests rates while serving their probation sentence. Violent offenders were more likely to have an arrest for a non-traffic crime (6 percent point difference), an arrest for any new crime (10 percent point difference), and an arrest for a violent crime (10 percent point difference). While almost half of the violent offenders were arrested for a crime including traffic offenses, only 18 percent of the violent offenders were arrested for a new violent crime while on probation. These findings suggest that the violent and other offenders differ only slightly in patterns of arrests while on probation.

Moreover, we conducted a Chi Square analysis controlling for whether offenders had no prior arrests or at least one prior arrest to determine if the differences in arrest rates disappeared when criminal history was controlled. The Chi Square was significant for both the first time offender comparison and the experienced offender comparison on whether a violent crime was committed while serving the probation sentence (20.7 percent of first time violent offenders compared to 9 percent of first time non-violent offenders

Table 4: Comparison of Violent and Other Probationers Discharged from Probation

Probation Outcomes	Violent Offenders (valid percentages)	Non-violent offenders (valid percentages)
Discharge Status		
Positive	807 (65.0%)	1229 (69.6%)
Negative	435 (35.0%)	536 (30.4%)
Probation Revoked	199 (16.2%)	273 (15.7%)
Administrative Sanctions Used	128 (9.8%)	209 (11.3%)
Petitions to Revoke Probation Filed*	456 (32.9%)	526 (27.0%)
Number of Technical Violations*		
None	697 (53.5%)	1115 (60.8%)
One	341 (26.2%)	430 (23.5%)
Two	131 (10.1%)	149 (8.1%)
Three or more	133 (10.2%)	139 (7.6%)
Technical Violation Drug Use	112 (8.1%)	169 (8.7%)
Technical Violation Missed Appointments	243 (17.5%)	304 (15.6%)
Technical Violations Nonpayment of Fees	219 (15.8%)	320 (16.4%)
Technical Violations Noncompliance w/Treatment*	285 (32.1%)	225 (21.1%)
Any New Arrest While on Probation*	671 (48.8%)	734 (38.6%)
Non-Traffic Arrests While on Probation*	400 (31.0%)	452 (25.1%)
New Arrest for Violent Crime While on Probation*	246 (17.9%)	145 (7.6%)
Six Month Post Discharge Arrests	201 (16.7%)	177 (14.1%)
Days in Jail While on Probation		
None	1018 (80.9%)	1492 (84.1%)
Up to a Month	119 (9.5%)	158 (8.9%)
Between One and Two Months	46 (3.7%)	44 (2.5%)
Between Two and Three Months	25 (2.0%)	31 (1.7%)
More Than Three Months	51 (4.1%)	50 (2.8%)

*p < .001

and 17.6 percent of experienced violent offenders compared to 7.3 percent of experienced non-violent offenders, p < .001). Within the first time offender group, violent and non-violent offenders had similar arrest rates for non-traffic offenses (violent = 23.3 percent, non-violent = 20 percent) and for any new crime while on probation (violent = 40.5 percent, non-violent = 36.3 percent), p < .40. Within the experienced group, violent offenders while on probation were more likely to commit a non-traffic crime (31.6 percent) than were non-violent offenders (26.4 percent), X2 (1) = 8.7, p < .002. Within the experienced group, violent offenders also were more likely to commit any new crime while serving their probation sentence (49.5 percent) than were non-violent offenders (39.2 percent), X2 (1) = 29.78, p < .0001. Thus, these findings suggest that experienced violent offenders are more likely to commit crimes while on probation than are experienced non-violent offenders whereas first time violent and non-violent offenders have similar arrest rates.

