

PERSPECTIVES

the journal of the American Probation and Parole Association

w w w . a p p a - n e t . o r g
Volume 33 Number 2 Spring 2009



Progressive Sanctions

A Force for Positive
CHANGE.

President's Message

Gary Hinzman

It is remarkable to think that we are headed toward Anaheim for the 34th Annual Training Institute in August and I am headed into the last quarter of my two-year term as president of APPA. The experience of working with so many talented and dedicated professionals in our field has been truly a blessing for me.

But let's not get too far down the road without reflecting on what a great success of the Winter Training Institute in Myrtle Beach. The only disappointment I had was when I discovered the Iowa winter weather tricked me. It was actually warmer in Cedar Rapids on a couple of those days than in South Carolina. Nevertheless, it did manage to get cold again in Iowa when I returned.

I want to thank Delores Johnson, our winter training Institute program chair for all the hard work she did to bring us such a wonderful program. I am certain that she would extend her gratitude to her entire program committee. On behalf of the executive committee and the board of directors, "Thank you very much!"

Who could not like the inspirational and engaging presentation by Congressman Danny Davis of Illinois? The Congressman was really speaking our language about the Second Chance Act, re-entry and returning people as productive members of society. The Congressman said he now will turn his attention to returning eligibility to offenders for Pell Grants. APPA will stand with him on this issue as we did on the Second Chance Act.

Monday's plenary speaker was Mr. Bart Lubow from the Annie E. Casey Foundation who presented on the demonstration project that shows that the juvenile justice system can reduce the reliance on secure facilities without compromising public safety. He outlined how the lessons learned from the initiative can translate to efforts in the criminal justice system as well. The presentation was convincing and thought provoking.

Our closing speaker Pete Earley had a remarkable presentation on corrections mental health issues by relating his personal story of the trials he had with his son and his subsequent investigation into the manner of how persons with mental health issues were treated in America's jails and prisons. His book, *Crazy... A Father's Search Through America's Mental Health Madness* is an eye-opener and important reading for all of us.

I have had numerous compliments on the quality of the workshops and the level of expertise of the presenters. I want to thank all of those dedicated presenters who spent hours on developing their presentations. This commitment and dedication is what makes APPA such a great professional organization. You are the wind beneath our wings.

While in Myrtle Beach, the Nominations Committee presented a slate of candidates for election to executive offices. The following are the slate of candidates: President-Elect – Vincent Iaria from Los Angeles County (CA) and Scott Taylor from Multnomah County (OR); Vice President – Carmen Rodriguez of Cook County (Chicago, IL) and Anne Seymour from Washington, D.C.; Secretary – Susan Burke from Utah and Sherla Hendricks from Jackson County (TN); and Treasurer – Bruce VanderSanden from Iowa's Sixth District and Tom Williams from Court Services and Offender Supervision Agency, Washington, D.C.

I would like to express my appreciation to all of you for stepping up and showing your interest in leading APPA. Best wishes to you all.

Gini Highfield and the Nominations Committee did a wonderful job developing the ballot. They will continue to work to develop the candidates for regional representative positions that are open for election in 2009. If you are interested please send a message to Gini.

The Leadership Institute Committee met while at Myrtle Beach and continued to progress on developing the next Leadership Institute. A decision was made to begin the next Leadership Institute in Anaheim



continuing in Austin and completing and graduating in Washington, D.C. in August 2010. **Applications are now available on the APPA website and an application was in the last edition of CC Headlines.** We are looking for a few good leaders who wish to further develop their careers.

This is both a time of economic concern and a time of opportunity. It is hard to ignore the discouraging daily news of the economic down-turn having a negative impact on our state, local and tribal governments and our personal investments. Yet, the economic stimulus package recently signed by the President should give us hope. There are numerous items in the bill's language and appropriations that should help pave the way for our field. Additionally, the 2009 appropriations bill (which should be passed by the time you read this) and the pending 2010 appropriations bill also have numerous opportunities for our field. There are significant increases in these bills for state, local and tribal re-entry initiatives, the Byrne/Justice Assistance Grants, drug courts, discretionary grants and corrections and mental health initiatives. To that end, there will be ongoing communication to you from APPA staff regarding availability of various grant opportunities. Additionally, the report from Pew Charitable Trust entitled "1 in 31: The Long Reach of American Corrections" outlines the pivotal and under-valued and resourced role of probation and parole. This report – which APPA had a major role in creating – will continue to have influence on public policies throughout the nation.

Please make plans now to attend the 34th Annual Training Institute in Anaheim, CA, August 23-26. It promises to be a great Institute. I especially want to encourage those in California to look closely at the special options we will have for you to attend and receive training credits. I also want to thank Vince Iaria for all the effort and dedication he has exhibited as a regional representative from California.

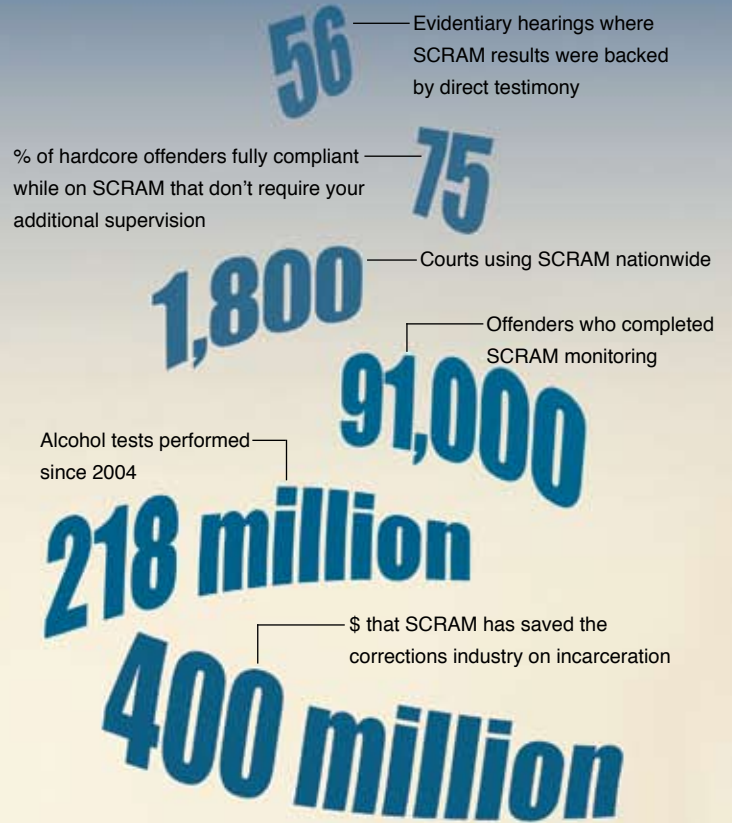
I have been enjoying working together with or for all of you, being together with you, at least in spirit, as we trek along this great professional journey, and representing APPA across the country and abroad. Thank you once again for allowing me to serve as your Association President. >>▲

Best regards to the field,



Gary Hinzman, President

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Welcome to the Spring 2009 edition of *Perspectives*. The world around us continues to change rapidly and unpredictably, bringing unprecedented challenges to governments, agencies, communities, families and individuals. We are pleased to be able to present to you an issue that is packed with timely and useful information to help deal with some of the difficult challenges facing our field, our organizations and our communities.

Numerous reports and articles have documented the impact of parole and probation revocations on prison populations. Depending on the state, between one third and almost three quarters of state prison admissions are for parole violations, many of those technical violations. It is clear that parole violation strategies that rely less on revocation and incarceration would go a long way to relieving the pressure on prison populations. With the nation-wide fiscal crisis in state budgets, any relief would be welcome. Our lead article describes efforts in Ohio to reform the parole violation and revocation process. By using a sanctions grid to guide parole decision-making, the Ohio parole system has reduced reliance on revocations, reduced recidivism among high-risk parolees, improved the use of parole hearing resources and provided a cost effective management tool for dealing with non-compliant parolees. The Ohio project was one of three parole sanctioning research projects funded by the National Institute of Justice. Watch for articles on the other projects in future issues.

Technology continues to challenge our field. The popularity of Global Positioning Satellite (GPS) systems for monitoring offenders continues unabated. Citizens, legislators and policy makers continue to support the use of these systems, particularly for sex offenders. Many practitioners have concerns about these systems and the unrealistic expectations that so often accompany their use. Less than a week ago, I saw an article about a sex offender on GPS monitoring who assaulted and killed a teenager in Vancouver, WA. (<http://cnn.com/2009/CRIME/03/12/sex.offender.gps>) While the GPS unit verified the offender's whereabouts and corroborated his confession, it did nothing to prevent the crime. As time goes on and GPS use expands, there will be more stories like this.

In their article, Payne and DeMichele examine the strengths of and concerns about GPS. As they note, too many decision-makers are adopting GPS, assuming effectiveness based on limited research. GPS is merely a tool, one that we need to learn much more about to use most effectively. The authors call for more research to develop a body of evidence on GPS monitoring, which can form the foundation for evidence-based practices. This is critical, as failures such as the one noted above will more likely result in blame being placed on the community supervision agency than on the technology. We need to do all we can to ensure appropriate use of GPS and other technologies. This issue's Technology Update provides information on efforts by the National Institute of Justice to develop technical standards for monitoring equipment. This is an important step in the right direction.

In the late few years, the issue of succession planning for management has become a hot topic for organizations in the private, public and non-profit sector. The Baby Boom generation is retiring, creating vacancies in managerial and leadership positions. Astute leaders are recognizing the need to develop the future leaders before the vacancies occur. Professional organizations such as APPA are not immune from this development. In response, the leadership of APPA commissioned the development of a Leadership Institute to help identify and groom the future leaders of APPA. The article by Kathy



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Waters and the Leadership Institute Steering Committee describes the Institute process. The first class graduated at last summer's Institute in Las Vegas. We salute the participants and their mentors, and look forward to seeing the graduates assume leadership positions in APPA and in their agencies. Applications are now being accepted for the second class that will commence at this summer's Institute in Anaheim.

The recent report from the Pew Center on the States (One in 31: The Long Reach of American Corrections) documents the extent of correctional supervision in the United States. One little known aspect of that "long reach" is its impact on the voting rights of convicted offenders. States vary in their policies, but it is fair to say that millions of Americans are prohibited from voting while incarcerated or under probation or parole supervision. In this issue's Research Update, David Karp and Jessie Rouder examine the dimensions of this issue. Several million offenders remain unable to vote even after their sentences have been fully served. The research shows that at least seven US Senate elections could have gone the other way if disenfranchised ex-offenders had their voting rights restored. If we are serious about restoring offenders to full productive citizenship upon their return to the community, this is an issue that must be addressed.

These articles show how those who toil every day in the field of probation and parole, and this Association are together working hard to develop creative and effective approaches to the many challenges that face us. As always, we hope you enjoy this issue, and encourage you to let us know what you think of *Perspectives*, your professional journal. ►►▲

Bill Durrell

Probation, Parole and Community Corrections...

A Force for Positive **CHANGE.**

The American Probation and Parole Association (APPA) is proud to support a new identity program that we believe will set the stage for greater awareness of the role of probation, parole and community corrections in community safety. The program is a new national initiative — being rolled out in states, cities and towns across the country — aimed at better communicating the important work probation and parole and supporting professionals play in keeping our communities safe.

To assist you in implementing this brand identity in your agency and community, APPA has worked with marketing firm, Fleishman-Hillard International Communications, to produce a kit of materials and ideas. The kit contains sample news releases, tips to engage staff, sound bites for interviews, points to consider when dealing with the media and statistics that you can customize to your own needs to emphasize the importance of your community corrections agency and system. The kit can be downloaded on the APPA website at www.appa-net.org/a_docs/PPCC_Branding_082108.pdf.

This project also introduces a logo and tag line that we are asking you to use in a number of ways. "A Force for Positive Change" contains connotations to the importance of keeping those under supervision accountable as well as many of the skills used by today's probation and parole officer such as motivational interviewing and cognitive behavioral change. The tagline typography shows forward motion, but also some of the stops and starts experienced by many individuals under supervision.

Today's probation, parole and community corrections system has an exciting story to tell and one that we hope you will consider now as this campaign is launched. As officers, supervisors, administrators and staff working to supervise and intervene with offenders in our communities, you are indeed, A Force for Positive Change.

For more information about this campaign, please contact Diane Kincaid, Information Specialist for APPA at (859) 244-8196 or dkincaid@csg.org.



A Force for Positive
CHANGE.

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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 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 kmucci@csg.org in accordance with the following deadlines:

Fall 2009 Issue – May 20, 2009 • Winter 2010 Issue – August 21, 2009 • Spring 2010 Issue – November 11, 2009 • Summer 2010 Issue – February 17, 2010

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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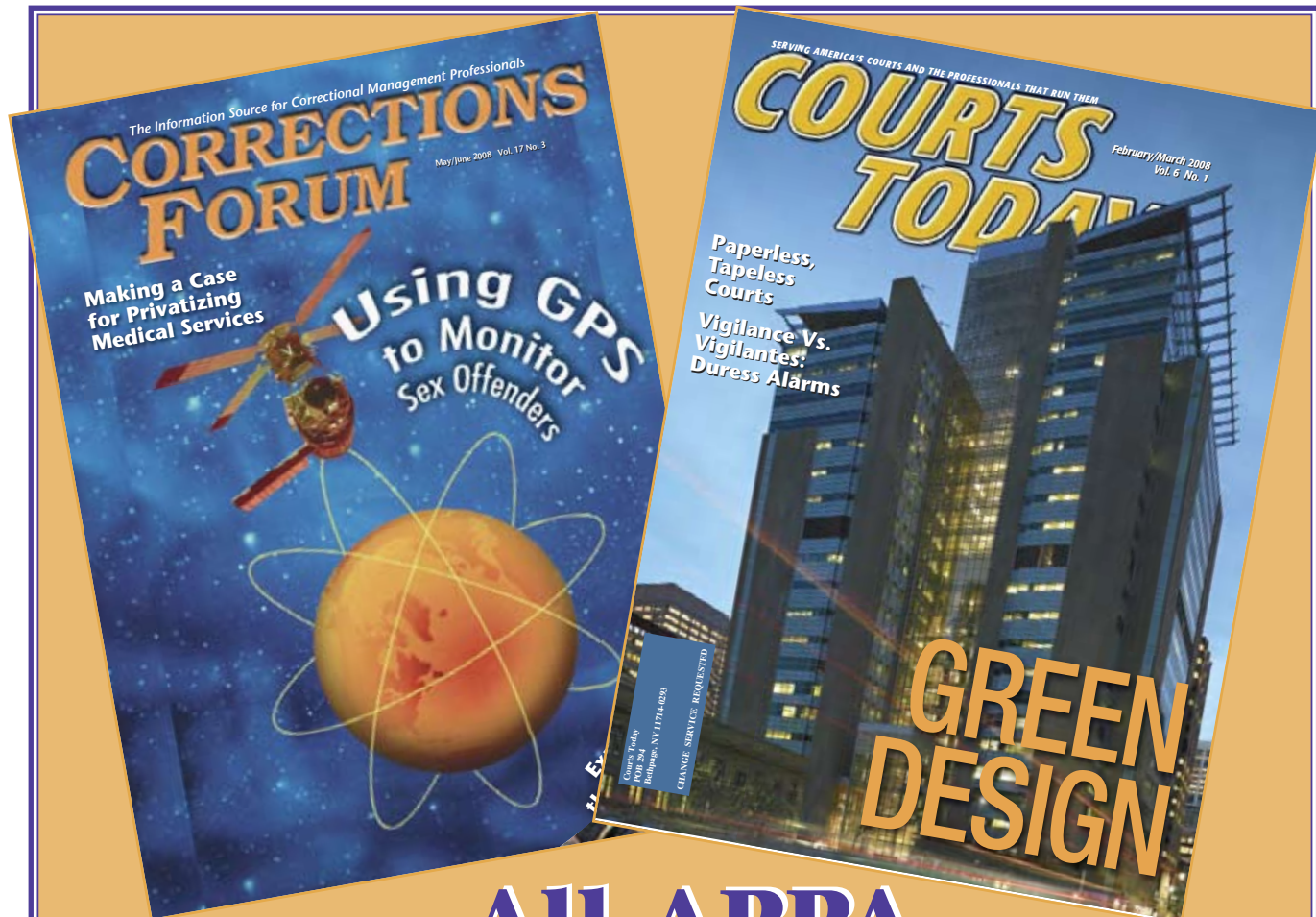
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Perspectives is published four times annually by the American Probation and Parole Association through its secretariat office in Lexington, Kentucky. ISSN 0821-1507

Reprints and back issues. To order back issues, single copies of articles or reprints of articles in quantities of 100 or more, please call Lynda Wilkerson at (859) 244-8203.

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An Unreasonable Use of Force Policy

It has been nearly 20 years since the landmark use of force case *Graham v. Connor*, 490 U.S. 386 (1989). Most who read this article would know through professional training or education that this ruling dictates that use of force cases be viewed in light of the 4th Amendment's "reasonableness" standard. It is clear from this ruling that the Rehnquist Court was interested in conveying to officers that the Court understood the difficulties of a use of force incident. The Court demonstrated this by stating, "The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments -

in circumstances that are tense, uncertain and rapidly evolving - about the amount of force that is necessary in a particular situation." Further, *Graham* states, "The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight".

The Court revealed in the "tense, uncertain and rapidly evolving" statement that they understand the overwhelming nature of a use of force situation. Also by stating that a use of force must be judged from the perspective of a "reasonable officer", the Court understands that an officer's experience and training are unique

and imperative to that decision. Finally, by stating the lack of fairness in 20/20 hindsight, the Court made clear that an officers' perception at the time of the use of force is more important in determining "reasonableness" than any details that are discovered in a post-incident investigation. "The legal question is whether an objectively reasonable officer could have taken the action in issue. Put another way, an unreasonable use of force is one that no objectively reasonable law enforcement agent would have used" (Petrowski 2002).

In 2001, I began to write a use of force code section that county probation departments in Arizona would use to frame their use of force policies. As part of the process, use-of-force policies from various community corrections and law enforcement agencies from across the country were collected. Upon review, it was apparent that all of the policies received mentioned the need for the officer's use-of-force to be reasonable; this suggests that the policy makers knew of the "reasonable" standard from *Graham*. However, the vast majority of the policies required additional consideration from the officer prior to choosing a use of force response. They did this through a wide variety of policy statements, all seeming to tighten the constitutional standard of "reasonableness". While these force restricting policy statements may appear essential in the hindrance of liability, it may actually exacerbate the very behavior it was designed to curtail. More importantly, such language can and has hindered officers' ability to protect themselves in critical encounters. Thus the language



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departments believe will protect them from liability may actually enhance it and endanger their officers.

According to attorney Robert Thomas, who managed the *Graham v. Connor* case before the U.S. Supreme Court, “Fourth Amendment reasonableness does not require that an officer use the least intrusive means”. *Graham* holds that in an excessive use of force case the officer’s actions will be judged under objective reasonableness standard. Since this is the federal constitutional legal standard by which an officer’s use of force is to be judged, unless state law is more restrictive, this is then the only standard that need appear in a use-of-force policy pertaining to free people. It should be noted that the two possible exceptions are a state that has more restrictive use of force laws and offenders in custody (Peters and Brave 2007).

In a look at data regarding officers feloniously assaulted that led to death or injury the common thread is officer hesitation. Post-incident reviews of victim officers revealed that officers were uncertain about the amount of force acceptable under *department policy* or the law and they did not understand the seriousness of the situation in a time efficient manner. Officer hesitation is tragic and often unnecessary (Petrowski 2002). This is a two part problem, policy and training and the intention of this article is to address use of force policy.

In 2007, research on use-of-force policies was again conducted for my master’s thesis project and in conjunction with possible changes in our use-of-force code section. For the purpose of this study, use of force policies from various community corrections and law enforcement agencies throughout the country were collected. Ultimately 22 community corrections and 13 law enforcement use of force policies were received. One limitation of this study was the inadequate number of poli-

cies received; many agencies were resistant in supplying policy while others had policies posted on the internet. While this would not be considered a valid sample, it is a snapshot of a true policy problem. More importantly, information described in this article should cause many agencies to examine their department’s use-of-force policy.

One area of focus of this study can be coined “force limiting language” that is policy text intended to limit an officers’ use-of-force beyond the reasonableness standard established in *Graham v. Connor*. All policies studied indicated the officer’s use of force must be “reasonable”; however, most policies then went on to restrict reasonable force by an officer. The problem with “force limiting language” is that it may cause confusion to officers and that confusion can turn into hesitation and hesitation can equate to officer injuries. The study placed the “force limiting language” into seven broad categories, “minimal force,” “discouraged force,” “preclusion and other options,” “only language,” “escalation of force,” “confusing language” and “responsibility transfer.” Of the 35 policies reviewed there were 71 examples of “force limiting language”.

Minimal Force. The minimal force category held the largest amount of force limiting language. As the name implies, policy statements in this category reduce whatever force could be used to its lowest possible level. This was done typically by using the adverbs “minimal” or “least” to describe the force. Some examples from the minimal category are:

- “Use of force will be limited to the *minimum* amount necessary to control a situation.”
- “*Minimum* Amount of Force – The *least* amount of force necessary to overcome the resistance offered.”

An officer charged with adrenalin may not have the time or ability to choose the lowest possible force reaction. However, that officer can more easily and successfully choose a “reasonable” force option. One of the problems with the “minimal” philosophy is that there can be many ranges of reasonable. *Graham v. Connor* does not require that an officer choose the least among the reasonable responses.

For example a parole officer is doing night-time fieldwork. During the course of a home contact, contraband is discovered which causes the parolee to assume that he will be arrested. The parolee is 6’1” and 250 pounds. He is irate, has a history of violence and is slowly moving toward the officer. One officer may respond with verbal commands and a baton, another officer may respond with verbal commands and a TASER®, another officer may respond with verbal commands and OC spray, while another officer who is an experienced defensive tactics instructor may use verbal commands with empty hand measures, a different officer may simply run away. All of those options would be reasonable. However, when policy states the officer must use the minimum amount of force, would that not be encouraging officers to use empty hand? There is simply no one correct response that can be used 100 percent of the time. Using minimal force or the least intrusive means in responding to a use of force situation is not required constitutionally. The U.S. Supreme Court and every federal circuit court recognize that an officer’s use-of-force needs only to be reasonable. Choosing the least intrusive alternative is an impossible standard to apply to an officer’s use-of-force (Petrowski 2002).

In *Plakas v. Drinski*, 19 F.3d 1143 (7th Cir.), cert. denied, 513 U.S. 820 (1994), the circuit court ruled that an officer had no duty to attempt less-than-lethal technology and the department had no duty to train the officer on said tech-

nology. Plakas was arrested for a DUI and was cuffed behind his back but managed to escape and fled to his girlfriend's house. There he was able to get his hands in front of him and arm himself with a fireplace poker. Plakas then fled to a nearby woods. The officers cornered Plakas and attempted for approximately 30 minutes to get him to disarm and surrender. During this time Plakas expressed his desire to die and threatened the officers. At one point Plakas lifted the poker over his head and lunged at the officer. The officer backed up but the terrain impeded his retreat. The officer shot and mortally wounded Plakas. The Plakas' estate administrator sued the county and the officer on the grounds that: the officer had a duty to use less lethal means (i.e. CS and/or canine unit, both were available on scene) and the county had a duty to provide officers with less-lethal equipment. The 7th Circuit held that as long as the use-of deadly force is objectively reasonable the officer did not have a duty to use available less-lethal alternatives. Further the court held that departments have no duty to provide non-lethal equipment to cover every foreseeable situation that an officer might face, stating that "the Constitution does not enact a police administrator's equipment list."

Discouraged Force. The second way the sampled use of force policies limit force through their language is to "discourage" officers or "warn them" away from use of force situations. This discouragement comes in a variety of ways, none of which seem to consider that officers typically engaged in a use of force encounter act under extreme stress and are trying to keep a potentially dangerous (if not dangerous) situation under control. Two examples from the discouraged force category are:

- "The use of force by public safety officers, whether deadly or non-deadly, is frequently closely scrutinized by the criminal justice system, media and the citizens we serve."

- "It is important for the officers to bear in mind that there are many reasons a suspect may be resisting arrest or may be unresponsive. The person is question may not be capable of understanding the gravity of the situation. The person's reasoning ability may be dramatically affected for a number of factors, including but not limited to a medical condition, mental impairment, developmental disability, physical limitation, language, drug interaction or emotional crisis. Therefore, it is possible that a person's mental state may prevent a proper understanding of an officer's commands or actions. In such circumstances, the person's lack of compliance may not be a deliberate attempt to resist the officer. An officer's awareness of these possibilities, when time and circumstances reasonable permit, should then be balanced against the facts of the incident facing the officer when deciding which tactical option are the most appropriate to bring the situation to a safe resolution."

An officer's use of force is always reactionary to the offender's action. Officers are responding to threats, resistances and/or assaults; all three of which are, at very least, possibly dangerous if not truly dangerous to the officer. With that in mind we should not clutter use-of-force policies with text intended to discourage officers from using force, but rather empower officers to use reasonable force *when confronted* with a use of force situation. "Discouraged force" type of language in policies clearly can cause a dangerous hesitation for officers.

Preclusion and Other Options.

Another common way the sample policies limit officers from using reasonable force is by "preclusion of other options". This is done by requiring officers to preclude other options, exhaust other force options first or by limiting officers to using

Continued Next Page



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force as a last resort. The following are examples of use of force policies requiring preclusion.

- “Probation officers should exhaust all other reasonable means before resorting to the use of force.”
- “Preclusion – the elimination of other reasonable alternatives to the use of force available to the employee at the time of the incident.”

“The notion that one must not hesitate in the face of a dangerous threat seems elementary in use-of-force training, but in some training contexts, hesitation is exactly what is encouraged or expressly prescribed” (Petrowski 2002). In both the above policy examples officers must have a mental checklist of options and question themselves regarding the options to discard and the one to use. This mental processing takes additional time and may cause a critical hesitation, thus the officer reacts too late to the threat.

Only Language. This category seems the most harmless of the seven categories as the word “only” used in following example may seem benign. For the purposes of this study “only” in a policy statement would typically be used in this manner: “*The officer shall only use reasonable force.*” Policy wording must be direct and concise. The policy statement is more effective, less redundant and less confusing if it states “*The officer shall use reasonable force.*”

Escalation of Force. The escalation of force refers to policy statements which consider an officer’s use of force to be an incremental process within a continuum. These statements infer, if not mandate, that officers start low on the continuum and escalate as needed. This is not part of the reasonable officer standard. It should be noted that there is currently a huge debate among use-of-force experts regard-

ing the necessity of the continuum and, if needed, do they belong in policy, curriculum only or both. Below are examples of policy statements that restrict in this way.

- “Use of force continuum means applying a progressive level of force used to gain control of an offender, starting with passive counter measures up to and including deadly force.”
- “In determining the amount of force necessary under the circumstances, the parole officer should use the lowest level of force possible before escalating to the next level.”

While we are on the subject of continua, we should keep in mind another statement the Court made in *Graham v. Connor*; “the test of reasonableness under the 4th Amendment is not capable of precise definition or mechanical application” and must consider the “totality of the circumstances”. A continuum is clearly a mechanical application. It says, if the subject does action “A” then the officer shall respond with action “1”. If the subject does action “B”, then the officer shall respond with action “2” etc. One of the things a continuum cannot capture is the reality that an officer makes a “split second” use of force decision in a situation that is “tense, uncertain, and rapidly evolving.” Logic tells us that an officer that has a continuum mindset, while dealing with a threat that is rapidly evolving, is at a disadvantage.

Further, the totality of circumstances is a category that is full of possibilities including, but certainly not limited to, the resistance (including weaponry) of the subject; the tense, uncertain, and rapidly evolving nature of the situation; the disparity of force between the subject and officer; environmental conditions, and the subject’s attempt to escape. Most continua are limited, in that they allow officers to consider relatively few factors when determining the appropriateness of the of-

ficer’s force (Peters and Brave 2007).

With a continuum it is possible that judges, juries and administrators could errantly convolute the continuum standard for the constitutional legal standard when analyzing a use-of-force situation. An officer’s use of reasonable force when viewed through the continuum standard would be open to greater scrutiny, even though legally permissible; the continuum may have a more restrictive standard (Peters and Brave 2007).

Confusing Language. is precisely as it sounds. The policy statements are confusing, convoluted or overly complicated and therefore useless to an officer trying to recall critical information during a use of force encounter. Often these policy statements involved a use of force justification philosophy known as ability, opportunity, jeopardy and preclusion. As explained above we already know that preclusion is problematic. Here are examples of confusing language from the sample policies.

- “When feasible, the officer should make every attempt to employ non-deadly force options first. For an attacker to be considered a lethal force threat he/she must have the ability, opportunity and demonstrated intent and you must reasonably believe yourself or a third party are in danger of death or grievous bodily harm”
- “An officer shall assess the subject’s ability and opportunity to do physical harm and determine whether the subject poses an immediate threat of harm to the officer or a third party and shall only use the amount of force necessary to prevent the harm.”

Recall that the *Graham* opinion said that reasonableness is not capable of precise definition. Ability, opportunity and jeopardy attempts to define when force is reasonable, but it is not simplistic enough to be recalled in a critical incident. In re-

ality, it is more likely and probably better used by administrators in an attempt to judge the reasonableness of an officer's use-of-force.

Responsibility transfer. Another category of significance is responsibility transfer, where statements tend to infer that if officers are doing their job properly or simply disengage, that use of force will not be necessary. Examples are as follows:

- "Prior to meeting any probationer, the probation officer will review his or her knowledge of the probationer's attitude, prior criminal history, potential for violence, substance abuse history, potential access to firearms, domestic violence incidents and any other indicators which may suggest that meeting may escalate to a violent conformation."
- "We believe that the best protection against such potential harm comes from recognition and awareness, preventative practices, self-protection plans and intervention skills."

Responsibility transfer is a passive aggressive scare tactic intended to keep of-ficers from using force. Granted, there are occasions when a probation and parole of-ficer can see a situation building and re-move themselves prior to a use of force. However, as alluded to earlier, the use of force is reactionary. If the subject's intent, will and desire is set on assault, all the pre-ventative practice and intervention skills in the world will not stop the assault.

Summary

Research by William Parsonage and others has shown that there is a significant chance parole and probations officers will be confronted with a threat of physical violence some time during their career. It is the duty of administrators and trainers to provide officers with guidance as to when and how to react to such threats, but not create policies or training that creates a critical hesitation on the officer's part, or potentially puts others at risk. The courts have recognized that encounters are dynamic and call for split second decision making where responses will most likely

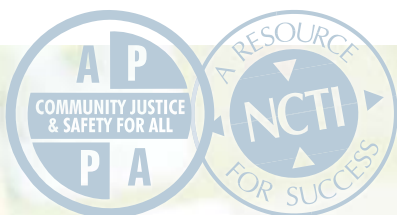
vary depending on the characteristics of the officer, training and tools available. We must continue to provide realistic training, based upon sound policies, that empowers our officers. ▷▷▲

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The Development of Standards for Offender Tracking Technology

The National Institute of Justice (NIJ) has been involved in the development of standards for more than 30 years. Most notable among these efforts has been NIJ's work in testing and developing body armor and performance standards for ballistic and stab resistance. This work was begun in the mid-1970's and since then recognition and acceptance of the NIJ standard has grown worldwide, making it *the* performance benchmark for ballistic-resistant body armor.

The development of standards for criminal justice is of critical importance because of the nature of the work. The field relies heavily on its tools in order to perform an often dangerous job as safely as possible. Standards help to set minimum performance requirements that these tools must meet to ensure at least a minimum level of performance. In this way, the end users are protected from solely relying on vendor or manufacturer claims.

While in the business of standards development for many years, NIJ has recently focused on expanding the types of standards to be developed. Current initiatives include work in the area of handcuffs, retention holsters and chemical, biological, radiological and nuclear (CBRN) protective ensembles for law enforcement.

Readers of *Perspectives* will be gratified to know that NIJ is also funding work on standards that pertain specifi-

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cally to community corrections. Based on a recommendation from NIJ's Community Corrections Technical Working Group (*which includes a number of APPA Technology Committee members*), NIJ will endeavor to develop standards in the area of offender tracking technology.

To accomplish this goal NIJ will convene a Special Technical Committee (STC) made up of practitioners and scientific experts. The work of the STC will be reviewed by an Advisory Working Group which will be made up of national stakeholder organizations including APPA.

There are three major deliverables of this project: an Equipment Standard, Conformity Assessment Requirements and a Selection and Application Guide.

The Equipment Standard defines

the minimum design and performance requirements and the related test methods to be used in order to verify performance.

The Conformity Assessment Requirements detail the process used to ensure that the equipment conforms and continues to conform to the stated standards or specification.

The Selection and Application Guide is designed to provide the practitioner community with a non-technical description of the standard and conformity assessment program in terms they can easily understand. Also included would be information on the types of technology available and guidance for selecting the most appropriate technology; selection, maintenance and care of the equip-

ment; applicable codes and regulations; training issues and sample procurement language.

This project will begin in the summer of 2009 and is expected to take at least one year to complete. As this project develops we will keep APPA members informed through this forum.

For further information on the APPA Technology Committee or NIJ's Offender Tracking Standards project please feel free to contact Joe Russo at 800-416-8086 or jrusso@du.edu. ►►▲

Joe Russo is Assistant Director for the National Law Enforcement and Corrections Technology Center in Denver, Colorado and is chair of the APPA Technology Committee.



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Recent Research on the Voting Rights of Felons

"The Campaign to Restore the Voting Rights of People Convicted of a Felony and Sentenced to Probation in Connecticut"

Darryl L. McMiller

American Behavioral Scientist 2008. 51: 645-658.

The 2008 presidential election excited Americans to vote in the largest numbers in four decades. One group, however, did not stand in the long lines at polling stations. Over 5.3 million Americans were prohibited from voting because they are felons. Technically, this is called criminal disenfranchisement and dates back to ancient Greeks, who called such a restriction a "civil death." In the states where an individual is disenfranchised, he or she is prohibited from voting at both state and federal levels. Nearly 40 percent (2.1 million) of disenfranchised Americans have fully completed their sentences, but still cannot vote. Darryl McMiller conducted a study specifically looking at the State of Connecticut, examining not only the extent of disenfranchisement, but also an unusual and successful political campaign to reinstate voting rights to felons on probation. In this update, we will consider the issue more broadly, noting the incredible variation of policies from state to state.

Our criminal disenfranchisement map reveals five major variations in policy based on data from The Sentencing Project. Two states, Maine and Vermont, never prohibit felons from voting. Thirteen states, including the District of Columbia and Oregon, Colorado, Illinois

and New Hampshire prohibit felons from voting only while they are incarcerated. Five states, including California and New York, prohibit voting while in prison and on parole. Eighteen states, including Washington, Texas, Minnesota, and New Jersey, add probation to list of exclusions. Finally, twelve states prohibit some or all felons from voting after their sentences are fully completed, including Arizona, Virginia, and Florida. Alaska is also on this list and if Republican Senator Ted Stevens had been sentenced before the election (he was found guilty of seven felony counts in September 2008), he would not have been able to cast a vote for his own reelection—a close election that he ultimately lost. 96 percent of states have a disenfranchisement policy that includes prison; 69 percent include prison and parole; 59 percent include prison, parole and probation; and 24 percent disenfranchise after sentence completion.

While in many states ex-offenders can regain the right to vote after sentence completion, an elaborate process often makes it difficult for them. In Mississippi, for example, an ex-offender must persuade the state legislature to pass a personal bill in order to be reinstated. And because of enormous state by state variation, other uncertainties arise. Consider a felon from Florida who has completed his or her sentence and then moves to New York. Though ineligible to vote in a federal election in Florida, would he or she be able to register in New York where disenfranchisement ends at sentence completion? Despite the efforts of several outreach groups, not surprisingly, many

felons do not understand their voting rights—if they have them. McMiller's research in Connecticut documents an enormous marketing campaign that was necessary to educate probationers after the state changed its laws to reinstate voting rights to felons on probation.

The courts have maintained that disenfranchisement is a valid practice, typically arguing that felons have violated the social contract and may therefore lose many of the benefits of citizenship, including voting. In *Richardson v. Ramirez* (1974) the U.S. Supreme Court found that the exclusion of felons from the vote was supported in Section Two of the Fourteenth Amendment. This clause states that the denial of a citizen's right to vote can result from "participation in rebellion, or other crime." In 1985 the court revisited the issue in the case of *Hunter v. Underwood*. The Court, in this case, found an Alabama disenfranchisement law to be unconstitutional because it had been created with a racist intent, and therefore violated the Equal Protection Clause. Historically, disenfranchisement policies were created most notably in the South during the Jim Crow period following the Civil War. Intending to exclude Blacks from voting, laws were passed that prohibited voting from people who did not own property, could not pass a literacy test, and could not afford to pay a "poll tax." To prevent such policies from affecting poor Whites, Southern states created "grandfather clauses," which waived these restrictions for those who could show their ancestors could vote before Reconstruction.

Continued on Page 20

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Because people of color are disproportionately involved in the justice system, the racial implications of disenfranchisement persist today. 1.4 million Black men are currently disenfranchised—this is one-third of the disenfranchised population. Nearly 13 percent of all Black men cannot vote, a rate that is seven times higher than the national average for males. McMiller's research in Connecticut found that 20,000 black men were barred from voting—20 percent of the adult black male population in the state.

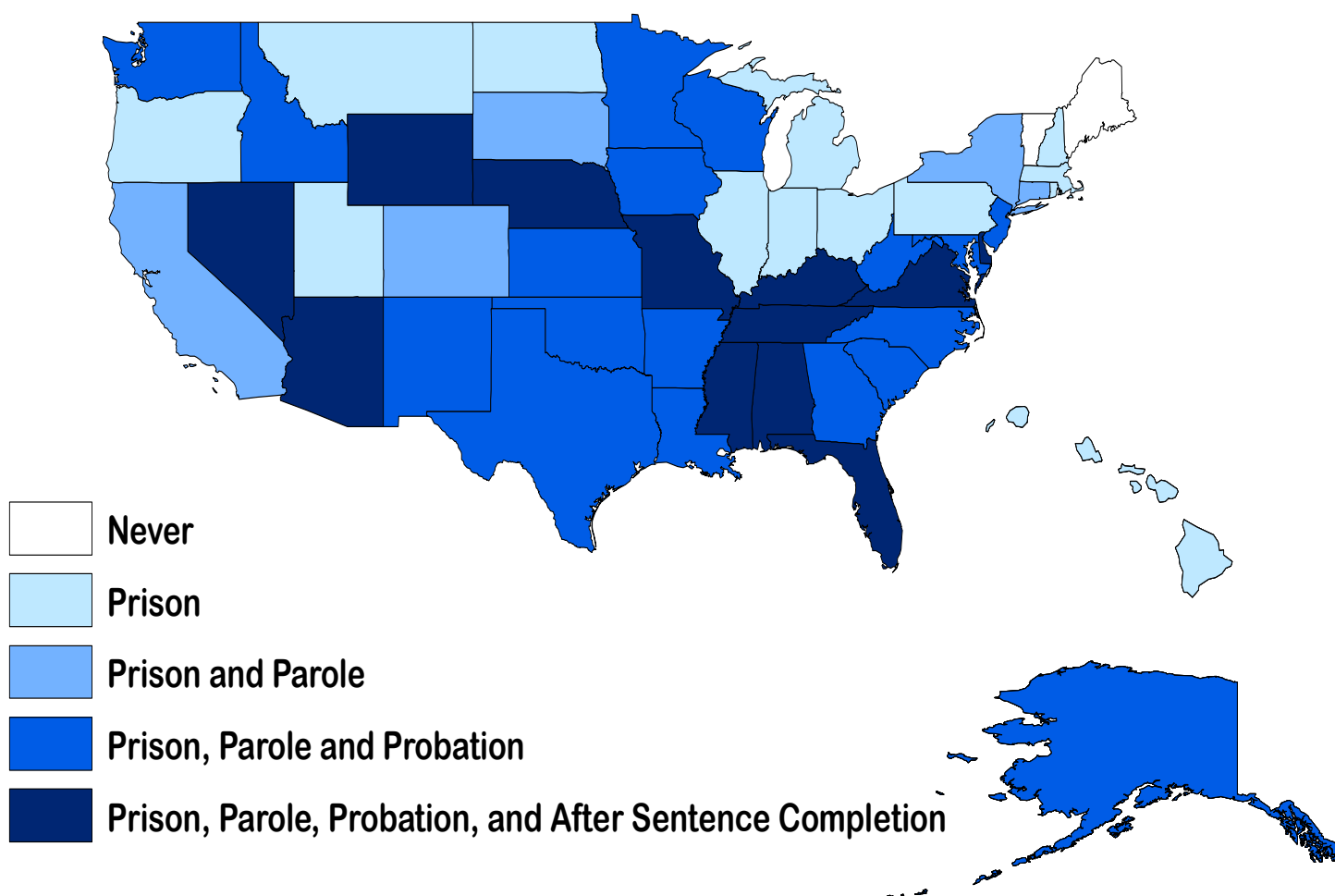
Research conducted by Christopher


Uggen and Jeff Manza, sociology professors at the University of Minnesota and the University of California-Berkeley, finds a direct political impact of disenfranchisement. In a 2002 study published in the *American Sociological Review*, they found that disenfranchisement laws have disproportionately favored Republican candidates. They estimated that approximately 35 percent of disenfranchised felons would vote if given the chance, and approximately 70 percent of those currently disenfranchised would be Democrats. Crunching the numbers on 400

U.S. Senate elections between 1978 and 2000, they found re-enfranchised felons alone would have changed the outcome in seven of the elections, providing wins for Democratic candidates. Similarly, they argue re-enfranchised felons in Florida—the state with the largest numbers of disenfranchised felons—would have decided the 2000 presidential election in favor of Al Gore. >>>

David R. Karp is Associate Professor of Sociology and Interim Associate Dean of Student Affairs at Skidmore College in Saratoga Springs, New York. **Jessie Rouders** is a sociology major at Skidmore College.

Felony Disenfranchisement by State





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Nominations are being accepted for the following awards to be presented at the 34th Annual Training Institute in Anaheim, California - August 23-26, 2009:



Scotia Knouff Line Officer of the Year

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.



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American Probation and Parole Association Awards

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- **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 curriculum vitae or resume containing this information above may be substituted.*

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2009

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Submit this form along with all supporting documentation by May 13, 2009, to:

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- Substance Abuse Issues
- Gender Issues
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- Victims
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- Mental Health in Corrections
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The above-suggested topics are not all-inclusive. Other topics related to the field of community supervision and corrections are acceptable.

submission guidelines

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

Workshop proposals should provide the following information:

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

Presentation summaries may be emailed by Friday, June 5, 2009 to Rita.Garcia@bexar.org. Questions regarding submissions should be directed to the National Program Chair:

Rita Garcia
Manager
Bexar County CSCD
601 Dolorosa
San Antonio, Texas 78207
Phone: (210) 335-7309
Fax: (210) 335-7319
Email: Rita.Garcia@bexar.org

Workshop proposals should be received no later than Friday, June 5, 2009 and must be received in electronic format in order to be considered. Winter Institute program committee members will contact the person who nominated the workshop(s) to indicate their selection for the Institute. Please note that it is APPA's policy that, regrettably, expenses and fees associated with participation cannot be reimbursed by APPA.



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Ohio's Progressive Sanctions Grid:

Promising Findings on the Benefits of Structured Responses

A broad national movement within community corrections is shifting toward graduated steps in sanctioning for parole and probation violations and away from presumptive revocation of probation or parole.¹ Structured sanctioning provides a continuum of escalating responses based on an offender's assessed risk level and the number and severity of violations.

A prime example is the progressive sanctioning policy of the Ohio Adult Parole Authority (APA), the central feature of which is a violation response grid. This grid, which took effect in 2005, is formally embedded within broader violation guidelines that emphasize: responsiveness to offender risk and need factors, reduced reliance on revocation hearings and community sanction alternatives for early violations.

The effectiveness of progressive sanctions has not yet been demonstrated, especially for post-prison settings in which the costs of sending technical violators back to prison are highest. So far, relevant research has been limited to drug court evaluations, descriptive assessments of changes in revocation patterns² or limited studies of probation departments.³ We decided to address this gap in the literature by conducting a comprehensive investigation of Ohio's new sanction guidelines on the dimensions of both implementation and offender recidivism outcomes.

Main Study Findings

Our research demonstrates that the major procedural objectives of the policy guidelines have so far been largely accomplished, as evidenced by significantly reduced reliance on revocation hearings, revocation sanctions and local jail detention; more efficient and concentrated use of hearings; and improved proportionality between offender risk, violation behavior and revocation sanctions. In statistical models, offenders sanctioned under the violation response grid (post-grid) are significantly less likely to experience a violation hearing. Further, the effects of violation behavior and assessed risk on the likelihood of being revoked are significantly stronger under the new system, suggesting that the objective criteria used on the sanction grid extend to revocation decisions as well. We also find that the sanction grid guidelines enhance the effectiveness of sanction-based programming, especially for high risk offenders. And combining treatment services with restrictive sanctioning significantly reduces recidivism among those offenders, even though punitive sanctioning by itself shows no generalized benefit. Most importantly, the grid has lived up to its intent as an effective and efficient management tool and means of structuring decision-making.

The Foundations of Graduated/Progressive Sanctioning

By the mid-1990s, early forms of alternative judicial sanctioning, such as electronic monitoring and intensive probation, were shown to be of limited effectiveness, overemphasizing surveillance and punitive approaches without addressing underlying behavior or improving offender outcomes.⁴ Many of these programs failed to include treatment components,⁵ even as other research demonstrated that the effectiveness of intensive supervision is enhanced when combined with treatment.⁶

A larger body of research, using advanced-level statistical meta-analysis, has conclusively demonstrated the effectiveness of correctional interventions that employ established programmatic principles such as the “risk principle” (the notion that treatment services are most effective when their intensity is matched appropriately to an offender’s risk of reoffending), at least for higher risk offenders.⁷ These findings are consistent with a related set of findings documenting the effectiveness of drug courts and court intervention programs,⁸ which represent the earliest use of incremental sanctioning within the context of an intervention model.⁹

This well-established body of best practices research has most recently helped to inform the development in several jurisdictions of progressive sanctioning guidelines governing the system-wide supervision of parole and probation caseloads. Graduated sanction models refer to both court-based dispositional options, which vary by level of confinement or supervision required, and agency-based schedules of increasingly restrictive responses that vary proportionally with an offender’s degree of noncompliance.¹⁰ Although they share common elements, there is wide variation across jurisdictions in the operational design of these policies, ranging from loosely structured menus of sanction options to complex violation response matrices that incorporate multiple decisional points as well as positive reinforcement rewards.¹¹ Various classification tools, such as the Level

of Service Inventory — Revised (LSI-R)¹² or the Wisconsin risk and need assessments¹³, are used to place offenders into low, moderate or high-risk categories. Risk profiles are usually arrayed against broad categories of violation severity to help guide officers in imposing appropriate responses, which may range from verbal reprimands to parole revocation.¹⁴ These more recent reforms are thus consistent with the basic premises of the risk principle, recognizing that both public safety and rehabilitative responses should be aligned with an offender's risk of reoffending.

Graduated sanction reforms share several broad objectives, including an emphasis on swiftly imposed responses, certainty in agency adherence to the sanction policy, and an increasingly severe range of responses, all of which serve as deterrents to noncompliance by increasing the perceived costs.¹⁵ A more elaborate theoretical basis for the effectiveness of these elements in reducing supervision failure has been advanced by Taxman and colleagues,¹⁶ who argue that the deterrence principles and the consistency and uniformity of response inherent within progressive sanctioning schemes not only reduce disparity but also increase favorable perceptions of procedural justice, thereby enhancing the legitimacy of parole authorities and promoting compliance.¹⁷ Offenders are more likely to view the sanctioning system as procedurally fair when rules and the consequences of violations are explained in advance, and when sanctions are imposed consistently but with an appropriate level of officer discretion.¹⁸

The Ohio Policy

The emergence of structured parole sanctioning in Ohio is traceable to major statutory changes implemented as a part of Ohio's 1996 Truth-in-Sentencing law, more commonly known by its legislative label, SB2. Among its many changes, SB2 provided presumptive sentencing guidelines, abolished parole, and imposed definite sentences on most felony offenders. The sentencing guidelines component of SB2 presumed diversion for first-time, low-level offenders, but also provided for prison sentences as low as six months for the lowest felony levels. Although it ended parole release for most new admissions, it retained supervision after prison for those who used to receive parole, now called Post-Release Control (PRC).

In addition to violent offenders, it also made nonviolent offenders subject to discretionary PRC placement. Discretionary PRC placements have declined sharply in recent years under tighter criteria, but the law substantially changed the size and composition of the post-prison supervision population by

including large numbers of previously unsupervised low-level felons. Caseloads evolved into a mix of older parolees serving longer, indeterminate terms and younger PRC cases who were perceived to be resentful and harder to manage. Although parolees remain subject to revocation, those who violate PRC face a maximum nine-month penalty on each return to prison, the cumulative total of which cannot exceed half of the original sentence.¹⁹

Large numbers of discretionary PRC releases in the early post-SB2 period led, in turn, to a sharp increase in technical returns. The combination of high return rates, short penalty intervals, inconsistent handling of violation behavior and under-utilization of community sanctions underscored the need to reform revocation and supervision practices. The establishment in the mid-1990s of a single due process violation hearing in the field increased consistency, but failed to reduce the level of technical returns. Eventually a series of advisory work groups was formed starting in 2001 (in consultation with the National Institute of Corrections [NIC]) to develop baseline information on violation and response patterns, expand the range of community sanctions, and ultimately recommend ways to organize a new system of progressive sanction guidelines consistent with Ohio's Reentry Plan.

The Progressive Sanction Grid

The sanction grid that is the subject of this evaluation is presented in Figure 1 on page 35. As previously noted, the grid is formally embedded within a broader policy that governs responses to violations of the conditions of APA post-prison supervision, serving as a structured decision-making tool that provides guidance in imposing sanctions based on offender risk and violation severity. This new violation policy became effective in July 2005. It replaced a less structured policy that allowed for more local discretion, and made the following key changes that had important implications in shaping our research questions:

- As before, the policy directs officers to consider both public safety and the overall history of the offender in addressing noncompliance, but now makes explicit reference to the sanction grid and an offender's risk level in determining the most appropriate response.
- The policy limits the mandatory issuance of a hold order (when criminal proceedings have not been initiated by local jurisdictions) to a more restrictive set of situations involving firearms, sex offenses, bodily injury, threatening behavior and out-of-state fugitive status; requires higher-level approval for local detention that is otherwise discretionary; and creates a

FIGURE 1: VIOLATION HEARINGS CHECKLIST

Violation Hearings Checklist

Offender Name:		Number:												
Every Sex Offender and Major Violation case is decided uniquely as defined in Section VI A(6) of Policy 100-APA-14														
Offender Category	Violation Level	1	2	3	4	5	6	7	8	9	10	11	12	13
Risk: 6,7,8	High Severity Violation	US	US	PBS	OC	IC								
	Low Severity Violation	US	US	US	US	PBS	PBS	OC	IC					
Risk: 3,4,5	High Severity Violation	US	US	US	PBS	PBS	OC	IC	IC					
	Low Severity Violation	US	US	US	US	US	US	PBS	PBS	OC	OC	IC		
Risk: 0,1,2	High Severity Violation	US	US	US	US	PBS	PBS	OC	IC	IC	IC	IC		
	Low Severity Violation	US	US	US	US	US	US	US	US	PBS	PBS	OC	OC	IC

Code for grid box:

US: Unit Sanction

PBS: Parole Board Summons

OC: Out of Custody

IC: In Custody

DRC3458 (Rev 05/05)

For each sanction, put your initials and the date in the box.

For overrides the appropriate designee must sign and date the form.

Unit Supervisor:	Date:	
Regional Administrator:	Date:	

general presumption that violation hearings will be held in non-custody settings.

- The policy replaces a less structured checklist system (used mostly to determine the need for a custody hearing) with a risk-based, progressive matrix format to guide the actual level of response to violation behavior. The procedural aspects of a violation hearing itself are addressed in a separate policy that remained unchanged across our study period. Although the sanction grid does not formally govern hearing dispositions (i.e., revocation decisions), it has important implications for dramatically changing the numbers and types of offenders who are referred a result of staff decisions.

The policy's emphasis on the risk principle and community sanction alternatives reflects the broader reentry goals of the Ohio Department of Rehabilitation and Correction's supervision practices. These goals include embracing a supervision philosophy that emphasizes offender accountability; public safety; and balanced, progressive responses to noncompliance. They are consistent with the procedural justice notions of deterrence described above, which maintain that compliance with the law is best achieved by promoting fairness, preserving offender dignity and responding with certainty and swiftness to negative behavior.²⁰ In sum, the policy represents an acceleration of an ongoing shift away from the punitive control of offenders toward an approach that stresses balance and community-level response.

The structure of the sanction grid is similar to other violation response matrices, especially those that incorporate risk. Violation behavior is categorized within each risk level, forming the vertical axis of the grid. Risk scores are from the offender's static assessment used to determine initial level of supervision. High-level violations include absconding, violations of protective orders, contact with the victim, program terminations, change of residence and certain misdemeanor offenses. Low-level violations mostly include employment, reporting, substance abuse and curfew violations. Sex offender violations, weapons infractions, threatening behavior, out-of-state fugitive status and causing bodily injury are handled uniquely as "major" violations and are not addressed through the grid. Otherwise, sanctions for new felony behavior with no other technical violations are imposed at the post-conviction stage.

Responses are determined by cross-classifying these categories with the cumulative number of violation-incidents as a way of incorporating sanction history into the decision-making process. Unlike many other systems, the matrix does not

provide structured menus of specific sanctions in each response cell, nor does it incorporate incentives along with sanctions as part of a single unified system of response strategies.

Rather, the cells refer mainly to levels of organizational response, which include local unit-level responses, parole board summonses or violation hearings. A sanction, as formally defined by the policy, refers broadly to any official response imposed pursuant to relevant sections of the Ohio Revised Code. Unit-level sanctions imposed by local supervising units include responses such as more restrictive conditions, structured supervision activities, substance abuse testing and monitoring or referral to a substance abuse specialist, housing and other community referrals, upgrades in supervision levels, increased reporting, informal and written reprimands, summons to a parole board officer and halfway house or nonresidential program placement. Referral to a violation hearing is necessary in order for a revocation of release to be considered.

The sanction grid allows multiple opportunities to impose unit-level sanctions before initiating the process to pursue a violation hearing. This break between local and hearing-level response constitutes the main progressive element of the Ohio system, rendering it less structured and incremental than other graduated sanction systems, such as conventional drug courts that incorporate more nuanced response options. This helps preserve officer discretion and allows opportunities for more tailored rehabilitative interventions to be imposed at the higher risk levels, consistent with policy language directing officers to consider a wide range of offender background factors in fashioning responses to violations. On the other hand, the system is explicitly proportional in that the number of local sanctions allowed decreases with increases in risk and violation severity. As an intermediate step, the grid directs officers to schedule one or more Parole Board Summonses before resorting to a violation hearing. These refer to unit-level sanctions that require appearances in front of parole officers as a vehicle for amplifying the importance of abiding by the conditions of supervision and restating the consequences of noncompliance. Finally, the grid presumes that violation hearings will be scheduled out of custody except when overridden by public safety concerns or in cases involving out-of-state fugitives.

Shaping the Policy

Figure 2 summarizes the major factors that helped shape the development of the policy, along with a conceptual model of its hypothesized procedural and offender outcomes. Increasing prison intake and the surge of relatively lower risk offenders into

supervision in early stages of SB2 created new, simultaneous challenges in the areas of population and supervision case management. The policy reforms include several elements designed to confront those challenges through more selective and efficient use of sanctioning resources.

Implementation of the policy and sanction grid was preceded in the short term by an executive directive that restricted the use of local jail detention and in-custody violation hearings to incidents involving only the most serious parole or probation violations. This language was then incorporated into the policy itself, along with the full range of factors to be considered in responding to all forms of noncompliance and in preparing to pursue a violation hearing. As outlined in Figure 2, the major objectives of the policy include the following: increased proportionality (i.e., responses appropriate to the severity of the violation) and uniformity across regions at the organizational level of sanctions imposed, progressive sanctioning (i.e., unit sanction versus revocation hearing) and presumptive use of community-based options for early violators, better responsiveness to risk, and more selective use of hearings and confinement resources. These objectives are representative of those embraced by several jurisdictions that received technical assistance from NIC in the early 1990s.²¹ Implementation of the policy is expected to produce changes in several specific areas of agency response, some of which are highlighted in Figure 2. These changes, in turn, have implications for improved offender

outcomes under a policy setting that is more responsive to offender risk and need levels.

Policy Impact on Offender Outcomes

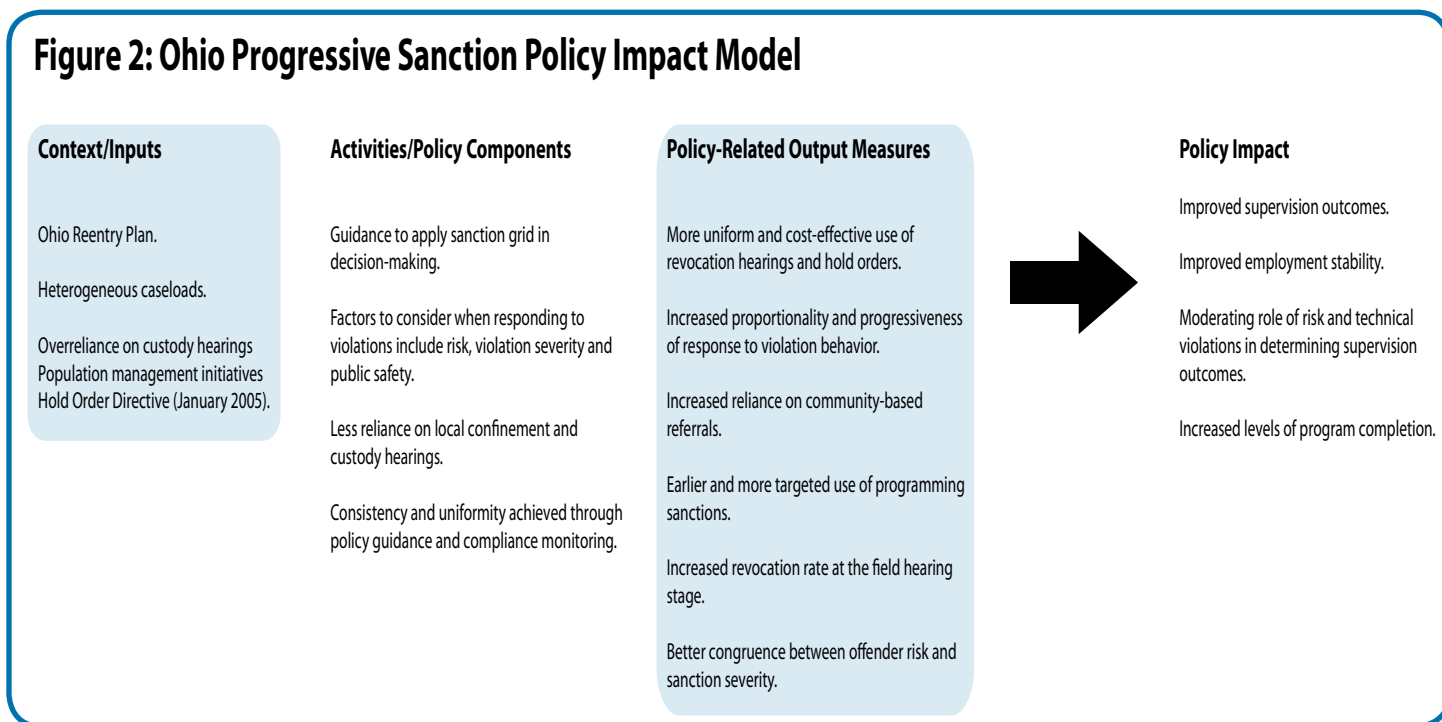
The major purpose of our project is to study the effectiveness of Ohio's progressive sanction policy, both as an efficient management tool and as an approach to increasing rule compliance and improving supervision outcomes. Our project consists of three components:

- A quantitative analysis of the policy's implementation, primarily addressing whether the main objectives of the policy have been accomplished.
- A quantitative analysis of recidivism and offender outcomes, primarily addressing whether the guidelines have an independent impact on recidivism.
- An independently conducted, survey-based evaluation of the policy's implementation. This component relies on focus group and statewide survey responses from parole officers and parole unit supervisors to investigate (among other things) staff perceptions of the guidelines and perceived barriers to implementation.²²

The Sources of Re-Offending Outcomes

Results of primary-level (bivariate) analysis with regard to supervision outcomes initially seemed to indicate that offenders supervised under the new sanction guidelines appeared to have

Figure 2: Ohio Progressive Sanction Policy Impact Model



higher failure rates. However, this was shown to be erroneous in multivariate models that controlled for standard sources of recidivism. In other words, the introduction of progressive sanctions has played no independent role in increasing recidivism, even with a more limited use of revocation hearings.

The results also show that offenders who are younger, less violent, chronically unemployed, and medium to high risk (excluding sex offenders) are more likely to commit new crimes. Technical violations are strongly associated with both felony reoffending and major violation behavior and the sanction grid neither worsens nor attenuates their impact. We found similarly strong effects when the violation rate was measured dynamically in the final models. Residential instability is mildly predictive of new crimes, but not of major violation behavior.

In dynamic models predicting felony behavior, program sanctions and supervision activities combined to reduce the risk of reoffending only in the post-grid release cohort. In terms of relative importance, the strongest predictors of whether future felony behaviors occurred were chronic unemployment, offender risk and successful involvement in sanction-based programming or services.

Rehabilitative vs. Punitive Responses

The beneficial impact of sanction-based programming is consistent throughout the results. In models based on early violators, at risk for chronic noncompliance, prior programming sanctions substantially reduced the risk of felony reoffending, while control-oriented sanctioning increased that risk. Receiving one or more programming/treatment sanctions reduces the hazard rate of felony reoffending by about 65 percent among early violators (controlling for other factors related to parole failure). Halfway house placement referrals, which involve structured programming in a residential setting, reduce the risk by nearly 50 percent, although the effect is less significant. In contrast, there is a significant positive relationship between the intensity of restrictive sanctions and reoffending. In other words, front-end agency responses to violations that include community-based referrals and treatment interventions work better than an excessive use of punitive sanctions. Disproportionate increases in the use of reprimands, restrictions on activities, and reporting requirements had an independent, worsening effect on recidivism in the first year of supervision.

Splitting the study subjects by sample group (pre-grid and post-grid groups), halfway house referrals and program sanctions were shown to work substantially better under the sanction guidelines. They worked especially well for high-risk (non-sex) offenders in the post-grid sample. Combining treatment services with

restrictive sanctions significantly reduced their risk of recidivism even further. In contrast, the intensive use of restrictive conditions and discretionary jail detention may be especially problematic for improving outcomes among the lowest-risk offenders.

Conclusions from the Research

The findings from the project suggest that progressive sanction regimes can serve as an important and cost-effective population management tool when revocation and incarceration resources are used economically and limited mostly to high-risk offenders or those who pose public safety risks. The results indicate that the policy reform significantly reduces revocations; the odds that a revocation hearing will be pursued are nearly 80 percent lower for violations involving post-grid offenders than for those in the pre-grid comparison sample. Moreover, the implemented system exhibits strong regional uniformity across the state's seven parole regions.

The progressive structure of the grid also allows for critical, community-based treatment interventions before pursuing a hearing without increasing overall rates of felony reoffending. The guidelines also provide a structural opportunity to align treatment sanctions with high-risk and potentially chronic violators at the start of supervision, allowing those offenders to retain any pro-social experiences gained without facing the presumption of immediate revocation. The results indicate that these interventions are especially effective for high-risk and high-need clients supervised under the guidelines, and they support a heavier use of control sanctions for these groups where necessary, even though overuse of punitive sanctions worsens outcomes in general.

The enhanced benefits of sanction-based programming and treatment interventions for those offenders supervised under progressive sanctions suggests that the certainty of the consequences for failing to comply has become more pronounced under the sanction grid. It might also be that these policies provide stronger guidance to consider the full range of risk and need factors, resulting in better alignment of services once violations have occurred. Finally, structured sanctioning may promote closer monitoring of compliance with treatment services earlier in the supervision process.

That the progressive sanction policy has so far had no independent global effect on reducing recidivism overall should be viewed in the context of findings from the statewide survey of Ohio parole officers, which suggest that the full potential for sound implementation was compromised by some officers' perception that their opinions and professional skills were not considered in the design of the sanctioning system. This appears to

have undermined officer perceptions of its overall effectiveness and, in some cases, increased perceptions that the sanction grid undermined legitimacy-based sources of authority.

Our findings contribute to an emerging literature on effective supervision strategies, addressing the lack of research findings on parole innovations and the effectiveness of current policy and practice.²³ This study provides important evidence demonstrating that structured sanctioning reforms are clearly beneficial as a management tool in the context of large, heterogeneous post-prison release populations. They minimize the haphazard use of costly and possibly ineffective revocation penalties and in doing so, help to establish formal systems of consistent, proportional and progressive responses. Perhaps most importantly, they provide a structural presumption for earlier reliance on community-based interventions and services that help to foster reintegration among those offenders at highest risk for reoffending. ▷▷▲

Notes

¹Reentry Policy Council, (2005) Report of the Re-Entry Policy Council: Charting the Safe and Successful Return of Prisoners to the Community, New York: Council of State Governments.; Burke, P.B., (1997) Policy-Driven Responses to Probation and Parole Violations, Silver Spring, Md.: Center for Effective Public Policy.

²See Carter, M. (ed.) (2001), Responding to Parole and Probation Violations: A Handbook to Guide Local Policy Development, Silver Spring, Md.: Center for Effective Public Policy.

³See, e.g., Civic Institute at Mercyhurst College Center for Justice Research and Policy, (2002) Modified Adult Probation Sanctions: Evaluation of Probation Supervision Sanctions Systems, Erie, Pa.: Mercyhurst College, The Civic Institute. This study of Erie County (Pennsylvania) probationers evaluated a modified sanction matrix that emphasizes “zero tolerance” responses, finding that technical violation and felony rates were lower than under an alternative matrix system without that enhancement. Although the study used random assignment, it employed few controls, used nonstandard follow-up periods, and relied on small caseload counts, thus limiting its generalizability.

⁴Petersilia, J., and S. Turner, (1993) Evaluating Intensive Supervision Probation and Parole: Results of a Nationwide Experiment, Research in Brief, Washington, D.C.: U.S. Department of Justice, National Institute of Justice. NCJ 141637.

⁵Cullen, F.T., J.E. Eck, and C.T. Lowenkamp, (2002) “Environmental Corrections — A New Paradigm for Effective Probation and Parole Supervision,” Federal Probation 66(2): 28-37; Paparozzi, M.A., and P. Gendreau, (2005) “An Intensive Supervision Program That Worked: Service Delivery, Professional Orientation, and Organizational Supportiveness,” The Prison Journal 85(4) 445-466.

⁶Petersilia, J. and S. Turner, (1991) “An Evaluation of Intensive Probation in California,” The Journal of Criminal Law and Criminology 82(3)610-658.

⁷See, e.g., Andrews, D.A., I. Zinger, R.D. Hoge, J. Bonta, P. Gendreau, and F.T. Cullen, (1990) “Does Correctional Treatment Work? A Clinically Relevant and Psychologically Informed Meta-Analysis,” Criminology 28(3) 369-404; Andrews, D.A., and J. Bonta, (1998) Psychology of Criminal Conduct, 2nd ed. Cincinnati: Anderson., Early intermediate sanction programs focused inappropriately on lower risk offenders, counter to the risk principle and related findings that demonstrated that intensive services work best when targeted at higher risk and need levels. Gendreau, P., “The Principles of Effective Intervention With Offenders,” in A.T. Harland (ed.), (1996) Choosing Correctional Options That Work, Thousand Oaks, Calif.: Sage, 117-130; Paparozzi and Gendreau, “An Intensive Supervision Program That Worked” (see note 5). Findings from a large study of residential treatment programs in Ohio confirm widespread effectiveness among higher risk offenders, but inadvertent negative effects for their lower risk counterparts. Lowenkamp, C.T., and E.J. Latessa, (2005) “Increasing the Effectiveness of Correctional Programming Through the Risk Principle: Identifying Offenders for Residential Placement,” Criminology & Public Policy 4(2) 263-290.

⁸Office of Justice Programs, (1998) Looking at a Decade of Drug Courts, Washington, D.C.: U.S. Department of Justice, Office of Justice Programs. NCJ 171140.

⁹Taxman, F., D. Soule, and A. Gelb, (1999) “Graduated Sanctions: Stepping Into Accountable Systems and Offenders,” Prison Journal, 79(2)182-204.

¹⁰Wiebush, R., 2002 Graduated Sanctions for Juvenile Offenders: A Program Model and Planning Guide, Reno, Nev.: University of Nevada, Reno, Juvenile Sanctions Center, National Council of Juvenile and Family Court Judges.

¹¹Burke, P.B. (2004), Parole Violations Revisited: A Handbook on Strengthening Parole Practices for Public Safety and Successful Transition to the Community, Washington, D.C.: National Institute of Corrections; Carter, M. (ed.) (2001), Responding to Parole and Probation Violations see note 2.

¹²Andrews, D.A., and Bonta, J. (1995), LSI-R: The Level of Service Inventory-Revised, Toronto: Multi-Health Systems, Inc.,

¹³Baird, C., