

PERSPECTIVES

the journal of the American Probation and Parole Association



Volume 29

Number 1

Winter 2005

Dealing with **Hard Core** **Drinking Drivers**



Predictive of delinquency

Responsive to change



The first step in helping a conduct-disordered youth is to understand his or her specific needs. Troubled youths are frequently labeled delinquent, conduct-disordered, or asocial. To meet the specific needs of different types of troubled youth, it is crucial to be able to identify the different subgroups.

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PRESIDENT'S MESSAGE

As this message is written, some of us have had family members, friends, and peers suffering through the forth hurricane of the season. We at APPA wish to express our heartfelt thoughts and prayers for all of our colleagues in the Southeast as they recover from what has been a devastating summer weather-wise. In addition, other areas of the Caribbean have experienced the fallout from the hurricanes and we also offer those folks our thoughts and prayers.

Florida was also hit hard by an incident in which a probationer, in concert with others, committed a heinous crime resulting in multiple deaths. APPA offers our condolences to the family and friends of the victims, as we would for all victims of crime. For as we all know, it is often the victims, their loved ones, and their friends who are often overlooked when crime occurs. The focus is more on the crime and not what the victims and others are facing. However, the fact remains that individuals, with no regard for the life of others, took the lives of innocent people.

Many of you read articles about the crime that occurred and the resulting dismissals of four Florida probation and parole staff. I will not comment on the dismissals. However, I will comment on the fact that once again, the probation, parole and community corrections system(s) has come under attack as failing due to the actions of an individual under our supervision. The focus is not only on the crime, but also on the perception that the probation and parole system failed. Unfortunately few people take the time to point out all the successful cases and the positive work being done by probation, parole and community corrections professionals.

And Florida is not the only place where the system is or has been blamed for the actions of individuals who commit heinous offenses while on community-based supervision. We have all seen such occurrences all over the country. It is most unfortunate that headlines often blare: "Parolee murders . . ." or "Person on probation commits . . ." Wouldn't it be nice to see more headlines and articles that educate the public on all the positive aspects of community-based supervision?

Thus, it is imperative that as a profession, we – the professionals – trumpet our successes. We must market by letting the communities we serve know about the positive work we do. We must highlight the successful cases and the offenders who are contributing to their communities as a result of the work both they and their supervising officer do to change the offending behavior. We assist not only the offenders, but also their families, we work closely with various treatment and service providers, we provide the treatment ourselves, we assist the communities we live and work in, and most importantly we aid the victims of crime and those associated with victims.

I would also like to talk a bit about the association. As to the association and the work of the Executive Committee and Board of Directors, I am pleased to let you know that we are making progress on several fronts. The budget situation continues to improve, albeit slowly, but then again we all know that improving a budget outlook is never quick, nor easy. In Orlando at the 2004 Annual Institute, the Board of Directors (Regional Representatives, Committee Chairs, and Affiliate Representatives) began to develop a strategic plan that will focus on the association and the role that these individuals play within that plan. Again, this will be a slow process and will require ongoing work by all involved.

Speaking of the 2004 Annual Institute, it was a great success! Carmen Rodriguez (the Program Chair) and her program committee and Don Pittman and his cohorts from Florida did an excellent job of putting on a wonderful institute. Needless to say, APPA staff deserve a great deal of credit for all the work they do for an institute and on behalf of the association year-round. The Revenue Enhancement committee continues to explore new and exciting ways to create revenue for APPA. Their work on the raffle in Orlando resulted in a very successful event with many happy winners. The 2005 Winter Institute in Anaheim is shaping up nicely with Joe Russo, the Program Chair, putting together a very strong program. The folks working on the 2005 Annual Institute for New York City are also working diligently to make that institute a rousing success.

Folks, let us not hesitate to let our communities know all the contributions we make both professionally and personally. And let us not hesitate to let the communities we serve and live in know that our system is vibrant, successful, and improving each day to ensure that offender supervision occurs in the most effective manner possible.

Be safe and have safe travels.



Drew Molloy

A stylized, handwritten signature in black ink that reads "Drew Molloy". The signature is fluid and cursive, with a long, sweeping underline.



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Instructions to Authors

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

Articles should be submitted in MS Word or WordPerfect format on an IBM-compatible computer disk, along with 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:

Summer 2005 Issue – February 19, 2005 • Fall 2005 Issue – May 20, 2005 • Winter 2006 Issue – August 21, 2005 • Spring 2006 Issue – November 11, 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.

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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.

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We seek to create a system of Community Justice where:

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Results are measured and direct our service delivery;

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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.



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EDITOR'S NOTES

In this issue of *Perspectives*, we present articles and information that touch on some of the most critical and challenging areas of our work. This just reinforces for me the significance of probation and parole in today's society, and the great contributions we can and do make every day.

Recent efforts to reduce the blood alcohol concentration (BAC) for driving under the influence demonstrate that we as a society continue to be concerned about drunk driving. In this issue, we focus on one aspect of the problem – the chronic, high BAC drunk drivers. It seems to me that this is an area of much greater risk, and also of much greater potential for significant improvements in traffic safety.

In our lead article, Robertson and Simpson summarize the findings of their report on supervision of hard core drunk drivers. This report, the fourth in a series, notes that the chronic, high BAC drunk drivers cause a high proportion of drinking-related traffic fatalities. In the same way that the risk principle in Evidence-Based Practices directs us to focus on high risk criminal and delinquent offenders, we need to target the hard core drunk drivers. The report also notes that the system for dealing with drinking drivers is an interdependent, multi-agency endeavor, which requires collaboration and coordination. The hard core drunk driver knows very well how the system works and is very skilled at manipulating it to avoid consequences.

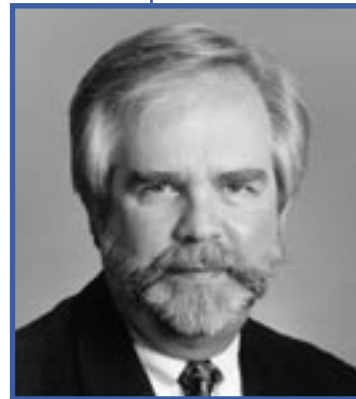
In a companion article, Robertson and Simpson describe the establishment of a coalition of groups representing all aspects of the justice system to reform the DUI enforcement, sanctioning and supervision process. Building on the interdependent nature of this process, the coalition will be working toward system improvements through coordination, knowledge sharing and action planning. APPA is a member of the coalition and a full partner in this effort.

We are also pleased to include the announcement that APPA has entered into a co-operative agreement with the National Highway Traffic Safety Administration to conduct a project on the supervision of DUI offenders. The project will gather information on effective strategies, compile them and disseminate the information to the field. The goal is to reduce DUI recidivism, and thus improve traffic safety, through improved community supervision. This is another example of the active role that your association plays in learning from you and helping you improve the effectiveness of your services in order to make our communities safer.

Recent issues of *Perspectives* have contained a number of articles related to mental health issues, particularly with juvenile offenders. This is a critical and extremely challenging issue. For a powerful statement of why this is so, just read the first paragraph of the article by Hosley, Hosch and Heiserman. This article describes a project in Ramsey County, Minnesota that incorporates three critical elements of effective community corrections practice. They provide services to mentally ill youth using two evidence-based models, they work together in a partnership, and they report on the outcomes of the services. The good news is that delivering evidence-based models in a collaborative way produced good results with a very difficult population. That's what it is all about! This project should be a model that all of our programs and services should follow.

In his article on organized crime and federal probation in New York, Mark Jones notes the problem of defining "organized crime." While reaching agreement on a definition may be an interesting exercise, one thing that is for certain is that probation and parole professionals across the country are encountering increasing numbers of offenders that are "organized" – in gangs. Jones describes some of the traditional gangs and some of the newly emerging groups. As he notes, gangs are no longer just a big city problem. A recent article in the New York Times described the invasion of a Hispanic gang into rural Shenandoah County, Virginia. Jones provides some interesting and thought provoking suggestions for supervision of gangs. No matter what we call them, offenders who are organized pose a daunting and dangerous challenge.

The dangers that are inherent in our work involve both citizens in our communities and our staff. Both of these are addressed briefly in this issue. The risks faced by probation and parole staff in seemingly ordinary circumstances are touched on by Bob Thornton in his Spotlight on Safety column. In the President's Message, Drew Malloy notes the professional risk to staff when an offender under our supervision commits a serious crime in the community. These incidents reinforce the urgent need for all of us to be ever vigilant, to stay up to date on the latest information, and to do our best to ensure that probation and parole both fulfill our obligations and achieve our great potential. We hope that this issue of *Perspectives* helps you in that quest. As always, we welcome your feedback on this, your professional journal.



William Burrell

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CALL FOR NOMINATIONS

Nomination for executive officer positions:

Nominations for the following executive officer positions will be accepted at the Board of Directors meeting on February 13, 2005 in Anaheim, California:

President-elect Vice President Secretary Treasurer

Two candidates for each executive office shall be nominated by members of the Board of Directors. The slate of candidates selected by the Board of Directors will then be presented to the full membership for selection during a regularly scheduled election.

Candidates for president-elect are required to be a member of the APPA Board of Directors for a minimum of two years prior to election. Candidates accepting a nomination for executive officer must provide a black and white photograph and formal statement of approximately 500 words outlining their interest in becoming an officer, accomplishments to be performed during their term and their future directions for the organization for insertion on the ballot.

Nomination for regional director positions:

All active individual, affiliate or agency members are encouraged to nominate individuals to serve as regional directors from the following regions for a period of 3 years.

Region	States represented in Region	Present Incumbent
Region 1	Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont	James D. Alves
Region 2	New York	Robert Sudlow
Region 4	Maryland, Virginia, Washington DC, West Virginia	Thomas H. Williams
Region 6	Georgia, North Carolina, South Carolina	Rhonda Grant
Region 7	Alabama, Florida, Louisiana, Mississippi, Puerto Rico, Tennessee	Bryan Jack
Region 8	Indiana, Kentucky, Michigan	John Thorstad
Region 10	Iowa, Minnesota, Wisconsin	Ken Smid
Region 13	Colorado, Nebraska, North Dakota, South Dakota, Wyoming	Janice Vazonis
Region 14	Arizona, Nevada, New Mexico, Utah	Cris Spiegel
Region 15	Alaska, Idaho, Montana, Oregon, Washington	Greg Pease
Region 16	American Samoa, California, Guam, Hawaii, Mariana Islands, Palau, Philippines	Roger Tobey

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

(a) *an active member in good standing, willing and able to fulfill the duties of the office for which nominated, and be willing and able to serve in the office for the length of time necessary to fulfill the duties of the office.*

Nominations must be received in writing by **April 1, 2005**. Members are encouraged to nominate themselves for regional director positions. This position offers members an opportunity to present and discuss issues germane to the field and set the course for future initiatives for your association. Candidates accepting a nomination for regional director must provide a biography or statement of fewer than 150 words, which will be included on the ballot.

The schedule below will be followed for the 2005 election:

December - March	Call for nominations for regional director positions.
February 13	The Board of Directors selects two candidates for each executive officer position.
April 1	Cut off date for nominations for regional director positions.
April 8	Nominations committee selects two candidates for each regional director position from those nominated and prepares ballot.
May 25	Election ballot, containing candidates for executive officers positions and regional director's positions, is mailed first class to each current member.
June 18	Last day for ballot postmark.
June 23	Ballots counted.
July 12	All candidates notified by mail of election results.
July 27	Nominations Committee reports results at membership meeting

All nominations should be sent by **April 1, 2005** to:

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Chief Probation Officer
2nd District Juvenile Court
P.O. Box 325
Farmington, UT 84025
Phone: (801) 447-3973, ext. 1
Fax: (801) 447-3976
Email: ginih@email.utcourts.gov

TECHNOLOGY UPDATE

Can Technology Support all of Our Goals?

In my travels across the country working on technology issues, I often sense a deep concern among practitioners about the growing role of technology in community corrections. There seems to be a feeling that the field is being bombarded with technology solutions that may be peripheral to the essence of probation and parole. There are some who would say that the technology is being over-emphasized and the more technology we introduce into our profession the more we devalue the human element essential to our work. While I don't necessarily agree with this sentiment, it is pretty easy to understand especially if you stop to think about the most common ways that technology is currently being used in the field.

Drug testing and electronic monitoring, in their various forms, are among the first technology areas to leap to mind as they have been with us the longest. Since their introduction these technologies have rapidly advanced and proliferated to the point that we have some excellent and innovative tools at our disposal to monitor, surveil, and test offenders.

Today, we have the technology to precisely monitor offender location through GPS, mapping their movements throughout the day. We can even determine the speed in which they are traveling if that is a concern. We can reference their location data to other key location data such as where crimes have occurred within a community. We can continuously monitor an offender's use of substances through the

use of drug patches and transdermal alcohol monitors. We can remotely monitor what our sex offenders or high-tech offenders are doing while they surf the Internet. We can have offenders report in without even physically seeing them via through telephone or kiosk systems. Clearly, technology has greatly enhanced our ability to monitor offenders and these are exciting changes. Less enthralling, but equally important, is the use of technology to automate routine tasks so that officers are less burdened by paperwork and information systems which allow for easy sharing of critical data across agencies or even states.

But, for whatever reason, technology to help officer's ability to affect change in their offenders or for that matter to improve their

BY JOE RUSSO



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own skills has not been developed and applied with the same zeal. While many of the technologies mentioned can support treatment goals they were developed or at least are being used primarily for monitoring compliance. Community corrections is obviously not just about locating and tracking offenders and electronically probing and prodding them, but if you looked only at the technology being used in the field you might conclude otherwise.

Technology is nothing more than a tool developed to address a given problem in a, hopefully, better way. Technology, at least initially, seems to be better suited to accomplishing our enforcement goals but we shouldn't

dismiss its ability to support other objectives. I would argue that those of us concerned about the potential negative impact of technology on the profession might benefit from a change in perspective. Rather than dwell on what's wrong with how technology is being applied, we should consider how to better use it to accomplish the goals of the profession.

The field of community corrections needs to be more active in identifying ways in which technology can be used to accomplish all of its goals. We need open our minds to the possibilities offered by technology. The fact that many of the technologies that are currently in use support enforcement goals is

probably the result of limited imagination. We must identify ways to use technology such as computer simulations and E-learning to better train our officers when they need the training. We must be open to video-conferencing or Internet-based approaches to expand our ability to deliver treatment and other services to our offenders where they are. The technology is there; let's figure out how to put it to use. **r**

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.

American Probation and Parole Association



Associate Members

Corporations with an interest in the field of probation, parole and community corrections are invited to become APPA associate members. Like corporate membership, the goal of associate membership is to engage our corporate friends in association activities and to share information with each other.

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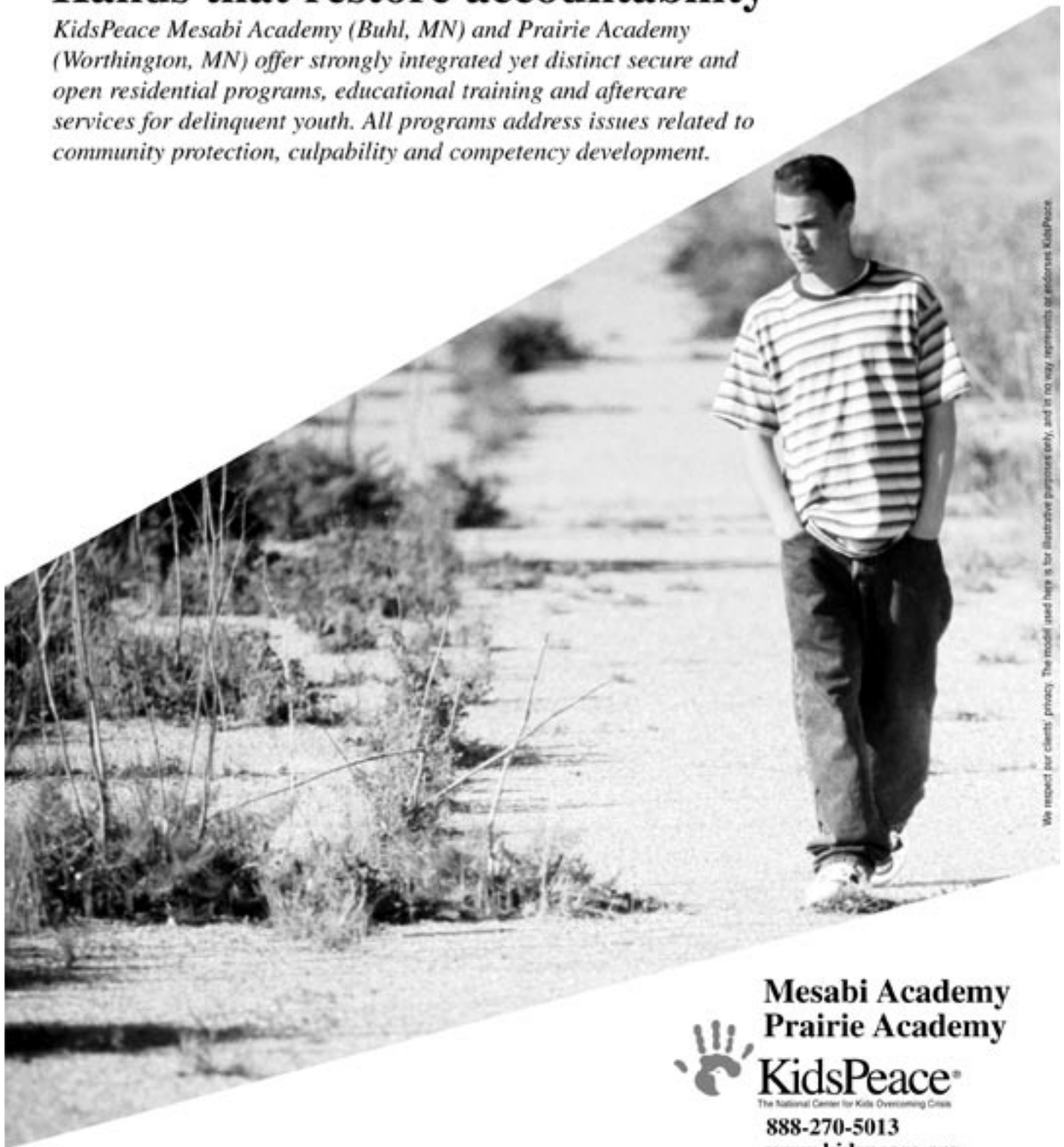
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Victim Services for Families of Murder Victims

In 2003, 16,204 people were murdered in the U.S.¹ Although an imperfect estimate, if each victim was survived by five loved ones, then over 80,000 people had to cope with this traumatic loss. This update looks at the research on “co-victims”² in cases of homicide, examining the known psychological effects of co-victimization and services that may facilitate the recovery process.

Kilpatrick, Dean G., Angelynne Amick, and Heidi S. Resnick. 1990. *The Impact of Homicide on Surviving Family Members*. Charleston, SC: Crime Victims Research and Treatment Center, Medical University of South Carolina

This study, although now quite dated, remains the most comprehensive examination of co-victims. In a representative sample of adult Americans, 410 co-victims were interviewed by telephone. Based on this sample, the researchers estimate approximately one out of every ten adults in the U.S. have lost a family member or close friend to either criminal homicide or alcohol-related vehicular homicide. Arrests were made for only 52 percent of the cases in the sample, and the overall rate of cases adjudicated guilty was 29 percent. The majority of subjects (56 percent) felt the criminal justice system treated the defendant better than they were treated. Most were dissatisfied by the way they were treated by the system, with 51 percent reporting that they were not just dissatisfied, but *very* dissatisfied. Most were dissatisfied by their lack of input into the legal process, the fairness of the sentence, and the availability of support services. The researchers found large discrepancies between co-victims’ desire for services such as personal protections, referral information and counseling and the services they actually received. They also found a link between this co-victim dissatisfaction with the criminal justice system and the occurrence of Post Traumatic Stress Disorder (PTSD). This study is in need of replication, and we can only hope that co-victims are more satisfied now than when this study was conducted.

Murphy, Shirley A., Tom Braun, Linda Tillery, Kevin C. Cain, L. Clark Johnson, and Randal D. Beaton. 1999. “PTSD among Bereaved Parents Following the Violent Deaths of their 12- to 28-Year-Old Children: A Longitudinal Prospective Analysis.” *Journal of Traumatic Stress* 12:273-291

This study reported the experiences of 171 mothers and 90 fathers whose child (between 12 and 28 years old) died violently because of accident, suicide or homicide. While all parents are at risk for developing PTSD, mothers’ risk is significantly higher than fathers’ and parents of homicide victims’ risk is significantly higher than parents of accident and suicide victims. Parents often have “re-experiencing symptoms” such as intrusive thoughts, nightmares, reminders of how the child died, and subsequent distress at symbolic events (such as birthdays or holidays). PTSD was linked in the study to higher rates of mental distress, such as depression, anxiety, hostility, more intense grief responses, lower self-esteem and self-efficacy, poorer coping strategies, less acceptance of the deaths and less social support. PTSD was also linked to poor job performance and repressive coping strategies such as pretending the death did not happen and alcohol or substance abuse.

Thompson, Martie P., Fran H. Norris, and R. Barry Ruback. 1998. “Comparative Distress Levels of Inner-City Family Members of Homicide Victims.” *Journal of Traumatic Stress* 11:223-242

The authors conducted a telephone interview with 150 co-victims in Atlanta. Ninety percent of the sample was African-American and 86 percent was female. Their experiences were compared to two control groups: one group that experienced another form of trauma in the previous five years, and one group that did not experience trauma in that time period. “The results of this study indicated that family members of homicide victims are a highly traumatized population” (p.235). The authors found that 26 percent of the co-victims were clinically distressed and significantly more likely to be distressed than either control

group. Two additional findings stand out in this study. First, co-victims are more likely to experience distress when the homicide was drug-related. The authors speculate that this may be due to increased guilt for failing to intervene in the victim’s drug involvement. Second, co-victims are more likely to experience distress when they were dissatisfied with the notification process. Their distress was least when they were told about the homicide by a friend or family member.

Asaro, M. Regina. 2001. “Working with Adult Homicide Survivors, Part I: Impact and Sequelae of Murder.” *Perspectives in Psychiatric Care* 37(3):95-101

This study and its sequel (reviewed below) are not reports of empirical studies, which are my usual focus in the Research Update. Instead, Asaro draws upon her reading of the literature and her own clinical work. She does such an excellent job of reviewing the challenges faced by co-victims in this article, and identifying intervention strategies in the next, that I believe it is important to share her conclusions.

First, she distinguishes between the losses suffered by co-victims and the many reactions they may have to these losses. Accompanying the loss of the victim may be losses such as losing a confidante, a sense of personal control, faith or religion, social isolation, family disintegration or conflict, or income generated by the victim or spent on medical procedures to save the victim. The intense grief reactions to such a loss may last three to five years, and may include distress over how the victim died, a desire to know all the facts surrounding the murder, feelings of guilt or self-blame for not preventing the death, and doubts about personal safety and meaning in life. Often co-victims feel rage and a desire for revenge, and feel stigmatized or alienated by the reactions of friends and coworkers as well as by media coverage. Notably, Asaro points out numerous ways in which grief by co-victims is exacerbated by criminal justice proceedings, from the way they are notified

BY DAVID R. KARP

about the death to court proceedings, sentencing and corrections.

Asaro, M. Regina. 2001. "Working with Adult Homicide Survivors, Part II: Helping Family Members Cope with Murder." Perspectives in Psychiatric Care 37(4):115-124, 136

Although this article is directed at clinicians, it is helpful for any professional who may come into contact with co-victims to understand the goals of the therapeutic interventions outlined in this article. In particular, Asaro reviews the "six R processes" that lead to healthy grieving. Note that these are goals of treatment, and not the assumed experiences of all co-victims. First, co-victims *Recognize* the loss, then *React* to the separation by describing the circumstances of the death and expressing feelings about the loss. Third, co-victims will *Recollect* and re-experience the relationship to one of presence to one of memory. Fourth, co-victims *Relinquish* old attachments, verbalizing how the world and their worldview have changed. Fifth, co-victims *Readjust* to move adaptively into the new world without forgetting the old. And sixth, co-victims *Reinvest* their emotional energy into other areas such as relationships, causes or ideas that provide meaning and satisfaction. Asaro's concluding advice to clinicians may be helpful to other professionals as well: "With appropriate knowledge, therapists can better assist their clients in coping with the traumatic aspects of the death, processing the loss, proceeding through the tasks of grieving, minimizing the secondary victimizations and/or losses that may occur in the aftermath and facilitating post-traumatic growth" (p.123).

Umbreit, Mark S., Robert B. Coates, Betty Vos, and Kathy Brown. 2002. Victim Offender Dialogue in Crimes of Severe Violence: A Multi-Site Study of Programs in Texas and Ohio. St. Paul, MN: Center for Restorative Justice & Peacemaking, School of Social Work, University of Minnesota

Restorative justice initiatives has become widespread in the last decade. Many states now have programs for victim offender dialogue in cases of homicide. This study examines the first two programs developed on a statewide basis and operated through victim services in departments of corrections. Seventy-nine interviews were conducted representing 46 crimes (39 offenders, 40 victims or co-victims), 65 percent of which were homicides. Co-victims primarily participated because they sought "information and answers to lingering ques-


tions about the crime; to express the impact of the crime to the offender; to experience more human, face-to-face, interaction with the offender; and, to advance the healing process of the victim or family member" (p.3). For both offenders and victims, the vast majority reported major life changes as a result of the meeting, such as a more positive outlook on life, a greater sense of peace, personal growth, and healing. "Virtually all victims and offenders who participated in the programs in Texas and Ohio found the dialogue process to be helpful" (p.4).

Endnotes

¹U.S. Department of Justice, Federal Bureau of Investigation, *Crime in the United States, 2002*, Table 2. http://www.fbi.gov/ucr/cius_02/html/web/offreported/02-table02.html

² Spungen, Deborah. 1998. *Homicide: The Hidden Victims*. Thousand Oaks, CA: Sage. □

David R. Karp is an Associate Professor of Sociology at Skidmore College in Saratoga Springs, NY.



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Wackenhut has over 38,000 employees and its headquarters in Palm Beach Gardens, Florida consists of highly qualified personnel. They are dedicated to providing the organization with a competitive edge - an advantage that enables Wackenhut to realize its vision of being recognized as the premier U.S. provider of contract services to the business, commercial and government markets.

Wackenhut is excited about our corporate membership with APPA. The major advantage for Wackenhut is to listen to and engage APPA membership to meet the ever changing demand for quality services, secondly to assist, improve and maintain the industry's high standard and finally, to become a respected partner within the probation and parole community across the nation.

We welcome and look forward to the opportunity to meet with all APPA members!

A Special Note: As of July 2003, The Wackenhut Corporation's former subsidiary, Wackenhut Corrections Corporation (WCC), became a fully independent company. One of the terms of the sale required WCC to change its name to avoid any confusion with that of its former parent, The Wackenhut Corporation. Neither The Wackenhut Corporation nor its parent nor associated companies own any part or are affiliated in any way with "Wackenhut Corrections Corporation" known today as "The Geo Group." The Wackenhut Corporation's service menu does not include the privatization and management of prisons and jails.



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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.



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PROJECT ANNOUNCEMENT

Community Supervision of Impaired Driver Offenders

The American Probation and Parole Association (APPA) is pleased to announce that it has entered into a cooperative agreement with the National Highway Traffic Safety Administration (NHTSA) to conduct a project on the community supervision of impaired driver offenders. The purpose of the three-year project is to develop recommended guidelines and protocols for the community supervision of offenders accused or found guilty of driving while impaired (DWI) by alcohol or other drugs. The goal of the project is to reduce DWI recidivism through improved community supervision of pre- and post-trial DWI offenders.

The initial stage of this three-phase project will be to gather information on current community corrections policies and practices for the supervision of pre-trial defendants or

convicted offenders. This will be accomplished through a comprehensive literature review to identify previously researched supervision challenges, effective strategies, and model programs; the administration of an online data gathering instrument; and telephone interviews.

When the data gathering process is complete, and all data have been entered into the database, trends and exceptions will be identified. The data will be scoured to discover exceptional practices, particularly those that seem to be especially effective or promising. Staff of selected programs will be asked to take part in a telephone interview to define specific practices in more detail and will attempt to obtain further understanding of the program's success.

During the second stage of the project,

data gathered from the compiled information will be used to prepare a document that will outline guidelines and model protocols for the effective community supervision of impaired driver offenders. The document will outline recommended program principles and procedures and will be illustrated with case studies on specific, proactive programs. The final project stage will involve disseminating as much information as possible about the guidelines and protocols for supervision of impaired driver offenders. If you would like additional information about this project contact:

Karen L. Dunlap,
American Probation and Parole Association
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Lexington, KY 40578 – 1910
(859) 244-8211, Fax: (859) 244-8001
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SPOTLIGHT ON SAFETY

Routine Contacts Continue to Prove Deadly

As we discuss in the APPA safety training programs, officers are not generally killed or seriously injured doing what we might consider *high-risk* tasks, such as conducting searches and making arrests. They are generally killed or injured performing *routine* duties. This reality has again been brought home by the recent deaths of a Canadian parole officer and a Kansas social worker.

On October 6, 2004, Ms. Louise Pargeter of the Yellowknife Canada Parole Office was found dead in the apartment of her offender, Eli Ulayuk. A Corrections Canada spokesperson stated it was the first time Pargeter, 34, visited Ulayuk in his home since he had been placed on full parole in June. Ulayuk, 36, was on parole for a 1988 manslaughter conviction.

News reports state that when Ms. Pargeter failed to show up for a lunch time appointment with colleagues a search was begun. Four hours after Pargeter was reported overdue, police spotted Ulayuk driving a Corrections Canada vehicle. After police tried to stop the vehicle, Ulayuk fled into the bush on foot. Six hours after the chase began, Ulayuk was found and placed under arrest. Police have charged the parolee with first degree murder.

On August 17, 2004, Teri Zenner, 26, a Johnson County Kansas Mental Health Center worker, was stabbed multiple times and died of a wound that penetrated her heart, reportedly inflicted by a 17 year old male client who was also under court supervision. The murder occurred while Ms. Zenner was making a home contact at the offender's residence where he was home alone. The alleged assailant is currently in juvenile custody, but the District Attorney is reportedly moving to charge him as an adult.

While there was "... reportedly nothing in the client's record to indicate potential violence," reports state that he had a prior conviction for carrying a concealed knife. As

we teach in the APPA safety program, a history of weapons possession combined with a history of mental health issues are red flags when reviewing a case.

This unfortunate case also underscores the need for communications between community corrections officers and other social service agencies that deal with our offenders. Having as much background information as possible is essential, not only for effective treatment but for the safety of all involved.

And, while the majority of the offenders and clients we deal with will not pose a threat to us, the grim reality is that most officers, and mental health workers, are killed or seriously injured performing routine tasks.

Our deepest sympathy to the families, and coworkers, of Ms. Pargeter and Ms. Zenner. □

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


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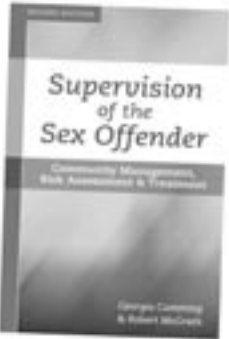
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BY ROBERT L. THORNTON

2004 APPA Award Recipients

The American Probation and Parole Association annually presents several prestigious national awards that recognize your most distinguished professional achievements and allow you to share best practices ideas with your peers. APPA is proud to acknowledge the 2004 recipients who were recognized at APPA's 29th Annual Training Institute in Orlando, Florida July 25-28, 2004.

Community Awareness Through Media Award



"Sentencing the Victim"

Joanna Katz, Victim Rights Activist
Liz Oakley, Independent Filmmaker
Charleston, SC

Sentencing the Victim is a documentary film that chronicles the deeply moving account of a young woman's struggle to take charge of her life after a brutal attack and her journey to seek justice from the courts and the parole system to hold the offenders accountable. Joanna Katz and a girlfriend were abducted in Charleston, South Carolina. Taken to an abandoned project house they were beaten, raped and tortured at gunpoint throughout the night. Despite her serious head injuries, Joanna managed to escape, contacted the police, and accompanied them to rescue her friend. More importantly, Sentencing the Victim is a success story. The film shows how Joanna's participation in the criminal justice process has been beneficial to her recovery.

President's Award

Maricopa County Adult Probation Department

Serious Mental Illness Program
Phoenix, AZ

The Maricopa County Adult Probation Department and its local partners have implemented a number of approaches to assist probationers with serious mental illness (SMI). The purpose of the specialized mental health unit of the Maricopa County Adult Probation Department is to improve the SMI offender's opportunities for success on probation through close supervision, timely case management, education and training, advocacy and effective collaboration with community agencies.

University of Cincinnati Award



Kay Harris

Associate Professor
Temple University, PA

Kay Harris has been a longstanding advocate of probation and parole as a viable and more cost efficient means of addressing public safety than tradition incarceration. Kay has worked tirelessly from Temple University since 1981 to encourage policy makers to adopt legislative and sentencing practices that are research validated. Ms. Harris has authored a total of 27 articles and 29 research reports whose topics include jail crowding, sanction theory and practice, restorative justice, and gender specific programming. Ms. Harris is not a sideline academician. She enjoys working with practitioners and finds the give and take between research and the field to be invigorating and complimentary.

Joe Kegan's Award for Victim Services in Probation and Parole



Peggy Kendrigan

Assistant Regional Chief
Division of Community Corrections
Milwaukee, WI

Ms. Kendrigan's work and passion for crime victims has changed the attitudes of many staff – agents and managers alike – in terms of how we reach out to victims and in regards to the very nature of the services and the manner in which they are provided. Ms. Kendrigan was the first to create a victim services committee for Region 3 – Milwaukee Probation and Parole. This committee was the first to address the needs of crime victims from the perspective of services through probation and parole agents. It is through Ms. Kendrigan's leadership, guidance and dedication, this committee has flourished and has changed the face of probation and parole in Milwaukee, making crime victims' rights and issues central to community supervision of offenders.

Scotia Knouff Line Officer of the Year Award



Jacqueline Forbes

Community Corrections Officer
Orange County Corrections Department
Orlando, FL

Ms. Forbes came to the Orange County Corrections Department in 1993 and in 1999 joined the department's Community Corrections Division as a Community

Corrections Officer with the Probation Unit. In 2000, she was selected to supervise the newly created prostitution mapping zone caseload. The prostitution mapping zone is a collaborative effort by Orange County criminal justice agencies to decrease prostitution in high crime areas of Orlando. Ms. Forbes consistently excels in her supervision of the prostitution mapping caseload, which is a highly demanding caseload, both in the type of cases supervised and in the special needs of its offenders. Ms. Forbes has found the perfect balance in her supervision technique that adheres to the Department's mission to provide public safety yet encourages successful offender completion of probation.

Walter Dunbar Memorial Award



Jim Bralley

Division Director – Field Operations
Georgia State Board of Pardons and Paroles
Atlanta, GA

Over 25 years ago, Mr. Bralley began his career as a parole officer working in the Atlanta area. In every position, Mr. Bralley has distinguished himself by the way he nurtures his staff and encourages innovation. Mr. Bralley's greatest contribution to the community corrections field has been his championing Results Driven Supervision (RDS), honing the technology tools that support it, and successfully moving a large organization to implement it. Mr. Bralley was also involved in the development of Case Management Technology (CMT), a model that is widely praised state-of-the-art community supervision that is focused on results and driven by data from the field to truly operationalize a "What Works" approach.

APPA Member of the Year



Thomas Moxley

Supervisor
Intensive Supervision Program
Hamilton County, OH

For more than a decade, Mr. Moxley has been a regular attendee at APPA Institutes and has been active with APPA committees. A graduate of Xavier University and member of Omega Psi Fraternity, Mr. Moxley has always been an active participant and willing to take on any assignment. Mr. Moxley developed and organized the first APPA Community Service Project held at APPA's 28th Annual Training Institute in Cleveland Ohio. Mr. Moxley's commitment to APPA's vision and mission coupled with his "can do" attitude, these Community Service Projects continue to grow and to help numerous men, women and children through the generous donations of its members at Institutes.

Sam Houston State University Award



Jennifer Ferguson

Research Analyst
Maricopa County Adult Probation Department
Phoenix, AZ

Ms. Ferguson has been, and continues to be, a vital resource and contributor to Maricopa County Adult Probation Department's efforts to implement evidence-based correctional practices. Ms. Ferguson's article Putting the "What Works" Research into Practice: An Organizational Perspective was published in the highly regarded journal, Criminal Justice and Behavior. The article describes the experience of an adult probation agency in the implementation of an offender assessment tool that is based on the current correctional research, thus providing tremendous insight and new information relevant to the operation, effectiveness and future of the community corrections profession.

Award for Excellence in Community Crime Prevention

Community Assessment and WINGS Team Program

County of San Diego Probation Department, California

The mission of the San Diego Probation Department's Community Assessment and Working to Insure and Nurture Girls' Success (WINGS) Teams program is to provide services to reduce the number of youth who enter the juvenile justice system or re-offend while on probation by focusing on the unique strengths and needs of individual youths and supporting and teaching families how to access and receive community resources in a timely fashion. This program is a highly successful collaborative effort of community-based agencies, the Health and Human Services Agency and the Probation Department.



2005 APPA Awards Nominations Criteria

Please use the following entry form for submission of award nominations. The supporting documentation for each award is described on the nomination requirements (see page 20) must also be submitted along with this form.

The American Probation and Parole Association presents several prestigious awards that recognize your most distinguished professional achievements and allow you to share best practice ideas with your peers! Everyone is encouraged to participate in the nomination process to assure that community corrections professionals as well as community based programs and agencies receive this worthy national recognition.

The Scotia Knouff Line Officer of the Year Award is the most competitive and perhaps the most prestigious practitioner award offered by APPA. This award honors a probation, parole or community corrections officer who has performed assigned duties in an outstanding manner and/or made significant contributions to the probation, parole or community corrections profession at the local, regional or national level. The recipient may also have brought credit or honor to the profession through participation or involvement in community activities or programs. The recipient of the Scotia Knouff Line Officer of the Year Award will receive complimentary registration to attend the APPA 30th Annual Training Institute held in New York City on July 24-27, 2005 as well as travel expenses associated with acceptance of this award.

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

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

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

The Joe Kegans Award for Victim Services in Probation and Parole honors an individual working in community corrections who has provided exemplary services to victims of crime. This distinguished award was established as a tribute to the late Judge Joe Kegans, a founding member of APPA's Victim Issues Committee, who devoted her career as a jurist to bettering the lives of all with whom she came into contact. Nominees for this award may be living or deceased, and preference will be given to community corrections professions or volunteers who have personally experienced criminal victimization and have used that experience to help others.

The APPA Member of the Year Award recognizes the work and energy of a worthy APPA member. This award is presented to a current APPA member who has been a member for at least one year and has provided significant contributions to the organization through promotion of the vision and mission of APPA. Any APPA member may submit a nomination for APPA Member of the Year. The recipient of the Member of the Year Award receives a complimentary ten year membership in APPA. Elected members of the APPA Board of Directors or the Executive Committee are not eligible for nomination.

The APPA Community Awareness Through Media Award recognizes a media broadcast, publication or film capable of reaching a national audience that broadens the public's awareness and understanding of issues in the American criminal justice system in an accurate, fair and balanced manner, through sharing the vision of APPA. Such media coverage has the potential to improve community awareness and understanding of the community corrections profession.

The APPA President's Award recognizes exemplary community corrections programs or projects which serve to advance the knowledge, effectiveness and the integrity of the criminal justice system. APPA seeks to recognize visionary organizations that have exemplified the management and innovations necessary to lead community corrections into the next decade. The APPA President's Award will be given to the community corrections program which meets a combination of the following criteria:

- The program either changes or contributes to the broad field of community corrections and helps to move the field forward.
- There is a clear correlation between the goals of the program and their effect (impact).
- The program makes a difference that is supported by impact data.
- The elements of the program which make a difference can be replicated by others.
- There is clear evidence of the supportive nature of its environment.
- The program will be qualitatively evaluated on the following characteristics: program implementation process; client assessment practices; program characteristics which match the client's needs; therapeutic integrity; relapse prevention techniques; and staff characteristics and evaluation.

The APPA Award for Excellence in Community Crime Prevention seeks to recognize community corrections agencies, or community crime prevention programs coordinating with a community corrections agency, that have integrated community crime prevention initiatives into the traditional roles of supervision, intervention and sanctioning of offenders.



2005 APPA Award Nomination Requirements

Supporting documentation is required for each nomination and is detailed to the right of each award or group of awards. The supporting information should be submitted with the completed form on page 21.

Scotia Knouff Line Officer of the Year Award
Walter Dunbar Memorial Award

University of Cincinnati Award

Sam Houston State University Award

Joe Kegans Award for Victim Services in
Probation and Parole

Education – Date of degree(s) awarded; school(s) attended. Specify information for all universities attended including course work towards a degree.

Employment History – Current job title; location of employment; periods of employment (cover past 15 years of employment).

Professional and Community Activities – Identify memberships, offices held and awards received.

**Note – A Vitae or resume containing this information above may be substituted.*

Written Justification – Description of justification and/or contributions the nominee has made that support the award.

Testimonials – Two testimonials from a variety of different supporters from the profession, treatment services, law enforcement, victims, clients or the community, as appropriate for each award.

Photograph – A 3"x5" or larger, recent photo, will only be required of the award recipient.

APPA Member of the Year Award

Membership – Indicate length of time nominee has been a member of APPA (must be at least one year).

Justification – Description of justification and/or contributions the nominee has made that supports the recommended award.

Photograph – A 3"x5" or larger, recent photo, will only be required of the award recipient.

APPA President's Award

Program/Project Goals – List the goals of this program/project, population served, staffing and budget.

Program/Project Description – Describe the program/project (include methodologies, if any), technologies used, program/project outcomes (site supporting data) and anticipated outcomes, if any.

Program/Project Benefits – Describe the benefits of the program/project to the community, "field" and agency.

Justification – Describe why this program/project warrants award nomination.

APPA Community Awareness Through
Media Award

Date – Publication or broadcast date of nominated project.

Justification – Description of justification that supports the media project. Include awards received or reviews.

Sample Copy – If possible, provide a copy of the publication or a tape of the broadcast or video. If not available, briefly describe why this media project warrants the award nomination. If applicable, include the name of associated newspaper, magazine, book, TV station or movie.

APPA Award for Excellence in Community
Crime Prevention

Program Summary – Describe the program's mission, goals, timeline, date of inception and evaluation process.

Community Partners – Describe how this program involved and partnered with other community agencies and citizens.

Crime Prevention Principles – Describe (with appropriate explanation and documentation) how the principles of crime prevention in community corrections are at work in this program by answering the following questions:

1. Does the program increase an individual's assets and resiliency?
2. Does the program strengthen families?
3. Does the program reinforce community norms?
4. Does the program promote connectedness?
5. Does the program educate? Is education reinforced?



APPA 2005 Awards Nominations Form

Please use the following entry form for submission of award nominations. The supporting documentation for each award as described on the nomination requirements (see page 19) must also be submitted along with this form.

Information on Award Nominee:

Award this person/program is nominated for _____

Name (or name of contact person if program/project or media project) _____

Title _____ Agency _____

Address _____

City _____ State _____ Zip _____

Daytime phone (____) _____ Fax (____) _____

Email _____

Name of program/project or media project (if applicable) _____

Address (if different from above) _____

City _____ State _____ Zip _____

Nomination submitted by:

Name _____

Title _____

Agency _____

Address _____

City _____ State _____ Zip _____

Daytime phone (____) _____ Fax (____) _____

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Eligibility

1. With the exception of the APPA Member of the Year Award, recipients of the APPA awards are not required to be a member of APPA.
2. Members and non-members of APPA may submit multiple entries in each award category.
3. Nomination entry form and all supporting materials must be submitted by March 1, 2005.

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Submit this form along with all supporting documentation by March 1, 2005 to:

APPA Award Nominations, American Probation and Parole Association, 2760 Research Park Drive, Lexington, KY 40511-8410, Fax: (859) 244-8001.

Questions concerning APPA Awards may be directed to Karen Fuller at (859) 244-8196 or kfuller@csg.org.

PROVIDING EVIDENCE-BASED INTERVENTIONS TO JUVENILES WITH MENTAL HEALTH DISORDERS: THE UNITING NETWORKS FOR YOUTH PROJECT

Previous research has established that youth in the juvenile justice system experience substantially higher rates of mental health disorders than do youth in the general population. It is also well established that the juvenile justice system is not adequately prepared to address these mental health concerns. Because failing to address underlying mental health issues greatly increases the likelihood that youth will re-offend in the future, it is critical to effectively meet the needs of these youth.

Uniting Networks for Youth (UNY) is a collaborative effort to address mental health needs in the juvenile justice system in Ramsey County, Minnesota. The project partners include Ramsey County Juvenile Probation and a team of community-based mental health providers. The goals of the UNY project, which began in 2001, are threefold: (1) to improve outcomes for youth in the juvenile justice system who have mental health needs by adding services that are shown through research to be most effective; (2) to increase the capacity of community-based, culturally competent agencies to provide programs

that are deemed most effective in meeting mental health needs; and (3) to reduce the need for out-of-home placement for youth involved in the juvenile justice system.

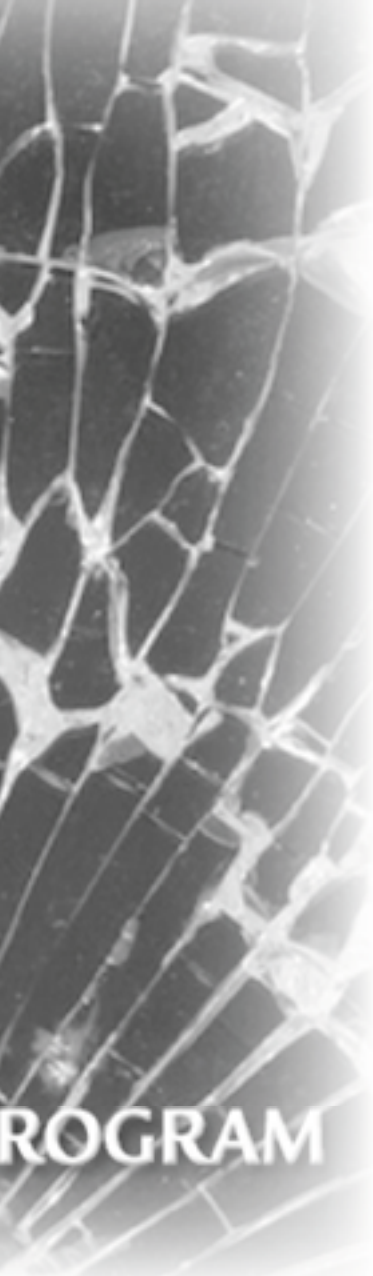
BACKGROUND

Significance of mental health issues in juvenile corrections.

Although we do not know the precise juvenile crime rate due to varying definitions and research methods, most estimates are high enough to be considered by some as an epidemic. Due to widespread concern about youth crime, many researchers have investigated potential risk factors for youths' criminal activity. One of the most prevalent risk factors is mental health problems. In fact, the increasing number of youth in juvenile justice settings with significant mental health problems may be one of the most important issues facing the corrections and mental health fields.

While youth in the United States make up an average of 20 percent of the mental disorder caseload, the prevalence of mental dis-

BY CHERYL HOSLEY, PH.D, FRANK HOSCH AND MARY HEISERMAN, PH.D



orders in the juvenile justice system is much greater (Grisso, et al., 2001) and has even been likened to levels in psychiatric hospitals (Pumariega, et al., 1994). In one study, Shelton (2001) found that 53 percent of the corrections youth who were assessed met criteria for diagnosable mental disorders, with 26 percent needing immediate mental health services and 14 percent requiring restrictive settings. Other investigators have examined the prevalence of specific disorders among juvenile offenders, including conduct disorders (50 to 90 percent), substance abuse (50 to 80 percent), attention-deficit/hyperactivity disorder (19 to 46 percent), and mood disorders (32 to 78 percent) (Grisso et al., 2001; Pliszka, Sherman, Barrow, & Irick, 2000; Scott, Snowden, & Libby, 2002; Wasserman et al., 2002).

Importance of developing effective interventions within the juvenile justice system.

Unfortunately, the juvenile justice system is not adequately prepared to address these mental health concerns. Few juvenile offenders receive treatment (Cocozza & Skowrya, 2000; Kataoka, et al., 2001; Novins, Duclos, & Martin, 1999). Studies of juvenile detainees found that only 15 to 30 percent of those with documented disorders ever received services (Novins, Duclos, & Martin, 1999; Policy Design Team, 1994). In fact, although incarcerated youth have

higher rates of mental health disorders, they are actually less likely to receive treatment than are youth served by community mental health services (Wasserman et al., 2002).

Yet failing to address underlying mental health issues greatly increases the likelihood that youth will re-offend in the future (Wasserman et al., 2002). An untreated mental health disorder might result in poorer adjustment during incarceration, leading to misplaced disciplinary actions and reducing the youth's ability to understand program components. All of these barriers may increase the risk for post-release criminal activity (Wasserman et al., 2002). In addition, these youth are more vulnerable to a cycle of repeated treatment in the mental health and substance abuse systems.

OVERVIEW OF UNITING NETWORKS FOR YOUTH

The prevalence of mental illness among juvenile offenders and the lack of available service options stress the urgency of collaborative efforts between mental health and juvenile justice personnel (Shelton, 2001). One such collaborative project is Uniting Networks for Youth,

a partnership that is providing two evidence-based services to youth in the juvenile justice system in Ramsey County, Minnesota.

Target population

The target population for Uniting Networks for Youth is youth between the ages of 12 and 18 who meet three criteria: (1) on probation; (2) at medium- to high-risk to re-offend as measured by the Youth Level of Service Inventory and Case Management Inventory (YLSI/CMI); and (3) at risk for out-of-home placement. Most youth are referred to the program by probation officers. A project coordinator screens youth to see if the project is appropriate for their situation, assists with intake and follow-up, links probation officers and service providers, and assists with data collection for service tracking and evaluation of results.

Service model

Two evidence-based practices were selected to meet the mental health needs of youth served by Ramsey County Juvenile Corrections. Both practices, Functional Family Therapy and Aggression Replacement Training, have been successfully implemented with youth in the juvenile justice system.

Functional Family Therapy (FFT) is a family-focused prevention/intervention program for youth between the ages of 11 and 18 who have exhibited or are at risk of, a range of maladaptive, acting-out behaviors and related symptoms such as delinquency, violence, substance use, conduct disorder, oppositional defiant disorder or disruptive behavior disorder. FFT uses a multi-faceted, intensive and short-term intervention of not more than 26 hours over a period of about three to four months. Services are provided by one- and two-person teams to clients and their families at their homes, clinics, juvenile courts and during re-entry from an institutional placement (Alexander, Sexton, & Robbins, 2002).

The aim of FFT is to enhance protective factors and to decrease risk, through three phases of therapy. The first phase engages the family in the therapeutic process and motivates them to change. This phase also aims to increase the family's understanding of their interpersonal behaviors and to decrease negativity (such as blaming or hopelessness). The second phase is behavior change, during which the family focuses on improving communication, problem solving, and conflict management. With improved skills, families function better in their role to support and monitor youth. Because changes need to be sustained beyond the therapy period, the third phase focuses on generalization. During this phase, the family develops strategies to prevent relapse back to earlier relationship patterns and to promote generalization of skills across settings and over time (i.e., Alexander & Parsons, 1982; Alexander, Pugh, Parsons, & Sexton, 2000; Sexton & Alexander, 2000).

FFT has been extensively studied using both randomized controlled experimental designs and non-randomized comparison group studies. These studies have found consistent benefits of FFT, including reduced recidivism, decreased referrals for residential services, and improved family relationships (e.g., Alexander, et al., 1998; Alexander, Pugh, Parsons, & Sexton, 2000; Alexander, Barton, Schairo, & Parsons, 1976; Gordon, Graves, & Arbuthnot, 1995). As a result of these studies, FFT has received strong support from mental health professionals, being consistently identified as an "evidence-based practice" by government and other organizations. For example, FFT is one of ten blueprint programs selected by the Center for the Study

and Prevention of Violence at the University of Colorado and the Office of Juvenile Justice and Delinquency Prevention (Alexander et al., 1998). It was also highlighted as a model program in the Surgeon General's report on youth violence (2001).

Aggression Replacement Training (ART) is a cognitive skills model that has been used in schools, delinquency programs and other settings. Its underlying assumption is that both internal and external factors contribute to aggressive acts committed by youth. As a result, ART promotes change through multiple channels, including behavioral, emotional and cognitive pathways. ART's implementation time frame is commonly ten weeks. Typically, group members attend sessions three times a week for approximately 45 to 50 minutes.

The behavioral component of ART is called "skill streaming," and is designed to enhance pro-social skill levels. The skill streaming curriculum emphasizes modeling of effective social skills and guided opportunities to practice these skills. Anger control training is the emotional component, which teaches youth strategies for managing their anger appropriately and effectively. In this component, youth are trained to focus on stimuli that trigger anger, cues for becoming aware of anger arousal, strategies for reducing anger arousal, and alternative strategies for managing situations. The cognitive component is moral reasoning, which builds youths' ability to respond pro-socially to situations through group processing of moral situations. The moral reasoning component is based on Kohlberg's stages of moral development and encourages youth to think about situations in new ways. While moral reasoning has not been found to be effective as a stand-alone intervention, it can enhance pro-social behavior when used in combination with skills streaming and anger control (Goldstein & Glick, 1987).

Research also demonstrates the effectiveness of ART. One study conducted in Washington State with 1,500 participating youth concluded that ART reduced recidivism by 28 percent (Barnoski, 2002). Another study found that, compared to a group of youth who did not receive ART, participants showed improvement in family and peer relationships (Goldstein & Glick, 1994). Several studies have concluded that the program also helped youth gain social skills (Coleman, Pfeiffer, & Oakland, 1991; Goldstein, Glick, & Gibbs, 1998).

In addition to outcome evaluations, studies of the cost-benefits have also been conducted for both models. A recent study conducted by the Washington State Institute for Public Policy concluded that, when FFT is conducted by competent therapists, \$10.69 is saved in avoided crime costs for every taxpayer dollar spent on the program. For ART, the benefit-to-cost ratio was slightly higher, \$11.66 (Washington State Institute for Public Policy, 2004).

The UNY partnership.

A unique element of the UNY project is its cross-system partnership. UNY is operated as a collaboration between Ramsey County Juvenile Probation and community-based agencies in Saint Paul. Seven agencies provide FFT (including Hmong, African-American, Latino and multi-cultural agencies). Four multi-cultural agencies provide ART. The project's advisory committee includes: (1) community-based mental health providers and youth-serving agencies; (2) state and county mental health, human services and corrections professionals; (3) law enforcement representatives; and (4) evaluators. This committee meets monthly to oversee planning and implementation and to plan for sustainability of services.

SERVICES PROVIDED TO DATE BY UNITING NETWORKS FOR YOUTH

Between fall 2001 and spring 2004, 291 youth received Functional Family Therapy and 283 youth received Aggression Replacement Training through Uniting Networks for Youth. Overall, 78 percent of these youth successfully completed the model in which they were enrolled. The program served a diverse group of youth. Their ages ranged from 12 to 18. Sixty-two percent of the youth served in FFT and 85 percent of the youth served in ART were male. The youth represented diverse cultural backgrounds, including Caucasian, Black/African American, Asian, and Hispanic/Latino. Most youth were on probation, and 70 percent had an offense in the previous year. Eighty percent were rated at moderate to high risk of re-offense on the Youth Level of Service Inventory. Eighty percent were also adjudicated delinquents.

EVALUATION RESULTS

Since its inception, the Uniting Networks for Youth has undergone a rigorous evaluation that includes information collected from youth, parents and program staff. Both standardized and non-standardized assessments provide a range of qualitative and quantitative information. Information is collected at intake and discharge. Follow-up surveys are completed with parents and youth three months after discharge and recidivism is monitored for one year after discharge.

Uniting Networks for Youth has five goals for participating youth, each with multiple measures. These goals include:

- Reduced involvement in delinquent, aggressive and criminal behavior
- Improved emotional, behavioral and cognitive functioning
- Positive relationships with families, peers and adults in the community
- Positive and effective community functioning
- Reduced out-of-home placements

Among the major outcome findings:

- According to both youth and their parents, youth rarely or never engaged in serious behaviors such as committing assault, running away or driving drunk in the three months following discharge.
- Only 29 percent of the FFT clients and 21 percent of the ART clients had an offense in the year following their discharge from services, which was lower than expected given the moderate-to-high risk of re-offense.
- Youth participating in ART were asked at the beginning and end of the program to assess their use of skills addressed in the curriculum, such as trying to understand someone's anger, figuring out ways other than fighting to handle difficult situations, and apologizing to others when they have done something wrong. Of the 39 social skills on the checklist, 25 showed statistically significant improvement between intake and discharge.
- Both at discharge and three months later, approximately 90 percent of the youth were attending school. Some continued to exhibit school-related problem behaviors, however, such as skipping school (27 percent of youth) and being suspended or expelled (33 percent of youth).
- Despite these problems, 78 percent of the youth served by FFT and 72 percent of the youth served by ART said that the program helped them increase their academic success.

- At discharge, more than three-quarters of the youth (77 percent of FFT clients and 79 percent of ART clients) were living with their parents. The remaining clients were in a variety of settings, including foster care, inpatient psychiatric facilities and correctional programs.

Both youth and their parents rated their satisfaction with services three months after discharge. Parents gave high ratings to the staff, with 85 to 97 percent rating their knowledge and skills, ability to listen and understand, usefulness of recommendations, respect for client rights, caring and warmth, and ability to communicate in a way they understood as at least “good” (on a six point scale ranging from 1 = terrible to 6 = outstanding). Parents were less satisfied with the outcomes of services. Only 54 percent of FFT parents and 68 percent of ART parents rated their satisfaction with the progress their child made towards goals as “good” or better. Despite these somewhat lower ratings, all parents of FFT clients and 94 percent of parents of ART clients said that they would recommend the program to others.

Youth also gave fairly high ratings to the quality of the staff. More than 90 percent of the FFT clients gave ratings of at least “good” to the counselor’s respect for their rights and knowledge and skills. All youth said that they liked their counselor, felt their counselor cared about how they were doing, and respected their counselor either “a little” or “a lot.” More than 90 percent said that they felt that they could talk to the counselor about things that were important and that they trusted the counselor. Fewer rated the counselors’ caring and warmth and provision of useful suggestions as at least “good” (71 to 77 percent).

Satisfaction was also high for ART clients, though ratings were lower than for FFT. Eighty-two to 90 percent of the youth gave ratings of “good” or better to the group leader’s knowledge, respect for client rights, ability to listen and understand them, caring and warmth, and ability to communicate in an understandable manner. Seventy-two percent rated the usefulness of the group leader’s suggestions as at least “good.” All clients said that they respected their group leader either “a little” or “a lot.” Eighty-eight to 96 percent said that they liked their group leader, felt their group leader cared about how they were doing, and trusted the group leader.

About three-quarters of the youth who received FFT (74 percent) were satisfied with the outcomes or results of the services they received and the overall benefit of the program. Similarly, 80 percent of the youth who received ART were satisfied with the progress they made toward their goals, while 71 percent were satisfied with the results of the services.

Finally, both parents and youth rated their perceptions of the cultural appropriateness of services. Most parents and youth (71 percent to 94 percent) in both models rated all elements of cultural competence as “good” or “very good.” These elements included the counselor’s ability to relate to their cultural background, sensitivity to cultural issues, knowledge of culturally relevant community resources, and awareness of their cultural values.

FUTURE DIRECTIONS FOR RESEARCH

The preliminary evaluation results appear promising, with positive results in each of the program’s goal areas. However, additional information is still needed to draw strong conclusions regarding the effectiveness of the UNY initiative in meeting the mental health needs of youth. Current research activities are directed towards exploring whether the effectiveness of services varies for youth with different types of background characteristics (e.g., demographic characteristics

or patterns of risk factors) or by variation in implementation (e.g., fidelity to the models and length of service).

Lessons learned in implementing evidence-based practices

In the course of developing the UNY project, a number of challenges have emerged related to the implementation of the evidence-based practices. These challenges included: (1) training providers in a timely fashion to provide services; (2) ensuring that the models were implemented with fidelity; (3) clarifying the expectations and practices of each model; (4) building support for practices among local stakeholders; (5) coping with staff turnover; (6) managing paperwork and data collection; (7) engaging the youth and family in services; (8) ensuring that the most appropriate youth were served; (9) developing strategies for sustaining services with limited funding; and (10) ensuring that the practices are sensitive to cultural issues.

The following strategies helped to overcome these challenges:

- Talk to developers and practitioners in order to develop an understanding of available evidence-based models before selection
- Monitor services continuously to avoid “drifting” from established models
- Select staff who are qualified and open to new approaches
- Establish clear referral guidelines to ensure that the most appropriate youth are served
- Ensure sustainability by training local partners to become trainers for each evidence-based practice model
- Implement the services with fidelity before adapting the model and, when adaptations are needed, make them in consultation with the model developers
- Have leaders who convey optimism for the services and for the partnership
- Allocate sufficient resources for initial and ongoing training
- Keep the evaluation simple and incorporate it into program activities whenever possible
- Seek ongoing consultation from model experts to ensure high quality provision of services
- Consider multiple funding sources to ensure that flexible and sustainable resources are available
- Plan for sustainability right away so that services are seamless despite funding changes
- Fully explain the service model to families/youth
- Take time to understand the perspectives of youth and families in various cultural groups, to ensure that services are provided appropriately

LESSONS LEARNED IN DEVELOPING AND MAINTAINING CROSS-SYSTEM PARTNERSHIPS

It is challenging to develop and maintain a strong partnership involving both community corrections and a diverse array of community-based mental health providers. Notable challenges included: (1) maintaining communication among all stakeholders; (2) balancing the corrections focus and mental health focus; (3) addressing competition among partners for funding; (4) establishing accountability for different roles/activities; (5) incorporating the perspective of the model developers; and (6) maintaining diversity in the partnership.

The following strategies helped to overcome these challenges:

- Hold regularly scheduled face-to-face meetings to improve communication among the partners
- Promote a clear understanding of the service models among all stakeholders
- Clarify the roles of each collaborative member

- Have one individual serve as the coordinator
- Set clear requirements for participation, so that collaborators are aware of expectations
- Invite a range of community partners to participate in the collaborative effort
- Directly assess how the collaboration itself is working, so that difficulties are identified and addressed
- Recruit partners who are committed to the evidence-based practice models
- Build on existing community partnerships

CONCLUSION

Uniting Networks for Youth works with delinquent youth who struggle with mental health issues. During the first three years of service, the youth and families who received Family Functional Therapy and Aggression Replacement Training have provided consistently positive feedback regarding the services and the staff. They have also consistently reported benefits of the program in all outcome areas. Recidivism data suggest a dramatic decrease in criminal activity, although data from a matched comparison group is needed to draw stronger conclusions. Further research will also explore which characteristics of youth appear to be most strongly associated with positive outcomes; this understanding could lead to refined referral criteria.

While the results have been positive, it has been challenging both to implement evidence-based mental health services for youth in the juvenile corrections system and to provide services using a diverse team of community-based providers. However, with attention to these issues, a community collaboration such as this one can successfully serve a group of youth in great need of support. The lessons learned thus far only scratch the surface in terms of this project's potential to inform and encourage other efforts to deliver proven interventions in innovative ways.

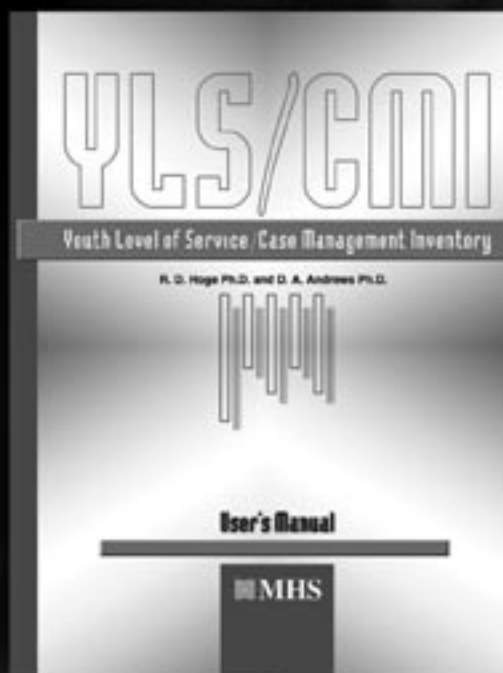
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YLS/CMI

Youth Level of Service / Case Management Inventory



YLS/CMI is a comprehensive case management system that helps probation officers, youth workers, psychologists, and social workers assess the rehabilitation needs of youths aged 12-17. An effective assessment tool, YLS/CMI provides an organized guide to help formulate a case-management plan and track risk, need, and responsivity factors throughout treatment. YLS/CMI was derived from Level of Service Inventory -Revised (LSI-R), which boasts considerable reliability and validity.

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A black and white photograph of three glasses of alcohol and a set of car keys on a table. In the foreground, a short, wide glass filled with a liquid and ice is prominent. Behind it, two taller, more slender glasses are visible, also containing liquid. To the right of the glasses, a set of car keys with a dark, rectangular fob and a metal key is lying on the surface. The background is dark and out of focus.

DWI System Improvements for Dealing with

Drinking Drivers

A Report on Monitoring

BY ROBYN ROBERTSON AND HERB SIMPSON

The Traffic Injury Research Foundation (TIRF) has released a report on the monitoring of DWI offenders by probation and parole officers. The report, entitled “DWI System Improvements for Dealing with Hard Core Drinking Drivers: Monitoring”, highlights the priority problems facing probation and parole officers nationwide and reveals their views on practical and cost-effective solutions. This report is the fourth in a series, based on a comprehensive research project spanning the criminal justice system and that is designed to improve the efficiency and effectiveness of the system’s response to hard core repeat offenders. Three earlier reports dealt with problems in the detection and apprehension of repeat offenders (Simpson and Robertson 2001), their prosecution (Robertson and Simpson 2002a), and the adjudication of these cases and sanctioning of offenders (Robertson and Simpson 2002b). This unique, multi-year initiative is being funded by a charitable contribution from the Anheuser-Busch Companies, Inc.

The research has been facilitated by the cooperation and participation of criminal justice professionals across the United States; the identification of key problems in the system and practical solutions to overcome them are based on the experiences of thousands of professionals who took part in the study. As testimony to the timeliness and validity of the research, it has been embraced by a wide variety of key national agencies including, the Highway Safety Committee of the International Association of Chiefs of Police, the National Traffic Law Center of the American Prosecutors’ Research Institute, the National District Attorneys Association, the National Association of Prosecutor Coordinators, the Conference of State Court Administrators, the American Judges Association, the National Judicial College, the National Center for State Courts, the American Probation and Parole Association, and the National Criminal Justice Association.

The findings and recommendations have been welcomed by a wide range of stakeholder groups including:

American Judges Association (AJA)
National Judicial College (NJC)
Conference of State Court Administrators (COSCA)
National Center for State Courts (NCSC)
National Criminal Justice Association (NCJA)
International Association of Chiefs of Police (IACP)
Institute of Police Technology and Management (IPTM)
National District Attorneys Association (NDAA) and National Traffic Law Center (NTLC)
National Association of Prosecutor Coordinators (NAPC)
American Probation and Parole Association (APPA)
National Highway Traffic Safety Administration (NHTSA)
Governors Highway Safety Association (GHSA)
National Transportation Safety Board (NTSB)

Drinking Drivers

Cover Story



The monitoring report is based on one of the most comprehensive surveys on the supervision of DWI offenders ever conducted -- nearly a thousand probation and parole officers representing a broad range of agencies in 41 states. As evidence of the generality and applicability of the findings, they are already being used by a variety of agencies to address supervision concerns and strategically review existing policies. The report is an important sourcebook to assist agencies in improving the monitoring of DWI offenders.

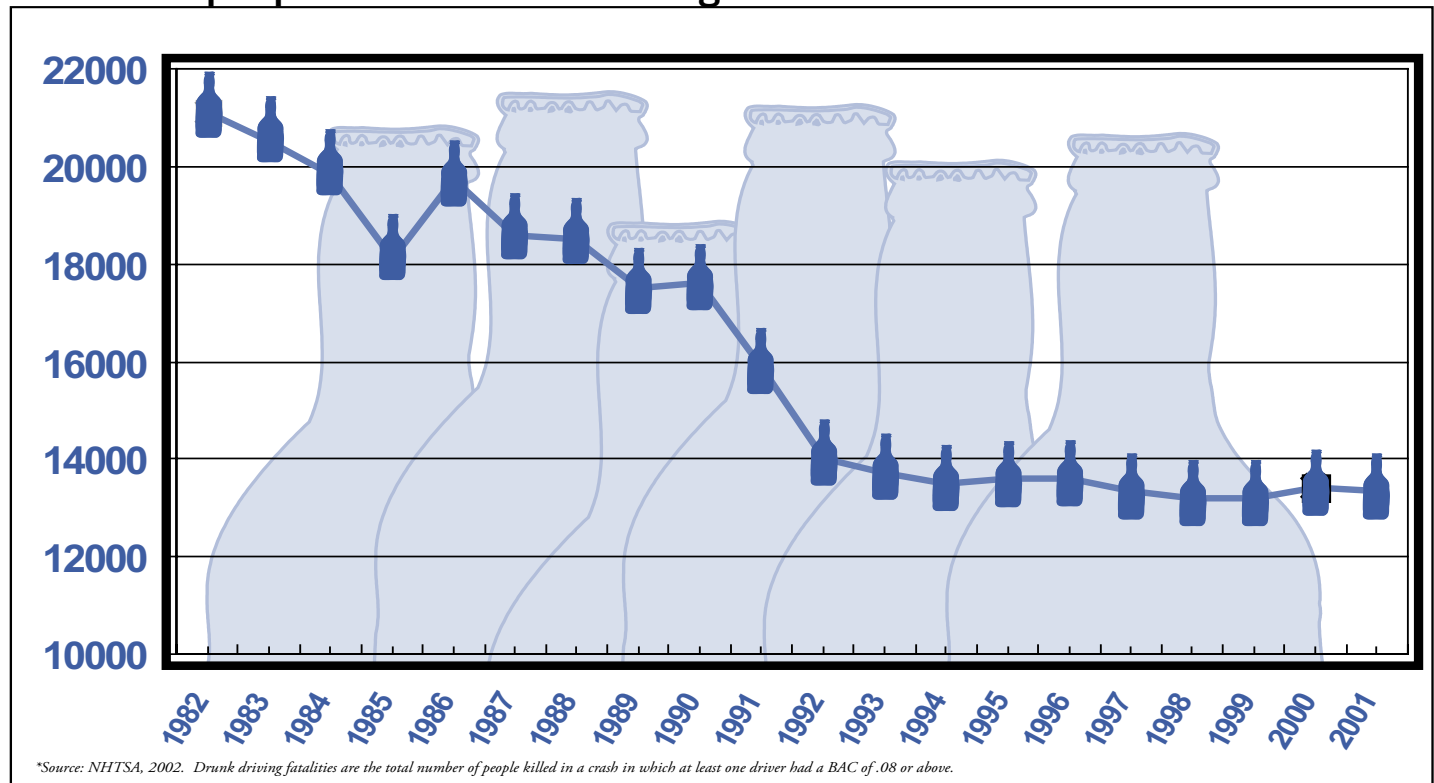
HISTORY OF THE PROBLEM

The significant reductions in drinking and driving during the 1980s and early 1990s slowly ground to a halt in the mid-1990s. Of greater concern, for the past three years, the number of people killed in alcohol-related crashes has increased. These recent statistics have raised concerns that progress has not only stalled, but is now being eroded (U.S. DOT, 2002). Today, approximately 40% of highway fatalities are still alcohol-related.

Statistics illustrate that a very significant portion of the problem is accounted for by a high-risk group of drinking drivers, referred to variously as hard core drunk drivers, chronic drunk drivers, persistent drinking drivers, or drivers with high blood alcohol concentrations (BACs). In response to this, virtually all major government and not-for-profit agencies in the United States have declared this dangerous group of offenders a national priority.

Probation and parole officers have also identified hard core drinking drivers as a particular concern. A majority of these offenders are diagnosed as alcohol addicted or alcohol abuse (Nochajski et al. 1994). Moreover, many are familiar with the justice system and know how to manipulate its weaknesses and loopholes to avoid compliance with sanctions.

Number of people killed in drunk driving crashes*



Drinking Drivers

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STUDY APPROACH

Our study began with an exhaustive review of existing research literature to identify common problems that probation officers encounter when monitoring DWI offenders. This formed the basis for a list of key problems that was subsequently discussed extensively in two workshops involving 10 participants from 9 agencies. Participants represented 6 states and one territory (California, District of Columbia, Minnesota, Nebraska, New York, Oregon and Washington) and many had considerable experience with DWI offenders. The goal of these workshops was to expand the list of problems that were previously identified in the research literature, prioritize them, develop further understanding of these problems, and identify practical, cost-effective solutions supported by officers.

The workshop results were then collated to develop a nationwide survey. Responses were received from 890 probation and parole officers representing agencies supervised by the courts, corrections, and the executive branch in 41 states. This survey was successfully completed due to the immense cooperation provided by the American Probation and Parole Association.

STUDY FINDINGS

When defendants are ultimately convicted, there are currently no guarantees that the sentences imposed will actually be fulfilled despite the best efforts of probation and parole officers. There is a need to streamline and simplify the monitoring of DWI offenders to enhance the efficiency and effectiveness of the system. This is a primary concern for probation officers and a linchpin to successfully improving the DWI system. The importance of this cannot be emphasized enough if public safety is to be protected and if offenders are to benefit from rehabilitation programs.

Probation and parole officers also identified a number of problems that directly impede the effective supervision of DWI offenders. In order of priority, officers nationwide identified the following problems:

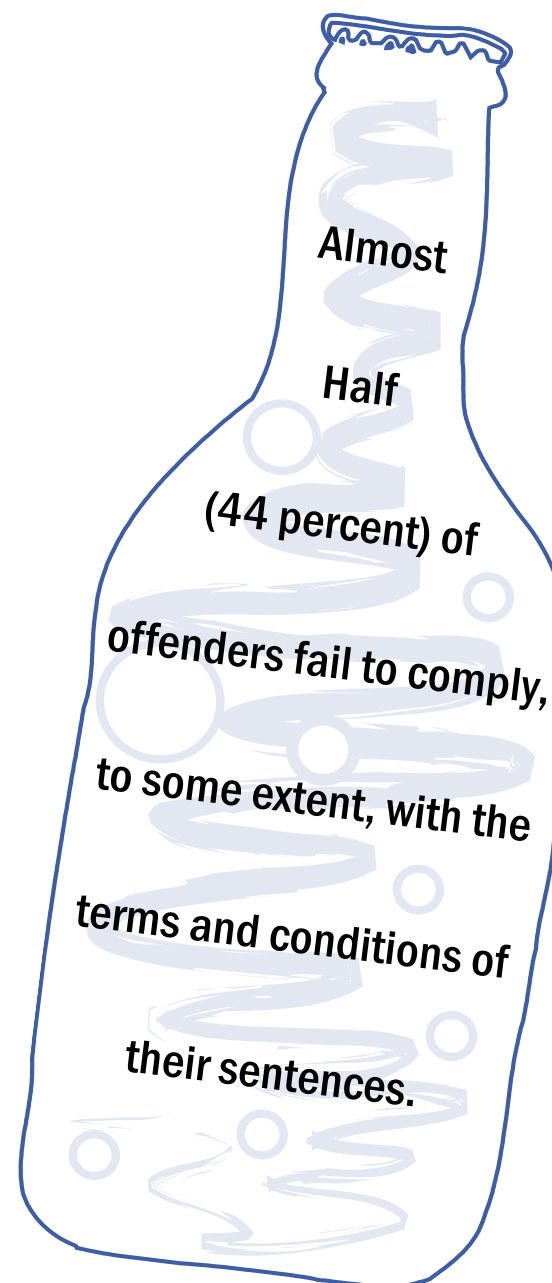
1. non-compliance with court orders
2. caseload
3. conflicting goals
4. sentencing disparity
5. program design
6. paperwork
7. net-widening
8. records

What follows is a detailed look at these problems in terms of their magnitude, consequences and solutions.

NON COMPLIANCE WITH COURT ORDERS

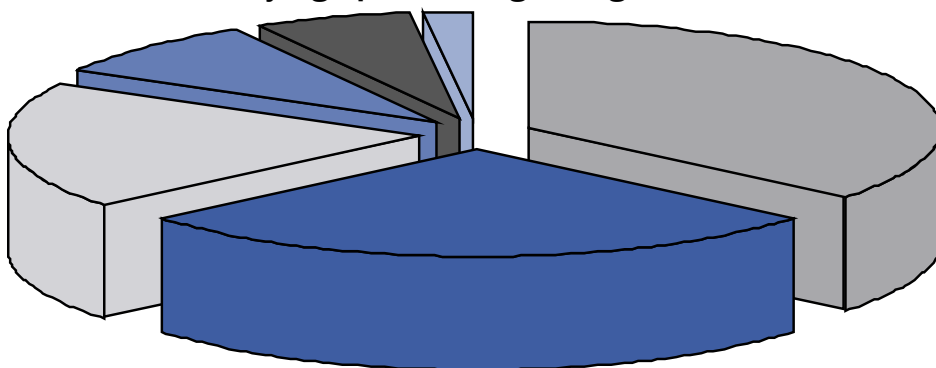
Probation officers are responsible for the day-to-day monitoring of offenders to ensure they comply with the terms and conditions of their sentences; a function that is essential to preserve public safety and change offender behavior. Many offenders have multiple, overlapping problems that contribute to their cycle of offending and that can be addressed using a combination of appropriate sanctions, making the monitoring task complex and demanding. The monitoring of repeat offenders can be even more challenging, not only because they often have multiple conditions and penalties imposed but also because their familiarity with the system may make them skilled at avoiding detection and/or indifferent to the consequences of non-compliance. Indeed, probation officers estimate that almost half (44%) of offenders fail to comply, to some extent, with the terms and conditions of their sentence. This figure is consistent with data reported by the U.S. Department of Justice, which indicates that 3 out of 5 probationers successfully meet the conditions of their supervision (DOJ 2001).

**The Report is Based on
A Nationwide Survey of
890 Officers Represent-
ing 41 States.**



Non-compliance with sanctions

Officers have varying opinions regarding which sanctions offer



■ licensing restrictions - 36% of officers ■ treatment orders - 28% ■ fines and fees - 19%
■ community service orders - 9% ■ ignition interlocks - 6% ■ electronic monitoring - 2%

Of some interest, officers in our survey indicated the frequency of non-compliance with specific sanctions: 36 percent of officers report offenders are least likely to comply with licensing restrictions; 28 percent of officers identified treatment orders; 19 percent said payment of fines and fees; 9 percent said community service orders; 6 percent reported ignition interlocks; and, only 2 percent of officers said electronic monitoring. Monitoring each of these penalties presents their own challenges, however, officers did identify a few common problems in supervising compliance – a lack of information, authority to impose consequences for non-compliance, and sufficient resources to monitor and assist offenders.

The flow of timely information from service providers, such as treatment and interlock providers, is a pressing concern for officers. These agencies have regular contact with offenders and can provide officers with information on offender behavior and compliance with imposed sanctions and conditions, thereby improving the quantity and quality of supervision. However officers report that this exchange of information is often inconsistent, or at times, non-existent. Furthermore, the quality of information received can vary considerably. Some providers will provide considerable detail whereas others may only report noteworthy violations. In addition, the format, frequency and delivery of the information can be vastly different.

Information exchange is further complicated in larger jurisdictions where there may be multiple service or treatment providers. Officers report it is challenging to monitor offenders who are being served by different providers, all of whom may have different practices and procedures, making the information-gathering process more time-

consuming and complicated. Confidentiality may also pose problems for officers as well. Of greatest concern, officers are often not apprised when there is continued substance abuse by offenders. Without this knowledge, officers may overlook subtle signs of deterioration in behavior and be less able to properly assess the risk posed to the community.

The inability of officers to impose meaningful consequences for probation violations may further compound non-compliance. A recent survey of APPA Board Members reported that only 46 percent of field officers have the authority to alter conditions of supervision in response to probation violations (APPA 2002). While officers can return the offender to custody as a last resort, jail overcrowding limits the availability of this tool in many jurisdictions. According to officers, their inability to take meaningful action in response to viola-

tions undermines their credibility with offenders, further discouraging compliance. In most instances, when action is taken, it has minimal deterrent effects and the consequences are anything but swift and certain. In this context, some officers have developed offender incentives or positive reinforcements for compliance and found they can also be successful in altering offender behavior.

Insufficient resources are also a serious impediment to enforcing and reinforcing compliance. For more than a decade, probation departments have suffered intense cutbacks or stagnant funding while the population of offenders under supervision has increased significantly (Cochran et al. 1992) and the consequences are far-reaching.

Resources directly impact the level of supervision officers can provide. Most officers supervise mixed caseloads, devoting more of their time to supervising high-risk offenders and less time to monitor lower-risk offenders as caseloads expand. These lower-risk offenders, who are often impaired drivers, quickly learn that non-compliance is likely to go undetected and may be less likely to comply. Officers also have less time to spend with offenders in community settings providing direct supervision and conducting random checks and testing, forcing officers to rely more heavily of information provided by the offender. At the same time, officers are less likely to observe compliance and miss opportunities to reinforce and encourage this behavior. Officers report they currently spend only 11 percent of their time completing in-home visits and 9 percent of their time conducting random alcohol testing, meaning officers are less likely to detect violations and that a majority of an offender's time in the community is largely unsupervised.

The lack of resources can also impede the effective management of cases and result in non-compliance. In rural jurisdictions there are frequently limited numbers of service providers and long waiting

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times for admission to treatment programs -- offenders remain on probation for longer periods and are monitored solely by probation officers. Almost half of officers (44 percent) nationwide report there are not enough treatment facilities to accommodate DWI offenders, creating a greater burden for officers.

Officers recommend a number of solutions that can improve compliance with court-ordered sanctions. A majority of officers (88 percent) agree that more contact and communication, including better exchange of information with treatment and service providers, would greatly improve the supervision of offenders. When probation departments enter into contracts with service providers, explicit procedures should be included for the exchange of information. Moreover, the information should be presented in a structured and meaningful manner so that officers can understand the importance of relevant materials. In this context, officers also support increasing training opportunities for officers regarding the operation and effectiveness of various sanctions and programs they are required to monitor, particularly those involving new technologies.

More than two-thirds (67 percent) of officers surveyed agree that increasing the availability of treatment facilities would significantly improve supervision and reduce non-compliance. Particularly, officers agree that more facilities are necessary for women and members of minorities to address their specific treatment needs. Not surprisingly, almost all officers (99 percent) believe that treatment providers have an obligation to inform officers when probationers engage in substance abuse so officers can better estimate and manage the risk the offender poses to community safety.

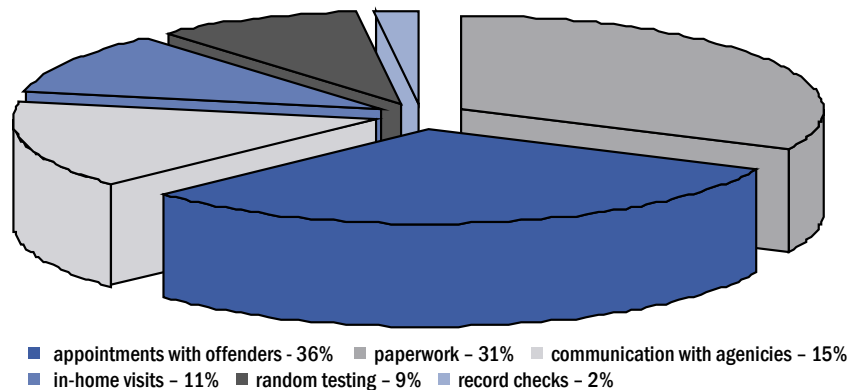
Finally, officers recommend more contacts with probationers in the community and more random testing to reinforce compliance as well as greater collaboration with police agencies. These strategies can effectively create the perception of constant supervision, encourage compliance, and reduce service duplication to preserve valuable resources. Cooperative programs have been established in several states and anecdotal reports from officers indicate that these relationships are mutually beneficial and should be encouraged.

CASELOAD

The steady increase in probation populations has generated concern among probation departments for some time. In five short years the probation population exploded from 3.2 million (1997) to 3.9 million (2001). The number of DWI offenders being monitored by officers has risen even more sharply -- in 1997, 14 percent of the adult probation population were serving sentences for DWI offenses; by 2001 this number had risen to 18%. Almost one in five offenders on probation had been sentenced for DWI (DOJ 1998; 2001). This growth in offenders has resulted in substantial increases in the caseloads of officers and, accordingly, their respective workloads because, in most instances, the hiring of new officers has not matched the influx of offenders.

Tasks occupying officers' time

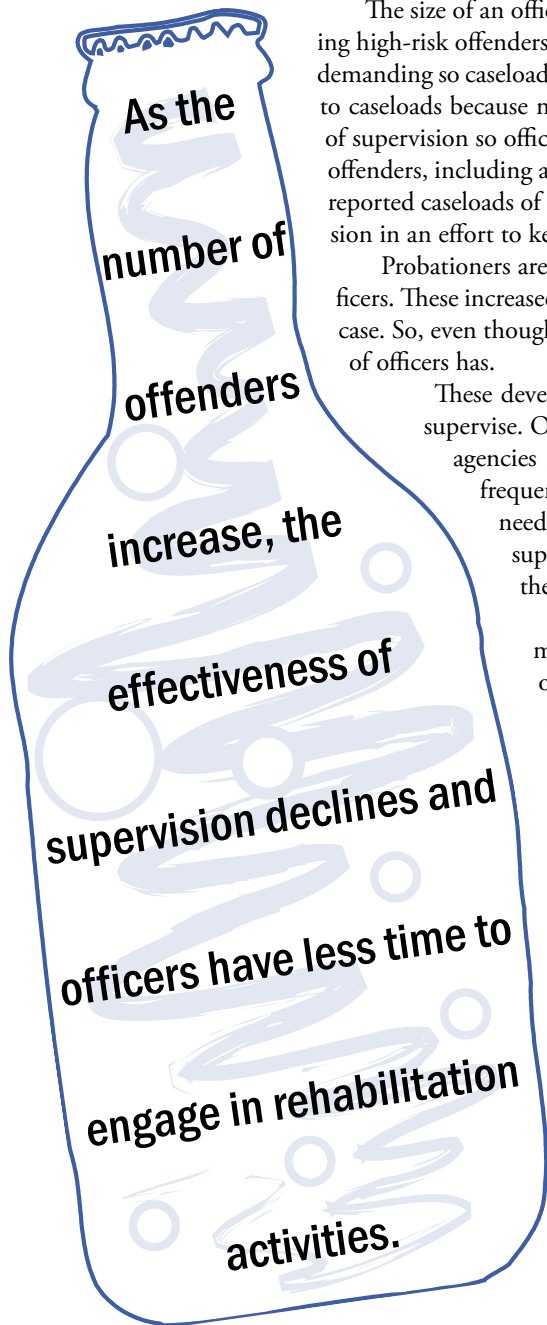
Officers spend a portion of their time completing the following tasks:



A majority of officers (88 percent) agree more contact and communication with courts, treatment and service providers would greatly improve the supervision of offenders

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The size of an officer's caseload is often a function of the level of supervision provided to offenders. Monitoring high-risk offenders is more demanding so caseloads are typically smaller; monitoring low-risk offenders is less demanding so caseloads are typically larger. In this instance, it may be more logical to discuss workloads as opposed to caseloads because most probation officers handle mixed caseloads with offenders who require different levels of supervision so officers must balance their time accordingly. On average, officers report caseloads of about 112 offenders, including an average of 55 DWI offenders. It is also important to note that some officers in our survey reported caseloads of up to 1,300 offenders and more agencies now engage in "case banking" and group supervision in an effort to keep up with demands for service.

Probationers are also being assigned to higher levels of supervision, directly impacting the workload of officers. These increased levels of supervision require more effort, time and resources on the part of officers for each case. So, even though in some jurisdictions, actual caseloads may not have increased substantially, the workload of officers has.

These developments make it difficult to gauge the number of offenders that officers can realistically supervise. Organizations have been largely unable to reach a consensus on this issue because individual agencies have different policies regarding the basis for classification of supervision, the type and frequency of contacts, and collateral duties. These factors all impact the amount of work that is needed to supervise offenders and, consequently, the number of offenders each officer is able to supervise. In addition, agencies collect caseload statistics using a variety of methods, making them almost impossible to compare, even within a single jurisdiction.

Regardless, excessive caseloads and untenable workloads are incompatible with the meaningful supervision of offenders. As the number of offenders increase, the effectiveness of supervision declines and officers have less time to engage in rehabilitation activities. They report less time is spent assisting offenders in problem-solving and accessing essential community resources. And probation without rehabilitation means that underlying issues contributing to substance abuse problems are not addressed and offenders are far more likely to recidivate. When asked how effective officers can be with such extensive caseloads, a participant in one of our workshops who had a caseload of 1,000 DWI offenders replied "I tell all of my new probationers, 'heaven help you if I learn your name'."

There is considerable consensus among officers regarding the maximum limits for the size of regular and intensive supervision caseloads. Recognizing that different levels of supervision impact workload, over 80% of officers agree that regular supervision caseloads should have a maximum limit of 100 offenders, while 70% support intensive supervision caseloads of up to 30 offenders per officer.

Officers also recommended a number of solutions to address the caseload problem. Almost half of the officers (47 percent) agreed hiring more officers is necessary to cope with a currently overwhelming situation. Logically, even if caseloads are restricted and the volume of offenders remains unchanged, or worse yet, continues to grow, more officers will be needed to manage the burden of existing cases as well as the influx of new cases. However, the financial situation in most states makes this unlikely to occur.

Other recommendations by officers include the expanded use of technological innovations such as automated case-management systems (Brown 2004) and monitoring

ENOUGH IS ENOUGH!

A majority of officers recommend the following limits on the size of caseloads:

Intensive supervision – 30 offenders Regular supervision – 100 offenders

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technologies that would assist officers in managing larger caseloads more effectively. Almost 20 percent of officers believe the expansion of in-patient treatment programs would assist in supervising the most chronic offenders; 15 percent agree the expanded use of support staff (e.g., correctional technicians) can reduce the burden on officers by performing random testing, conducting surveillance and searching criminal history records for new convictions. This also would increase the quality of supervision by allowing officers more free time to work directly with offenders instead of performing administrative or collateral duties.

CONFLICTING GOALS

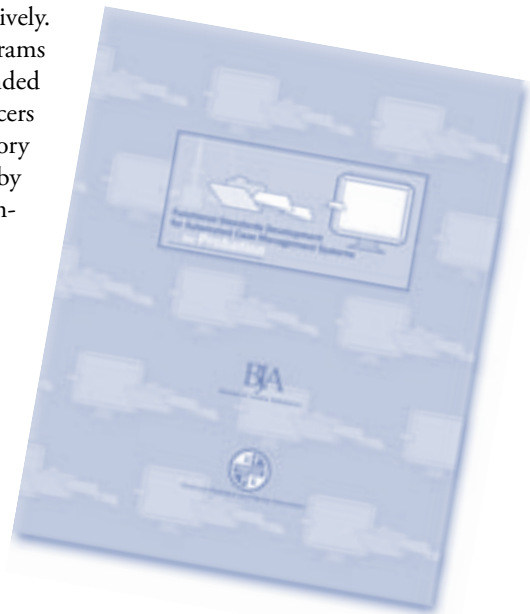
Correctional initiatives in general have two separate and often conflicting goals: enforcement and rehabilitation. Ideally, officers should be able to balance these competing demands but fiscal constraints and a lack of judicial understanding about addiction issues often precludes this possibility. As a consequence, officers often devote considerable energy to the enforcement of compliance, leaving little time for rehabilitation efforts. In this context, 26% of officers identified enforcement as their greatest priority, whereas only 1% identified rehabilitation.

Two factors have contributed to an increased emphasis on enforcement. Stagnant funding and fiscal cutbacks over the last two decades have had a significant impact on the ability of officers to manage expanding caseloads effectively. As a consequence, officers have less time to establish working relationships with offenders, reinforce compliance by recognizing good behavior, and provide support and direction to those seeking assistance. Instead officers spend a majority of their time on enforcement of probation orders, paperwork, and filing reports on non-compliance.

In addition, a lack of understanding about addiction issues, political pressure, and growing public demand for harsher penalties has further intensified this shift towards enforcement; rehabilitation efforts have become peripheral. Policy makers, the judiciary and the public need to recognize that a majority of DWI offenders suffer from substance abuse addiction that is the source of their offending. Sentences that do not support treatment will only lead to recidivism.

The emphasis on enforcement also has negative consequences for both officers and offenders. Revocation rates increase, officers complete more paperwork, and offenders remain on caseloads for longer periods. Offenders also begin to view officers as “assisting them in failing” because of strict supervision and the reporting of even minor violations, as opposed to helping them successfully rehabilitate or find solutions to problems. Of greatest importance, officers believe recidivism rates will continue to rise if little time is spent on rehabilitation. More time is required to assist offenders in developing the support systems needed to change problem behavior.

Officers recommended a number of solutions to resolve the conflict between enforcement and rehabilitation, however, they will not be easy to achieve without additional resources. More funding is necessary if rehabilitation is going to be a priority for probation departments. At present, funding levels in some jurisdictions barely permit officers to enforce compliance. The hiring of more officers would reduce caseloads so officers would have more time to devote to rehabilitative activities. Two-thirds of officers (67 percent) believe that more treatment programs, and more intensive treatment, should be available for DWI offenders to address addiction issues and change problem behavior. Most importantly, almost two-thirds of officers (63 percent) believe that the judiciary could benefit from more education on the impact of addiction in DWI cases. Sentencing offenders without addressing their substance abuse problems is tantamount to ensuring they will return to court and probation caseloads for future DWI offenses.



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SENTENCING DISPARITY

Sentencing disparity usually refers to the imposition of different (sometimes quite different) sentences on similar offenders who have committed similar offenses. More than half (53 percent) of the officers surveyed reported that similar offenders who have committed similar offenses often receive disparate sentences. Disparity creates a problem for officers because, in some instances, disparity in sentencing can lead to disparity in monitoring. For example, offenders that are sentenced to treatment and community service may be supervised with greater flexibility than offenders sentenced to EM or an interlock, despite similar offenses and offense histories. Moreover, officers may deal with entirely different service providers who have different practices that may impact the level of supervision, depending on the sentence imposed.

Sentencing disparity also, but less commonly, refers to the imposition of inappropriate penalties for a particular offense. More than half (54 percent) of officers also reported that they do not believe the penalties imposed by judges reflect the severity of the offense. Officers report that mandatory minimum sentences, required by law, are not imposed in 27 percent of cases. Officers believe that such leniency can create problems managing repeat offenders – offenders are less likely to be compliant because they do not take the sentence seriously, the sentence may not be appropriate to their needs, or they feel unjustly treated.

Disparity will be challenging to overcome, mainly due to the diversity of reasons it occurs. Not only do thousands of judges handle DWI cases but sentencing decisions must account for mitigating and aggravating factors as well as the criminal history of the offender. Judges have variable experience and familiarity with the different sanctioning options; they also are varied in their ability to impose such sanctions depending on available resources.

Officers report that there are ways to resolve this problem. They recommend increased efforts to inform judges about the effectiveness of various sanctions with different types of offenders. This echoes a recommendation from judges themselves in our previous report on sanctioning (Robertson and Simpson 2002b). As well, almost two-thirds (63 percent) of officers believe that more judicial education on the relationship between addiction and DWI offenses will also reduce disparity. Similarly, two-thirds (67 percent) of officers support the expansion of treatment programs, to ensure that judges are able to make meaningful treatment a part of sentencing so that offenders do not continue to recidivate.

PROGRAM DESIGN

The success of some sentences is frequently compromised due to problems in the design, structure and administration of imposed penalties and programs (e.g., fines, interlocks, EM, treatment). Mandated programs may not facilitate the entry of appropriate offenders, nor encourage compliance or facilitate monitoring, and the completion of requisite programs may be difficult to confirm.

Officers report that poor program planning and design contribute to a variety of program concerns. The program issue posing the greatest concern for officers is the trend towards “user-pay” programs. Half of officers (51 percent) report that offenders are excluded from certain programs occasionally or often because of their inability to pay program fees. While the payment of fees is appropriate in some instances, it is unrealistic to expect that offenders can uniformly bear these costs. The inability to pay costs can result in offenders being subjected to alternative, less effective penalties such as incarceration, which has other negative consequences, or to remaining on probation for longer periods because of non-payment of fines and fees.

Legislative incompatibilities also create problems because legislation often stipulates harsher penalties for repeat offenders with little consideration of the practical aspects of administering the penalties. Most of these consequences arise from the fact that offenders must meet certain eligibility criteria for programs -- if they do not meet the criteria they are excluded. For example, repeat offenders may be excluded from interlock programs if they incur a second offense during the period of hard suspension. So legislation may require an interlock but the offender is ineligible due to program policies. Most states have

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legislation requiring offenders to complete a period of hard suspension, however, the period of hard suspension can interfere with an offender's ability to work, attend treatment or keep appointments with their probation officers, particularly in rural jurisdictions that lack alternative modes of transportation. Almost half (47%) of officers in our survey report that licensing restrictions are unrealistic for this reason, making non-compliance inevitable for some offenders.

The lack of uniformity in the administration and operation of sanction programs is also a concern for officers because offenders are subject to very different conditions, making monitoring anything but routine. For example, interlock programs may use different devices, undergo different certification processes and have varying levels of sensor stability, meaning some offenders may have to report more frequently for servicing than others. There is also considerable variability in the exchange and reporting of information gathered from the datalogger. Treatment programs may have different screening capabilities, treatment and reporting protocols. Community service orders vary both in the length of the order and the type of service imposed.

To address these concerns, officers recommend a variety of solutions. Of greatest priority, officers in our survey strongly support the creation of indigent offender funds for programs, particularly EM and interlock programs. Officers ranked the creation of these funds as the single most effective solution to address program design problems and improve the effectiveness of imposed penalties. These funds would permit more offenders to access alternative penalties and avoid the negative consequences associated with incarceration that can lead to recidivism.

Careful evaluation of program requirements is also necessary to ensure that offenders are not being excluded from effective programs or placed into ineffective ones. Officers agree that more research is needed on program effectiveness and that the results of this research should be used to develop and implement a set of "best practices" to improve programming and monitoring. In this context, APPA has recently received a grant from NHTSA that may permit them to address some of these issues.

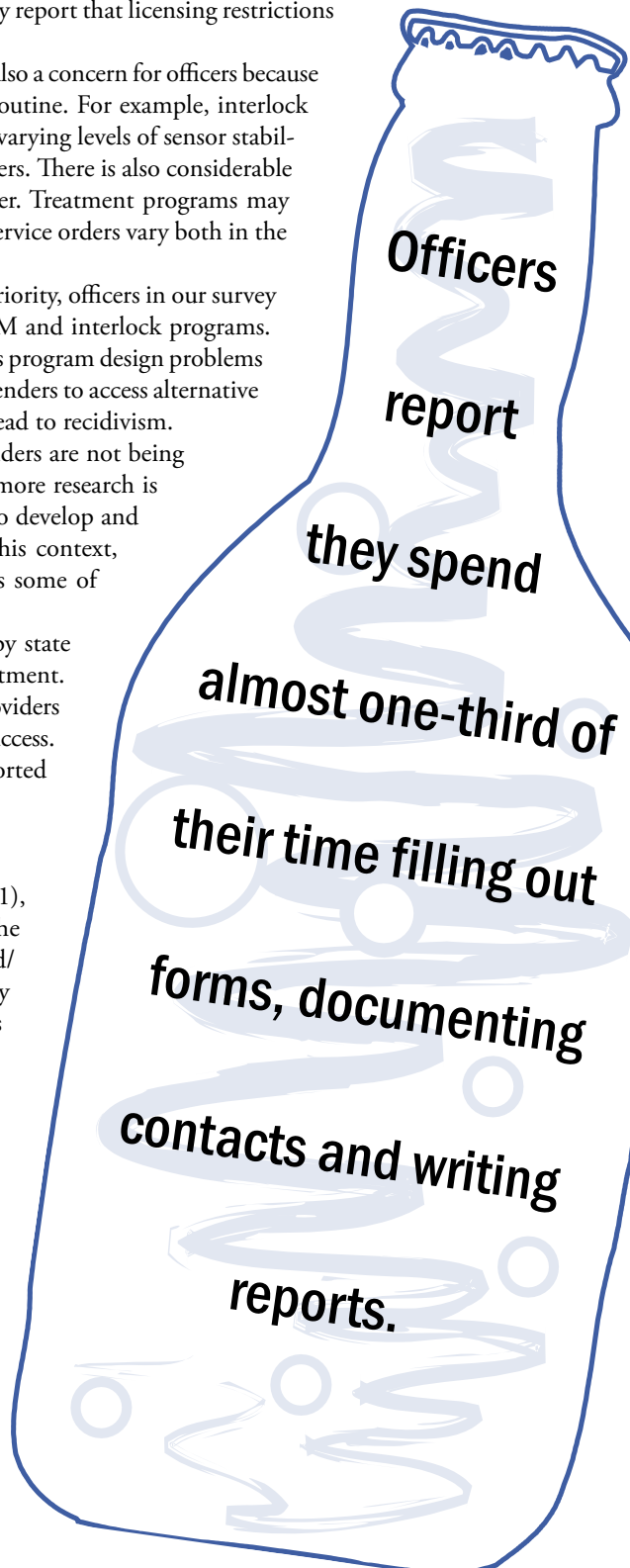
Officers also support the accreditation and certification of treatment programs by state governments according to agreed-upon criteria in order to create consistency in treatment. Moreover, a majority of officers agree that state governments should certify treatment providers to ensure a minimum standard of treatment and consistent criteria are used to measure success. The length of treatment programs should also be extended; a recommendation supported by existing research (Wells-Parker 1995; Blakey 1999; Voas 2001).

PAPERWORK.

Similar to other criminal justice professionals (see Simpson and Robertson 2001), probation officers spend a considerable amount of time completing paperwork. The amount of paperwork can often be a function of caseload -- i.e., officers with larger and/or intensive supervision caseloads do more paperwork. Regardless, officers report they spend almost one-third (31%) of their time filling out forms, documenting contacts and writing reports.

In reality, a considerable amount of monitoring is based on the exchange of paperwork among officers, treatment and service providers; it assists officers in determining an offender's level of compliance. Client contacts are documented to maintain current files, justify actions taken and confirm that procedures were followed, permitting greater accountability within the probation system. Officers are also responsible for preparing pre-sentence reports (PSRs) and spend time reviewing and recording information gathered for this purpose. Officers may also be required to prepare reports for judges concerning an offender's compliance or non-compliance in the form of violation reports.

Although the paperwork issue is certainly not new, as pointed out in our prior reports (Simpson and Robertson 2001; Robertson and Simpson 2002a,b), the problem has become more acute as the complexity of the DWI system has increased and caseloads have continued to expand. The diversity of penalties has also contributed to more paperwork. This problem can be compounded in offices that lack automated information systems because repetitive information must be



Officers
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duplicated on separate forms that are forwarded to other agencies.

The bottom line is that, regardless of the source or reason for the paperwork, time spent completing paperwork reduces the amount of time officers have to supervise offenders directly. Those receiving minimal supervision have little fear of detection for non-compliance and officers are forced to rely on information that offenders choose to report. This is just one reason that the public views probation as a "soft" sentence that does nothing to change behavior or prevent recidivism. Moreover, paperwork can cause frustration for officers if no action results from violation reports, and it can discourage the reporting of violations in an effort to avoid paperwork, furthering encouraging non-compliance by offenders.

In order to resolve this problem, officers have two primary recommendations. First, paperwork should be standardized in order to facilitate the exchange and review of information and reduce duplication. Second, officers recommend more extensive use of technology and greater automation in the reporting process (e.g., notebooks, laptop computers, personal digital assistants). This would facilitate the completion of paperwork and enable officers to spend more time providing direct supervision in the field.

NET-WIDENING

Net-widening refers to the expansion of correctional control. It frequently occurs when promising systemic changes -- i.e., new or "alternative" sentences and programs -- are implemented in an effort to reduce the number of individuals incarcerated in correctional institutions and/or reduce the likelihood of recidivism. In theory, these programs should reduce prison populations, but in practice, however, these programs become "add-ons" to the existing system, acting as a catchment process for offenders who would normally have been excluded from the system.

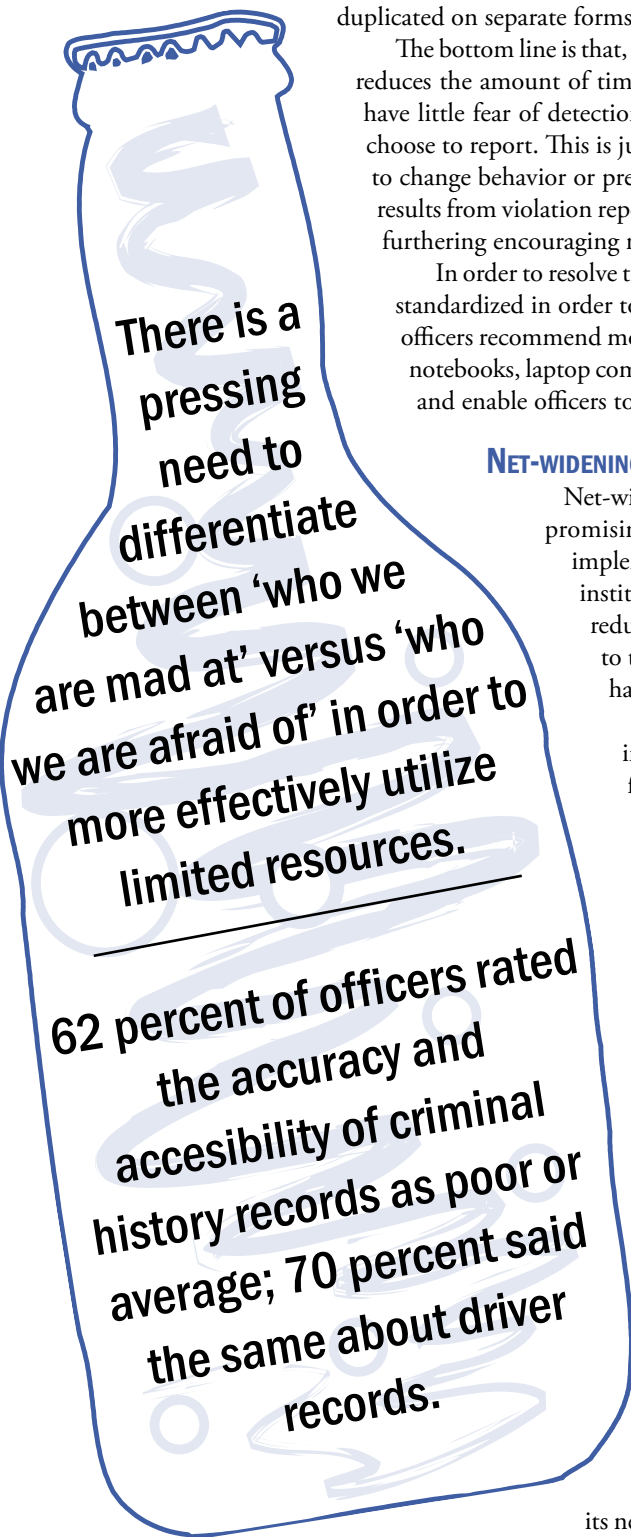
As evidence of this, the number of DWI offenders under correctional control has increased dramatically. From 1986-1997, the number of DWI offenders under some form of correctional control almost doubled, despite the fact that during that same period the number of DWI arrests actually declined. The proportion of DWI offenders under control increased from 151:1,000 DWI arrests to 347 (Maruschak 1999).

While the success of alternatives to incarceration should be commended, it has also significantly increased caseloads. Today, more arrested, non-violent, low-risk offenders are being formally processed and sentenced to probation terms involving multiple alternative programs. At the same time, the resources annually allocated to probation agencies have stagnated or declined in the past decade, impacting the quality of supervision officers are able to provide. Furthermore, limited time is available to assist offenders in accessing necessary community resources or treatment programs, meaning offenders are less likely to receive the treatment and assistance they need.

The expansion of alternatives to incarceration, many of which have been proven effective, has significantly increased caseloads. Paradoxically this has reduced the effectiveness of probation and alternatives to incarceration because officers must manage more offenders without a significant increase in resources. Moreover, officers have less time and fewer resources to devote to those offenders requiring more intensive supervision and non-compliance is less likely to be detected. As well, when offenders are subject to unnecessarily strict conditions of probation and close supervision, they are more likely to fail and remain part of probation caseloads.

To reduce the effects of net-widening, officers support a strategic review of sentencing policies to assess where and how net-widening is occurring and how its negative effects can be controlled and reduced. There is a pressing need to differentiate

between "who we are mad at and who we are afraid of" in order to more effectively utilize limited resources and ensure that offenders are not unnecessarily assigned to more intensive supervision than is required. Moreover, justice professionals should engage in discretionary decision-making to filter individuals out of the system who do not need to be there



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and who will not benefit from close supervision, as was originally intended.

RECORDS

Records necessary for monitoring offenders -- including criminal histories and driver records -- are maintained by different agencies for different time periods. Their contents may not be comparable and their accuracy or completeness may be inconsistent at best. Inefficient access to the needed information also impedes decision-making and the effective monitoring of offenders.

Current and accurate records are important for probation officers in the preparation of PSRs and the monitoring of offenders. But officers in our survey report they spend less than 5 percent of their time searching various record systems because of competing priorities. Moreover, 62 percent of officers rated the accuracy and accessibility of criminal histories as poor or average; 70 percent said the same about driver records. Accordingly, timely access to accurate, easy to interpret records is critical, but more often than not lacking.

To complicate searches of criminal history and driver records further, states vary considerably in the format and content of the information included in these records. No two states use an identical format for criminal history records and many are not even remotely similar (BJS 2001). There is no mandatory format states must follow, and many states cannot adequately match records of arrests to dispositions, making the identification and review of records from states nearly impossible for officers searching for new or prior convictions. Officers also report considerable variation in the type of offenses and level of information included in criminal history records. Distinguishing between misdemeanors and felonies can be problematic. Substantial delays that frequently occur in the reporting of information in some states can also impede decision-making.

The records problem causes the greatest concern because of the multitude of complexities associated with interstate transfers of offenders on probation. While the Interstate Compact for Adult Offender Supervision is trying to address some of these concerns, improvements in the exchange of information may not be readily apparent until the Compact has been in effect for several years.

Similar to other criminal justice professionals, probation officers recommend greater standardization in existing record systems to improve the consistency of record systems between agencies and among states. Increasing automation can also reduce reporting delays and improve the accuracy and timeliness of records. Of greatest importance, a majority of officers (95 percent) support maintaining diversion records for the legislated look-back period. These records prevent offenders from qualifying for diversion programs more than once, meaning they will be appropriately identified as repeat offenders when arrested subsequently.

CONCLUSION

The effective monitoring of offenders is critical to the effectiveness of the criminal justice system. Without effective supervision, it is

unlikely that hard core offenders will change their behavior and public safety will continue to be at risk. However, probation officers have provided several practical recommendations that can create positive change and improve the monitoring of these offenders.

As a whole, our series of reports on enforcement, prosecution, sanctioning and monitoring clearly demonstrate how the unprecedented growth in DWI legislation in the past two decades has resulted in a cumbersome system. At each phase, criminal justice professionals operate amidst a myriad of competing priorities and conflicting interests. More often than not, they lack sufficient training, technology, and resources to complete their respective tasks, although despite these problems, the system does work, with an average of 1.4 million offenders being arrested annually.

Now, greater efforts are needed to streamline and simplify the existing criminal DWI system. Most states have drafted and implemented the needed legislation and this is an important first step. Politicians must turn their attention to ensuring that important policies and programs achieve their intent and make the system work more efficiently and effectively. If the justice system is to achieve its goals, if we are to change problem behavior and protect public safety, we must ensure that guilty offenders are apprehended, prosecuted, convicted, sanctioned and monitored appropriately.

Dedicated professionals across the country that represent all phases of the justice system have provided practical and cost-effective recommendations that can address priority concerns. Criminal justice agencies and associations must carry these recommendations forward and ensure that they are implemented in a meaningful fashion. Only then will the declines in alcohol-related fatalities resume.

On a positive note, many agencies and associations are now modifying existing training programs, developing new curricula, and re-examining current policies and practices to identify ways they can collaborate to close loopholes and improve the efficiency and effectiveness of the system. A key ingredient in achieving this goal is the development of cooperative initiatives to improve communication and share information. Key stakeholders from government, criminal justice, and highway safety arenas are encouraged to become involved in the process of reviewing current practices at a state level and determining where problems exist and what improvements can be made.

In an effort to establish cooperative initiatives and bring criminal justice professionals together, TIRF produced a summary report highlighting the priority recommendations supported by all professionals (Robertson and Simpson 2003b), and subsequently initiated a *Working Group on DWI System Improvements* to move these recommendations forward. Key partners in this initiative are the American Judges Association, the American Probation and Parole Association, the National Traffic Law Center of the American Prosecutors Research Institute and the Highway Safety Committee of the International Association of Chiefs of Police. Members of the *Working Group* are drawn from more than a dozen criminal justice organizations; other participants include representatives from traffic safety and government agencies.

In the coming months, the Working Group will endeavor to

Drinking Drivers

Cover Story

identify priority initiatives for improving the efficiency and effectiveness of the DWI system; develop an action plan for implementing these initiatives; and, encourage the appropriate agencies to take the needed action. More information about Working Group activities will be posted at www.trafficinjuryresearch.com.

Departments or agencies attempting to address any of these issues are encouraged to consult the study report. It contains extensive and detailed information on the problems identified and numerous examples, references and contacts that agencies can draw upon for guidance. State-specific information can also be obtained, when available, upon request to TIRF.

Copies of full reports and executive summaries for the enforcement, prosecution, sanctioning and monitoring phases can be accessed at www.trafficinjuryresearch.com or by contacting Barbara Koppe toll-free at 877-238-5235 or barbarak@trafficinjuryresearch.com.

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COALITION TO REFORM THE DWI SYSTEM

In 2003, the Traffic Injury Research Foundation (TIRF) completed a series of four reports on "DWI System Improvements for Dealing with Hard Core Drinking Drivers". They identified priority problems in the enforcement, prosecution, adjudication and sanctioning, and supervision of repeat offenders, and recommended practical solutions based on the opinions, insights and experiences of several thousand front-line professionals representing these fields. (Findings from the latter two reports on sanctioning and supervision were documented in previous editions of Perspectives). Findings and recommendations from these reports have been recognized and embraced by criminal justice and traffic safety organizations across the country.

The priority recommendations contained in the four major reports were summarized and synthesized in a report entitled "DWI System Improvements: Stopping the Revolving Door." It also un-

derscored the high level of consensus that exists among criminal justice professionals regarding system problems and how to overcome them, identifying shared concerns and recommendations for action. Moreover, it placed special emphasis on the fact that the various system components -- enforcement, prosecution, adjudication/sanctioning and supervision -- are a highly interdependent system and that improvements in one problem area can have beneficial effects throughout the system. In this regard, the report emphasized the need for improved communication and cooperation among criminal justice professionals to address common problems and improve the system at all levels.

In response to this need for greater communication and cooperation among justice professionals, and in an effort to advance the priority recommendations, TIRF facilitated the formation of a

Working Group on DWI System Improvements in November 2003. Partners in this alliance are: TIRF, the American Judges Association, the American Probation and Parole Association, the National Traffic Law Center of the American Prosecutors Research Institute, with assistance from the Highway Safety Committee of the International Association of Chiefs of Police.

Representatives from leading criminal justice organizations were invited to join the Working Group, which now has 18 members – two from TIRF and 16 others representing police, prosecutors, judges and supervision professionals across the country. Organizations represented on the Working Group include:

- The Highway Safety Committee of the International Association of Chiefs of Police
- The State and Provincial Police Directorate of the International Association of Chiefs of Police
- The Institute of Police Technology and Management
- The National District Attorneys Association
- The California District Attorneys Association
- The National Traffic Law Center of the American Prosecutors Research Institute
- The National Association of Prosecutor Coordinators
- The American Judges Association
- The National Judicial College
- The National Center for State Courts
- The National Association of State Judicial Educators
- The American Probation and Parole Association
- The National Institute of Corrections
- The National Criminal Justice Association
- The National Association of State Alcohol and Drug Abuse Directors

The goals of the Working Group are three-fold: to identify priority initiatives for improving the efficiency and effectiveness of the DWI system; to develop an action plan for implementing these initiatives; and, to encourage the appropriate agencies to act upon this plan.

There is a pressing need to identify priority initiatives for improving the efficiency and effectiveness of the DWI system. In recent years, many local, state and national organizations have taken action to address priority problems -- new laws have been passed, new programs implemented, new technologies developed and new strategies for dealing with offenders identified. However, there is a considerable lack of coordination or sharing of knowledge among other professionals and agencies, and it is not uncommon for these initiatives to be under-utilized or to operate in isolation. In light of the fiscal crisis that exists in most states, agencies are increasingly motivated to partner on collaborative efforts and build on the experiences of others in order to avoid the costly duplication of efforts. Bringing key professionals together provides the relevant agencies with an opportunity to learn about these new initiatives and to expand their use.

The second goal of the Working Group is to develop an action plan for implementing these initiatives. Understandably, agencies will not be able to uniformly implement the recommended improvements and some of them will be more feasible and take precedence over others. However, areas of common concern, such as training, can be addressed using a multi-agency, inclusive approach. Opening lines of communication and building cooperative alliances between and among criminal justice organizations will ensure that the needs of agencies are met in a strategic and coordinated manner, to make the best use of limited resources.

The third goal of the Working Group is to encourage the appropriate agencies to take needed action to implement the priority recommendations. DWI must remain a key priority for criminal justice agencies and strong leadership in all organizations is critical to effect change. At the same time, a clear understanding of what agencies can

and cannot accomplish, what obstacles they face, and which agencies are in the best position to implement specific recommendations is required. Mandates, capabilities and spheres of influence overlap considerably between organizations and it is necessary to determine which agencies are best able to take leadership, coordinate activities, and leverage support among relevant agencies to improve the effectiveness and efficiency of the DWI system.

To initiate its agenda, the Working Group held a meeting in March 2004. To broaden the expertise represented at the meeting, other organizations with a vested interest in impaired driving were also invited to attend. The organizations that participated included:

- Association of Transportation Safety Information Professionals
- Center for Substance Abuse Treatment
- Council of State Governments
- Governors' Highway Safety Association
- Journal of Offender Monitoring
- National Highway Traffic Safety Administration
- National Institute of Alcohol Abuse and Alcoholism
- National Institute of Justice

For many participants, this was the first opportunity they had to meet and interact with members from other key organizations, specifically to share concerns about the DWI system and to discuss means for improving its effectiveness. The eagerness with which participants shared ideas, exchanged information and established contacts was testimony to the value of the meeting and demonstrated that improvements in communication and cooperation can be achieved. Representatives of each organization were eager to learn from other participants and identify ways in which they could work together to address shared concerns. Members also found ways they could benefit from and assist with initiatives already underway.

The meeting itself was structured to address two basic questions that are foundational to the goals of the Working Group: what initiatives are currently in place to address problems in the DWI system (i.e., who is doing what?); and, what additional measures are needed to improve the efficiency and effectiveness of the system (i.e., what needs to be done?). The proceedings from the meeting will be available electronically in late November at www.trafficinjuryresearch.com and will contain an inventory of the initiatives identified by the Working Group that address their priority recommendations. Of equal importance, the proceedings will also contain the views and opinions of participants in the Working Group meeting regarding other initiatives that are needed to improve the efficiency and effectiveness of the DWI system. In this context, participants also identified principles that should govern the development and operation of such initiatives as well as issues and concerns they should address. The proceedings will hopefully serve as a valuable sourcebook for agencies looking to improve their efficiency and effectiveness in dealing with hard core drinking drivers.

The Working Group is also interested in learning about other new initiatives for improving the DWI system's response to hard core drinking drivers. Individuals from all professional fields are encouraged to submit information about new initiatives that address the six priority recommendations to www.trafficinjuryresearch.com so that they can be added to the inventory. □

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JOHN AUGUSTUS

V.

LA COSA NOSTRA

ORGANIZED CRIME AND UNITED STATES PROBATION OFFICERS

I have taught community corrections courses to undergraduate college and university students since 1993. I have been teaching organized crime courses for about as long. Until recently I did not believe the two would meet. I was under the common misconception that all organized crime offenders receive life sentences for their offenses and seldom if ever have contact with community corrections officers. The United States Probation Office (USPO) in the Eastern District of New York (EDNY) includes a six to eight officer task force called the Special Offender Unit (SOU), which was created in 1978 (Rackmill and Fox, 1993). These officers specialize in supervising offenders with ties to criminal organizations. One SOU officer has served as technical adviser for the Showtime series *Street Time*, a television drama about a parolee and his often-troubled parole officer. The SOU officer provides ideas for the show, some of which are based on actual experiences with organized crime offenders.

BY MARK JONES, PH.D

This article discusses the strategies used by the SOU in supervising organized crime offenders in the community. These techniques have implications for community corrections agencies that deal with offenders with ties to many types of organizations, be they street gangs, traditional organized crime groups, or even terrorism.

The officers in the EDNY interact with organized crime figures through one of four means: 1) officers conduct presentence investigations on these offenders; 2) some offenders known to belong to criminal organizations may commit serious crimes which go undetected, but they also commit less serious crimes which do not result in prison sentences; 3) some offenders, still under the old sentencing scheme used by United States courts, are paroled after serving prison sentences; 4) post-release supervision accounts for the greatest number of organized crime offenders in the EDNY.

The Transformation of Community Corrections in America

Over the past 20-25 years, many community corrections agencies have adopted public safety as their main mission. Probation has become one of the front line measures in controlling crime across the United States. While rehabilitation has not been abandoned, public safety has assumed greater importance than in times past. In recent decades parole has fallen into disfavor with many policymakers and the public, but this tide has eased in recent years. In 1984, Congress enacted the

Sentencing Reform Act, which abolished parole for federal offenses committed after November 1, 1987, except for military offenders. The Judicial Improvements Act of 1990 and the Parole Commission Phaseout Act of 1996 extended the life of federal parole, and the United States Parole Commission still makes parole revocation decisions for the District of Columbia (<http://www.justice.gov/uspc>). Parole has been replaced by post-release supervision. Under post-release supervision an offender can be released from incarceration after serving a portion or all of his/her sentence, and is subject to supervision by a probation officer, and is under the control of the sentencing court.

Little has been written about the connection between organized crime and community corrections supervision. In a 1994 *Federal Probation* article, Victor Casillas, a San Antonio-based United States Probation Officer, discussed "community threat" groups, and reported a community threat group program composed of specially trained officers and an intelligence expert. The community threat groups

under discussion in *Federal Probation* were street gangs, but Casillas made passing reference to traditional *La Cosa Nostra*, outlaw biker, and Asian gangs (Casillas, 1994).

The Eastern District of New York

The United States court system is divided into 11 circuits and 94 districts, with probation officers in every district. The EDNY is located in the second circuit. The EDNY includes five counties: Kings (Brooklyn), Queens, Richmond (Staten Island), Nassau and Suffolk, with a combined population of approximately 7.4 million. The EDNY has probation offices in Brooklyn and Central Islip, which is located approximately fifty miles from Brooklyn. The United States Probation Office in the EDNY has a staff of approximately 250 employees.

Organized Crime in New York

There is no universal definition of organized crime, or of a criminal organization. Perhaps the best definition is the simplest one: Organized crime involves a continuing enterprise operating for the production and sale of illegal goods and services (Hagan, 1983; Paoli, 1999). New York City, along with Chicago, probably has the most infamous historical association with organized crime of any large American city. Prohibition turned many small time New York neighborhood gangsters into millionaires, one of whom was Al Capone, who migrated from New York City to Chicago.

The word "mafia" or "place of refuge" is of uncertain origin, though it is probably of Arabic derivation. Mafia is best understood as an attitude and denotes a strong distrust of outsiders and centralized authority and an unwillingness to cooperate with the government. The concept of *omerta*, or "manliness," which means that a man settles problems himself rather than relying on authorities to help him, and which translates into a "code of silence," another significant though not impenetrable force when dealing with some organized crime groups (Abadinsky, 2003).

The term *La Cosa Nostra* (LCN) or "this thing of ours" was introduced into the academic vocabulary in 1963. Joseph Valachi, a soldier in New York's Genovese crime family testified before a United States Senate Subcommittee investigating organized crime that the LCN is a secret society of Italian organized crime, well organized, and national in its scope and influence (Abadinsky, 2003). In New York, five crime families have dominated organized crime since the 1930's: 1) Genovese, 2) Colombo, 3) Gambino, 4) Lucchese, and 5) Bonanno.

Recent years have witnessed a decline in LCN influence in New York. The RICO (Racketeer Influenced and Corrupt Organization) statute, which carries stiff criminal and civil penalties for a pattern of criminal activity over a period of time, is one reason. Plus LCN has fallen victim to its own publicity and has become a favorite target of ambitious prosecutors, including Rudolph Guiliani, who prosecuted mob bosses during the 1980s. As the power of *La Cosa Nostra* has declined, New York has had to contend with other groups' forays into organized crime. In the EDNY, these groups include outlaw motorcycle gangs (the Pagans and Hell's Angels), the Latin Kings, Asians, Colombians, Nigerians (and other West Africans), Russians (and other immigrants from former Soviet Republics), a new Sicilian "mafia," and Middle Eastern nationals and immigrants with links to terrorist organizations. *La Cosa Nostra* remains powerful, but it now must share power with other criminal organizations. The LCN represents the highest percentage of offenders under SOU supervision.

Outlaw Bikers

The dominant outlaw biker group in Eastern New York has been the Pagans, who control much of the prostitution and strip club business on Long Island; the Pagans have been involved in drug dealing as well. Founded in 1959 in Maryland, the Pagans' primary power base has traditionally been the Mid-Atlantic States. Pagan headquarters, or the "mother club" has been relocated to Suffolk County, New York, which is within the EDNY (Abadinsky, 2003).

In recent years the Hell's Angels have attempted to infiltrate Pagan territory. The Hell's Angels originated in California shortly after World War II and have chapters throughout the United States and Europe. In February 2002, a fight in Plainview, Long Island erupted when Pagans raided a "Hellraisers Ball" being held by the Hell's Angels. The numerous arrests required a shifting of resources in the EDNY probation office so that presentence investigations could be conducted in a timely manner.

Colombians

Colombia has been the world capital for cocaine production and export for several decades. It borders the Atlantic and Pacific Oceans, making it a prime transit point for cocaine shipping. Cartels have intimidated and even murdered politicians, police officers and judicial officials who target them for prosecution. Colombian drug traffickers have infiltrated New York City's drug trafficking market.

Nigerians

Nigerian and Western African organized crime consists of informal networking as opposed to a hierarchical organization. These networks tend to include individuals that are highly educated. Financial fraud is the focus of most Nigerian crime networks. Heroin smuggling is also a common activity of Nigerian crime networks (Jones, 1993).

Russians

Russian organized crime has presented a tremendous challenge to law enforcement around the world. The corruption so endemic to Soviet-era Communist rule has spread across the globe since the Soviet Union was dissolved in the early 1990s. Virtually every type of crime, be it violent, property or drug-related, has been committed by Russian organized crime. Gasoline smuggling is another Russian organized crime specialty. Many times, participants in Russian criminal organizations come from other former Soviet republics. Many Russians have settled in New York's Brighton Beach area, which lies within the EDNY. A potent criminal element exercises great influence in the Brighton Beach area, extorting money from Russian-owned businesses along the Brighton Beach boardwalk.

Asian

The Flying Dragons and the Tung On Boys are active in the EDNY. The Flying Dragons are composed of several ethnic groups, including Chinese, Vietnamese, Fukienese, Taiwanese and Koreans. The Tung On Boys, most of whom are Chinese and are linked to the Sun Yee On "triad," specialize in victimizing Asian business owners who are reluctant to ask police officials for assistance (Rackmill and Fox, 1993).

Bloods

The Bloods started as a street gang in the Los Angeles area. An overwhelmingly African-American group, the Bloods are known for drug trafficking and for a penchant for violence. The Bloods now have affiliates in over 30 states. The Bloods do not have rigid hierarchy, and usually operate with sets of 30-100 people in a set, often operating under a different name than Blood (Kelly, 1999).

Latin Kings

The Latin Kings started as a prison gang and espouse Puerto Rican unity and nationalism, but the political messages often serve as cover for crime. People of other nationalities and ethnicities are sometimes found among the ranks of Latin Kings. Most Latin Kings in the EDNY were born in New York or New Jersey.

Sicilian

Unlike the American LCN offenders discussed earlier, all of these offenders were born in Italy. These offenders are involved in a number of activities, most notably the international drug trade and money laundering, with stronger ties to Italy than the traditional American LCN offender.

Middle Eastern

Although most organized crime activity is purely profit-driven, organized crime and terrorism enjoy a symbiotic relationship. The leaders of some organizations use politically motivated terrorism as a smokescreen for enriching themselves through organized crime. Some terrorist organizations use organized criminal activity to fund their terrorist agendas. One of the favorite activities of these groups is counterfeit clothing rings, where small time street merchants place designer labels on cheap clothes and funnel the profits to terrorist organizations in the Middle East. Since the attacks of September 11, 2001, probation officers in the EDNY have been vigilant in monitoring the activities of people with suspected terrorist ties. Some offenders on the EDNY caseload have direct links to those responsible for the first World Trade Center bombing in 1993.

Philosophical Assumptions in Supervising Organized Crime

One goal of this research was to identify philosophical assumptions needed when dealing with organized crime. These assumptions are discussed in this section.

1) Supervision must be proactive. Many officers, due in part to large caseloads, employ a reactive approach to supervision. Officers wait for someone in law enforcement to contact them or check the local jail logs to see if anyone on their caseload has been arrested. The SOU does not adhere to this strategy. Officers seek out violations, without waiting for one to be reported to them. Spending time in the field is paramount. The office is a place for catching up on paperwork, not for supervising the offender or discovering violations.

2) Crime is a lifestyle and a vocation, rather than an aberration. The majority of offenders do not consciously set out to be criminals, even if their behavior may indicate otherwise. Most probationers, and even quite a few parolees, possess at least a half-hearted desire to stay crime free, if for no other reason, to avoid the unpleasant consequences. With organized crime offenders, crime is a way of life. Organized crime

offenders do not aspire to a non-criminal lifestyle. One SOU officer stated that crime is simply “going to work.” With the organized crime offender, any legitimate employment merely serves as a smokescreen for crime, which is their real livelihood. For the vast majority of organized crime offenders, aging out of the criminal lifestyle is not an option, but some slow down because of poor health.

3) Crime is about profit. The driving force behind organized crime is money. SOU organized crime offenders seldom commit foolish or irrational crimes out of anger, or as a result of uncontrollable substance abuse problems; nor do they usually engage in petty thievery that is unrelated to the goals of the organization. They are often punished or removed from the organization for committing crimes that bring unwanted attention.

While an occasional encounter with the criminal justice system is seen as the price of doing business, foolish behavior that brings the criminal justice system into the organization is not tolerated. Criminal organizations are about making money, not committing crime for some emotional or vicarious enjoyment.

4) Minimize or totally eliminate the prospect of rehabilitation. EDNY Probation Officers have not abandoned the rehabilitative ideal, at least with respect to most of the offenders on its caseloads. However, rehabilitation is not seen as a possibility with SOU offenders, for whom crime is a way of life. Intervention efforts such as drug testing are carried out for the purpose of detection, not rehabilitation. “Everyone on my caseload is a walking indictment,” says Robert Anton, a Senior United States Probation Officer with the Special Offender Unit.

5) Do not look for the usual red flag problem areas. Some offenders send clear signals that they are problem cases. They miss appointments. They irritate their supervising officer by their conduct. They present signs of drug or alcohol abuse by failing drug tests or by arriving at the office smelling of alcohol. They do not maintain employment, or they have tumultuous personal lives.

With many organized crime offenders, such red flag problem areas do not present themselves. Many of the SOU offenders, especially the older ones, avoid “stupid behaviors” that offend the officer. SOU offenders, especially the LCN members, are seldom late or absent for an office appointment. When officers agree to meet a SOU offender at home or work, the SOU offender will usually honor the appointment. Most SOU offenders are very cordial and even friendly to their officers, aware that obnoxious behavior will only cause them trouble. Most SOU offenders do not have substance abuse problems. They will not fail drug tests; they will not come to the office under the influence of alcohol. SOU offenders realize that a checkered employment picture draws the attention of their officer. In some cases, the employment serves as a façade for criminal activity, or it may be phony employment arranged by the criminal organization.

6) Abandon the 8-5 workday mentality. If they realize that they are free to do as they please on nights and weekends without fear of detection from their officer, they will do as they please. Allowing or encouraging a flexible work schedule has become increasingly common in community corrections within recent years, both for enforcement-minded and treatment minded officers. It is necessary when supervising organized crime offenders.

Organized Crime Supervision Strategies

The SOU utilizes strategies in supervising its offender population somewhat unlike that of supervising other offenders. Also the SOU emphasizes certain conditions of supervision more than officers who supervise other types of offenders. Some of those strategies are discussed in this section.

1. Identifying the SOU offender.

The EDNY utilizes 11 criteria for defining a special offender. They are:

- 1) Known members or associates of traditional organized crime families;
- 2) Known members or associates of non-traditional organized crime groups, such as motorcycle gangs, street gangs, prison gangs or other ethnic criminal groups;
- 3) Terrorist groups, including but not limited to international and domestic supremacist groups which use terrorist methods;
- 4) Career criminals, those with three or more significant felony convictions;
- 5) Violent offenders, those previously convicted of murder, kidnapping, serial robberies, multiple felony assaults or significant weapons charges, and those with prior charges for such crimes but had dismissals because of due process violations;
- 6) Offenders with a history of substantial narcotics or firearms trafficking, including those who provide managerial or proprietary expertise in such crimes;
- 7) Offenders convicted of highly sophisticated and/or organized fraud, such as major stock fraud or bank fraud, car theft rings, or stolen credit card rings, but the offender must have had a leadership role in such activity;
- 8) Offenders convicted of public corruption or other high notoriety offenses;
- 9) Offenders currently involved in significant, ongoing criminal activity;
- 10) An offender designated as a protected witness under the WITSEC (witness protection) program;
- 11) A case designated as warranting Special Offender status by the USPO Chief Deputy (Rackmill and Fox, 1993).

The primary targets of the SOU are offenders that have organized crime affiliations or are actual members of organized crime groups. Affiliation is discovered during the investigation stage of a crime. Law enforcement agencies and prosecutors in the EDNY maintain lists of individuals that are known or believed to be associated with organized crime groups and disseminate these lists to United States Probation Officers in the EDNY.

2. Aggressive enforcement of the association condition.

A standard condition for most probationers and parolees is not to associate with known criminal offenders. SOU offenders with links to criminal organizations are given a list when sentenced or released that includes the names of people that the offender is forbidden to associate with as a condition of that release.

The Achilles heel of organized crime is that its members must associate with each other. Organized crime offenders must have some sort of contact with their criminal business associates. The social club is a staple of LCN. Social clubs are restaurants, bars or buildings used by LCN members to conduct business. While riding with one

of the SOU officers in the Coney Island and Bensonhurst areas, the officer pointed to several known LCN social clubs, and stated that he frequently would ride by and take note of the cars parked nearby or the people hanging out near the club.

With outlaw bikers the association condition extends to what offenders may wear or display. Wearing the club colors, a requirement among some motorcycle clubs, is forbidden for SOU offenders. Another common requirement in outlaw biker clubs is displaying the club emblem on their motorcycle. This is also forbidden.

3. Aggressive monitoring of employment

One challenge with organized crime offenders is ensuring that their employment is not crime-related. Proving such a connection is usually not easy. In one case, a highly placed LCN offender was employed at a business. During a visit to the offender's employment, the officer noticed that the office walls and desk were bare. Bare walls and desks reveal no information. Suspecting that the employment was not legitimate, the officer asked the offender what he did at the business. The offender pulled a typed letter from an otherwise empty desk drawer, and stated, "I typed this letter yesterday."

I went with an officer to visit an offender at his employment. The offender, who was under post-release supervision for a LCN-connected stock fraud scheme, worked as a car salesperson. The officer told the offender that he wanted to observe him for a few minutes, to insure that the employment was legitimate. The officer asked me to mill around the showroom, pretending to be a customer, while he unobtrusively observed the offender. After I was offered some tempting deals on new imports, and the officer was satisfied that the employment seemed legitimate, we left.

4. Use of informants and other officers

SOU officers rely on informants to provide information about an offender. The informants may be former offenders or anyone else that knows about the offender's activities. One instance during my observation involved an offender that had previously been on the caseload of a SOU officer. The officer received a call from the ex-wife of an offender that had previously been under his supervision. The offender, who had had his probation revoked and was now in a half-way house, was making threatening phone calls to his ex-wife and her father. The offender was connected to Russian organized crime rings in the Brighton Beach area, but had been excluded from his group's activities because of continued drug abuse. The officer advised the ex-wife to tape record future phone calls; he told the half-way house administrators about the phone calls, which resulted in the offender's eventual incarceration.

5. Communication with other agencies

Inter-agency communication is essential with the SOU. New York City has several repositories of expertise in the area of organized crime. The SOU shares and receives information about organized crime offenders from the New York City Police Department, the United States Attorney's office, plus state and local probation/parole officials.

Conclusion

Reactive approaches are inadequate with the truly sophisticated career criminal. Where organized crime flourishes, a different mindset and more intrusive, aggressive strategies must be used, but while also ensuring that the rights of an offender and those around

the offender are upheld. These strategies can be used in dealing not only with traditional organized crime groups but with street gangs and offenders with ties to terrorist organizations. Two SOU officers learned through an informant that an individual on their caseload of Lebanese extraction was involved in a counterfeit clothing ring in a neighboring state. The two officers raided a storage house being rented by the offender's partner and found the offender and his associates in possession of the counterfeit goods. Federal authorities were alerted; the suspects were arrested; the offender on the SOU caseload had his release revoked. Profits from the counterfeit clothing ring were being funneled to terrorist organizations in the Middle East.

This aggressive approach requires knowing an offender's associates and spending a great amount of time on individual offenders, a daunting challenge for agencies experiencing budgetary strain and high caseloads, which seem to be two of the true constants in community corrections. Nevertheless the strategies discussed here are useful tools for community corrections agencies around the country, especially those confronting the challenge of organized criminal groups.

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2005-2006

Jan 28-Feb 1

American Correctional Association 2005 Winter Conference Phoenix, AZ. Contact Conventions Dept. (800) 222-5646 x-1922 or visit www.aca.org.

Jul 24-27

APPA's 30th Annual Training Institute, Marriott Marquis, New York, New York. Contact Kris Chappell at (859) 244-8204 or kchappell@csg.org or visit www.appa-net.org.

Feb 13-16

APPA's Winter Training Institute, Hyatt Regency Orange County, Anaheim, California. Contact Kris Chappell at (859) 244-8204 or kchappell@csg.org or visit www.appa-net.org.

Aug 6-10

American Correctional Association 135th Congress of Correction Baltimore, MD. Contact Conventions Dept. (800) 222-5646 x-1922 or visit www.aca.org.

Mar 2-5

42nd Annual International Conference Learning Disabilities Association of America For information on registration call 412-341-1515

2006

Mar9-11

National Conference Child Welfare League of America, "Crossing the Cultural Divide," Marriott Wardman Park, Washington, DC. For Information contact Naomi Goldman 617-769-4003 or submissions2005@cwla.org

Jan 8-11

APPA's 2006 Winter Training Institute, Austin, Texas. Contact Kris Chappell at (859) 244-8204 or kchappell@csg.org or visit www.appa-net.org.

Apr9-12

Updates in Correctional Health Care, Flamingo, Las Vegas, Contact (773)880-1460.

Apr 10-16

2005 National Crime Victims' Rights Week "Celebrating 25 Years of Progress in Victims' Rights and Services." Call OVC TTAC at 1-800-OVC-TTAC or visit their website at www.ovcttac.org.

Apr 26-30

National Communications Network for Law, Public Safety and Security Career Programs 2005 National Conference, "Fostering Careers in Law, Public Safety, Corrections and Security," Wyndham Westshore, Tampa, Florida. For more information email jnc11@msn.com attn: Pat hicks or visit www.ncn-npcps.com.

Jun 13-15

6th Annual Innovative Technologies for Community Corrections Conference, Red Lion on Fifth Ave, Seattle, Washington. Contact (800) 416-8086 or jdunne@du.edu.

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
fax (859) 244-8001, email dwebb@csg.org



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