Table 5: Logistic Regression Predicting New Arrests While on Porbation

Predictors	Non-Traffic New Arrests	Any New Arrests	New Arrests for Violence
	b Odds Ratio	b Odds Ratio	b Odds Ratio
Income Level	-.10 (.90)***	-.09 (.92)***	-.12 (.89)**
Offender's Age	-.02 (.98)***	-.03 (.97)***	.50 (1.66)**
Education Level	-.44 (.64)***	-.53 (.59)***	-.45 (.63)**
Never Married	.56 (1.74)***	.34 (1.41)**	
Male Offender		.39 (1.47)**	
Race (African American)			
Caucasian Offender		-.63 (.54)***	
Hispanic Offender		-.79 (.45)***	
Other Race		-.50 (.60)	
County (Rural is Baseline)			
Suburban Area	-.25 (.77)		
Urban Area	.31 (1.37)*		
Chicago/Cook	.24 (1.27)		
Drug Use (None is baseline)			
Marijuana only	.35 (1.42)**	.28 (1.33)*	
Harder Illicit drugs	.48 (1.62)*	.71 (2.03)***	
Marijuana and Hard Illicit Drugs	.66 (1.93)***	.78 (2.19)***	
Used a Weapon			.58 (1.79)**
Prior Psychiatric Treatment	.33 (1.38)*		
Number of Treatments Ordered		.21 (1.23)**	
Gang Membership (None)			
Gang Member	1.08 (2.94)***	1.03 (2.81)***	
Unknown whether Gang Member	.69 (1.98)***		
Total prior arrests	.04 (1.05)***	.06 (1.06)***	.02 (1.02)
Initial Risk Assessment			
Maximum vs. Medium/Low			.64 (1.90)***
Specialized Supervision			.54 (1.71)**
Violent vs. Non-violent Offender	.25 (1.28)*	.20 (1.23)a	.58 (1.79)**
Constant	-1.15	.27	-2.30
Model X2	276.83***	448.27***	135.92***
Total Sample Size	2004	2188	1900

Superscript symbols indicate two-tailed probability level: * < .05, ** < .01, *** < .001, a = .052; Information in parentheses by the Predictor Category indicates the baseline value.

Given that violent and non-violent offenders differed on demographics and criminal history, it is necessary to test whether the statistically significant differences on probation outcomes are spurious and due to criminal history, demographic or offense characteristics. Table 5 presents logistic regressions on non-traffic arrests, any new arrest, and new arrests for violent crimes while offenders were serving their probation sentence. The numbers under the "b" column represent unstandardized logistic coefficients and the odds ratio is presented in parentheses. Initial logistic regressions tested all variables using stepwise procedure. We then conducted a second logistic regression that used force entry to enter all significant variables from the stepwise procedure in order to reduce the number of missing cases and to check on moderating effects. In all models we controlled for total number of prior arrests because it was significantly related at the

bivariate level and the violent and non-violent offender groups had different prior arrest histories. To reduce missing cases, we used median substitution on the total number of prior arrest variable. Preliminary analyses using the original prior arrest predictor did not differ substantially from the analyses presented in Table 5 and 6.

As shown in Table 5, even after controlling for significant demographic, background, offense and criminal history predictors, violent offenders are 1.28 times more likely to have a new arrest for a non-traffic crime and 1.79 times more likely to have a new arrest for a violent crime, than non-violent offenders. Controlling for other characteristics reduced, but did not eliminate the difference in arrest rates. On the comparison of any new arrests, including traffic offenses, while on probation, the difference between violent and non-violent offenders is almost eliminated.

The first column of Table 6 presents the unstandardized coefficients from the ordinary least squares regression predicting number of technical violations. The second column of Table 6 presents the unstandardized coefficients and in parentheses the odds ratio of the logistic regression model predicting whether a violation of probation petition was filed. The last column of Table 6 presents the logistic regression model predicting treatment noncompliance, which was conducted using only offenders who were ordered to participate in some kind of treatment. We conducted these analyses in the same manner as described above. As shown in Table 6, after controlling for significant demographic, background, offense and criminal history predictors, violent and non-violent offenders did not significantly differ on number of technical violations, whether a violation of probation petition was filed or treatment noncompliance. This finding suggests that violent offenders and non-violent offenders are similar on their tendency to comply or not comply with probation conditions.

Summary and Conclusions

The key question this study addressed was whether violent probationers differed from other non-violent probationers. A total of 44 variables in six categories were examined and statistically significant differences between violent and other discharged probationers found for 22 of the variables. While one can conclude from these findings that violent probationers do

Table 6: Logistic and OLS Regressions Predicting Probation Outcomes

Predictors	No. of Technical Violations	Filed a Violation of Probation Petition	Treatment Non-Compliance
	B	b Odds Ratio	b Odds Ratio
Income Level	-.04***	-.11 (.90)***	-.11 (.89)***
Offender's Age	-.01***	-.02 (.98)***	-.02 (.97)**
Education Level	-.22***	-.47 (.63)***	-.44 (.65)**
Male Offender			.48 (1.61)**
Race (African American)			
Caucasian Offender		-.46 (.63)***	
Hispanic Offender		-.38 (.69)*	
Other Race		-.87 (.42)	
County (Rural is Baseline)			
Suburban Area	.39***	.74 (2.09)***	.78 (2.19)***
Urban Area	.14*	.24 (1.28)	.20 (1.22)
Chicago/Cook	-.16**	-.01 (.99)	.47 (1.59)**
Taken Illicit Drugs	.24***		
Drug Use (None is baseline)			
Marijuana only			.60 (1.82)***
Harder Illicit drugs			.24 (1.27)
Marijuana and Hard Illicit Drugs			.30 (1.36)
Used a Weapon			
Number of Treatments Ordered	.20***	.51 (1.67)***	.65 (1.91)***
Gang Member	.29***		
Unknown whether Gang Member	.34***		
Total prior arrests	.02		.01 (1.01)
Specialized Supervision	.23***		
Violent vs. Non-violent Offender	-.003	.06 (1.06)	.23 (1.25)
Constant	.83	-.05	-1.85
R2	.16***		
Model X2		196.33***	143.64***
Total Sample Size	2004	2306	1416

Superscript symbols indicate two-tailed probability level: * < .05, ** < .01, *** < .001.

indeed differ from other probationers, some differences are more important than others. For example, while there were some differences between the two groups on demographic variables, most of these differences (3/5) were in static variables (age, gender, race).

We can also learn from the absence of statistical difference. Overall, violent and non-violent offenders appeared to have the same basic needs for better employment opportunities so that they are not living in poverty, though violent offenders were more likely to be a high school dropout. Similarly, both types of offenders had a similar history of substance abuse, particularly drugs, but the court was more likely to mandate substance abuse treatment and random drug screening as probation conditions for non-violent offenders. Though a substantial percentage of violent offenders (40 percent) were ordered into substance abuse treatment and one-quarter were mandated to participate in random drug screening, judges need to order the necessary drug abuse screenings so that differential treatment can be eliminated. Violent offenders compared to non-violent offenders also were less likely to have community service as part of their probation order when sentenced by a suburban court or when they committed a felony. These findings have policy implications. Community service sends the important message that the offender has offended against and harmed society not only the individual victim. Previous research also found that judges were less likely to sentence domestic batterers compared to other violent offenders to community service (Olson & Stalans, 2000). Thus, it appears that judges could fruitfully examine this apparent tendency to provide differential treatment.

Not surprisingly, one key area of difference was in criminal history. Violent offenders had a greater number of previous convictions and probation sentences than the non-violent offenders. A greater percentage of violent offenders compared to non-violent offenders also had a prior arrest for a property crime and a prior arrest for a drug crime. Consistent with previous research (e.g., Farrington et al., 1988; Lattimore et al., 1995; Simon, 1997, Weiner, 1989), this finding suggests violent offenders on probation do not specialize in committing only violent crimes, but participate in a wide range of criminal activity. Our research extends the literature on specialization by examining a large representative sample of violent and non-violent probationers. Studies on specialization have often used prospective designs with young children or samples of arrestees. The criminal history data suggests that violent probationers are more likely to have prior experience with the criminal justice system but, on the other hand, the needs are the same for both groups.

One of the more important areas of comparison is on probation outcomes. The key observation in this regard is that violent probationers and non-violent probationers have similar outcomes on following probation conditions and receiving sanctions for noncompliance. The major difference was that violent offenders were more likely to be arrested for a non-traffic crime or a violent crime while serving their probation sentence but the differences in frequency were low. Moreover, violent and non-violent offenders who had at least one prior arrest for any crime differed on arrest rates for non-traffic offenses whereas violent and non-violent offenders who were first time offenders had similar rates for non-traffic crimes while on probation. Another key observation is that violent and non-violent offenders did not differ on arrest rates for the six months after their probation discharge.

Specialized probation programs and community based treatment programs that automatically exclude violent offenders from participation might want to review their policies in light of the low rate of violent offending while on probation. Moreover, some specialized programs have been created to supervise violent offenders and often determine eligibility by the current convicted offense. These specialized programs cannot be justified by the needs or risk of noncompliance with probation orders. Violent and non-violent offenders had similar needs such as better employment and substance abuse treatment and monitoring as well as similar risk of committing technical violations. However, violent offenders compared to non-violent offenders did have a significantly higher arrest rate for non-traffic crimes and violent crimes while on probation, which may warrant more intensive monitoring. In the current research, it is noteworthy that 7.6 percent of the offenders classified as non-violent based on previous criminal history and current offense were arrested for a violent crime. This finding indicates that though the use of prior criminal history as well as current offense is an improvement over only using current offense, it still does not capture all violent offenders. Probation programs should seriously reconsider the appropriateness of assigning offenders to specialized probation programs based on their current convicted offense. The extra resources that are required for specialized programs, moreover, cannot be justified by the substantially higher risk of violent offenders as a group. Resources may be better allocated to the development of risk assessment tools that provide accurate classification of an offender's risk of committing new crimes while on probation.

References

Aldarando, E. and Sugarman, D. B. (1976).Risk marker analysis of the cessation and persistence of wife assault. Journal of Consulting and Clinical Psychology, 64, 1010-1019.

Bennett, L., Goodman, L. and Dutton, M.A. (2000). Risk assessment among batterers arrested for domestic assault: The salience of psychological abuse. Violence Against Women, 6(11), 1190-1203.

Bell, G. B., and Bennett, W. J. 1996. The State of Violent Crime in America. Washington, D. C.: Council on Crime in America.

Capaldi D. M. & Patterson, G. R. (1996). Can violent offenders be distinguished from frequent offenders: Prediction from childhood to adolescence. Journal of Research in Crime and Delinquency, 33(2), 206-231.

Champion, D. J. 2001. The Juvenile Justice System: Delinquency, Processing and the Law. Upper Saddle River. New Jersey: Prentice Hall.

Fagan, J.A. 1990. " Treatment and Reintegration of Violent Juvenile Offenders : Experimental Results. Justice Quarterly 7:233-263.

Farrington, D. P., Snyder, H. N. & Finnegan, T. A. (1988). Specialization in juvenilecourt careers. Criminology, 26, 461-487.

Farrington, D. P. & Lambert, S. (1994). Differences between burglars and violent offenders. Psychology, Crime, & Law, 1(2), 107-116.

Goodman, L.A., Dutton, M.A. and Bennett, L. (2000). Predicting repeat abuse among arrested batterers: Use of the Danger Assessment Scale in the Criminal Justice System. Journal of Interpersonal Violence, 15(1), 63-74

Katz, J. 1988. Seductions of Crime. New York: Basic Books Inc.

Kropp, P.R. and Hart. S. D. (2000). The spousal assault risk assessment (SARA) guide: Reliability and validity in adult male offenders. Law and Human Behavior, 24(1). 101-118.

Lattimore, P. K., Visher, C. A. & Linster, R. (1994). Specialization in juvenile careers: Markov results for a California cohort. Journal of Quantitative Criminology, 10, 291-316.

Mulvihill, D. J., Turmin, M.M., and Curtis, L.A. 1969. Crimes of Violence. The President's Commission on Causes and Prevention of Violence. Washington,

D.C.: U.S. Government Printing Office

National Commission on the Causes and Prevention of Violence. Final Report. 1970. New York: Praeger.

Olson, D. E. and Stalans, L. J. 2001. "Violent Offenders on Probation: Profile, Sentence, and Outcome Differences Among Domestic Violence and Other Violent Probationers". Violence Against Women. 7 : 1164-1185.

Osgood, D. W., Johnston, L. D., O'Malley, P. M. & Bachman, J. G. (1988). The generality of deviance in late adolescence and early adulthood. American Sociological Review, 53, 81-93.

Petersilia, J. 1997. Probation in the United States. In Micahel Tonry, Editor, Crime and Justice : A Review of Research.Vol. 22. Chicago: University of Chicago Press

Piquero, A. (2000). Frequency, specialization, and violence in offending careers. Journal of Research in Crime and Delinquency, 37(4), 32-418.

President's Commission on Law Enforcement and Administration of Justice, (1967). The Challenge of Crime in a Free Society, Washington, D.C.: U.S. Government Printing Office.

Riedel, M. and Welsh, W. 2002. Criminal Violence: Patterns, Causes and Prevention.Los Angeles: Roxbury Publishing Company.

Schmalleger, F. 1999. Criminal Justice Today. Englewood Cliffs, New Jersey: Prentice Hall.

Shepard, M. (1992). Predicting batterer recidivism five years after community intervention. Journal of Family Violence, 7(3), 167-178.

Simon, L. M. J. (1997). Do criminal offenders specialize in crime types? Applied & Preventive Psychology, 6(1), 35-53.

Spencer, C.A.. 1966. Typology of Violent Offenders. Sacramento: CA, California Department of Corrections.

Stalans, L.J., Seng, M, Repp, M. and Olson, D. (2002) "Predicting Violent Offender's Recidivism While on Probatiobn: A Classification Tree Analysis. Paper presented to the Academy of Criminal Justice Sciences , Anaheim, CA.

Weiner, N. A. (1989). Violent criminal careers and violent career criminals: An overview of the research literature. In N. A. Wiener & M. E. Wolfgang (Eds). Violent Crime, Violent Criminals (pp. 35-138). Newbury, CA: Sage.

Wolfgang, M.E., and Ferracuti, F. 1969. The Subculture of Violence. London: Tavistock Publishing.

Zimring, F.E. 1998. American Youth Violence, New York: Oxford University

Endnotes

[1] Illinois Bail Bond is a specific law that requires offenders charged with domestic battery or other domestic violence crime to refrain from contact with the victim for 72 hours or their bail bond is revoked.

[2] There were 31 offenders who were not included in the sample because there are different predictors of sex offender's violent recidivism.

[3] A separate analysis of domestic violence and non-domestic violence violent offenders found that 71.4 percent of domestic violence violent offenses were misdemeanors compared to 39.3 percent of non-domestic violence violent offenders.

[4] Eighty percent of the domestic violence violent offenses involved a female victim compared to 37 percent of non-domestic violence violent offenders. Similarly, 88.6 percent of sex offenses involved a female victim. ❐

Magnus J. Seng *and* ***Loretta J. Stalans*** *are with Loyola University in Chicago.* ***Michelle Repp*** *is with the Illinois Criminal Justice Information Authority.*

Calendar of Events

2004

Mar. 22-24	2004 Symposium on Integrated Justice Information Systems, Hyatt Regency Crystal City, Washington, DC. Visit www.search.org for more information.
Mar. 23-25	Working Together for Victims of Crime, Kentucky's 2004 Victim Assistance Conference, Marriott's Griffin Gate, Lexington, KY, For further information, call Denise Hancock (502) 696-5312.
Mar. 22-25	Foundation Skills for Trainers, A live, 32-Hour Satellite/ Internet Training Program. Complete registration information at www.nicic.org.
Mar. 24-26	Sustainability: Defining a Legacy, Creating Community Peace Institute for Community Peace, A National Immersion Training, The Westgate Hotel, San Diego, CA, Contact ICP@InstituteforCommunityPeace.org or by phone: (202) 393-7731. Apply online at www.peacebeyondviolence.org.
Mar. 28-31	31st National Conference on Juvenile Justice, Las Vegas, NV. Visit www.ndaa-apri.org for more information.
Apr. 7-9	4th International Conference on Domestic Violence, Sexual Assault and Stalking, Holiday Inn - On The Bay, San Diego, CA. For details visit www.stopdv/ upconf.htm.
Apr. 18-24	Office for Victims of Crime National Crime Victims' Rights Week. Visit www.ojp.usdoj.gov/ovc for more information.
May 12-14	Gains 2004 National Conference, The Flamingo Hotel, Las Vagas, NV. Visit the GAINS Website at www.gainsctr.com to register or obtain more information.
May 23-25	National Adolescent Perpetration Network 19th Annual Conference, Portland, OR. Contact (303)864-5192 for more information.
Jun. 2-4	Research and Practice In Victim Services, The Second American Symposium on Victimology, Washburn University in Topeka, KS. For more information contact American Society for Victimology, c/o Joint Center on Violence and Victim Studies (785) 231-1010 ext 1242.
Jun. 4-9	Middle Atlantic States Correctional Association 2004 Annual Conference & Training Institute, Crowne Plaza Hotel, Albany, NY. Contact Edward Szostak at (518)783-1641 or visit www.corrections.com/masca for more information.
Jun. 7-11	Child Welfare League of America 2004 Mid-west Region Training Conference & National Juvenile Justice Summit "Making Children a National Priority," Indianapolis, Indiana. For more information, email medwest@cwla.org or (312) 291-0235 or visit http://www.cwla.org/ conferences/.
Jun. 14-16	NLECTC's 5th Annual Innovative Technologies for Community Corrections Conference, Fairmont Copley Plaza Hotel, Boston, MA. Contact Joe Russo at (800) 416-8086 or jrusso@du.edu. Visit www.nlectc.org/ training/commcorr.html for more information.
Jul. 18-21	Probation and Community Corrections Officers' of Australia 2004 Conference, Alice Springs, Northern Territory, Australia. Contact Tony Hill at (617) 3247 3200 phone, (617) 3247 3201 fax or email tony.hill@dcs.qld.gov.au.
Jul. 25-28	**American Probation and Parole Association 29th Annual Training Institute, Orlando Marriott World Center, Orlando, FL. Contact Kris Chappell at (859) 244-8204 or kchappell@csg.org for more information.**
Jul. 31-Aug. 5	American Correctional Association 134th Congress of Correction, Chicago, IL. Contact Conventions Dept. (800) 222-5646 x-1922 or visit www.aca.org.
Aug. 5-7	International Institute for Restorative Practices 2nd Annual Conference, Vancouver, British Columbia, Canada. Visit www.iirp.org for more information.
Sep. 17-18	Affiliated Training Institutes, Domestic Violence, Elder Abuse, Child Maltreatment, Youth Violence, Sexual Assault. Visit www.fvsai.org for more information.
Sep. 19-22	Family Violence Conference and Pre-Conference Workshops, 9th International Conference on Family Violence Advocacy, Assessment, Intervention Research, Prevention and Policy. Contact the Conference Office for pricing and availability by calling 858-623-2777 or via email fvconf@alliant.edu
Oct. 3-6	New England Council on Crime and Delinquency 65th Annual Training Institute, Sunday River Grand Summit Resort Hotel & Conference Center, Bethel, Maine. Contact Mae Eischens-Worcester, President NECCD, (207)273-5129, mae.worcester@maine.gov

To place your activities in Calendar of Events,
please submit information to:
Darlene Webb
American Probation and Parole Association
P.O. Box 11910, Lexington, KY 40578
or fax to (859) 244-8001
email: dwebb@csg.org
Information must to be received no later than four months prior to event to be included in the calendar.

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

Nonprofit Organization
U.S. Postage
PAID
Lexington, KY 40578
Permit No. 355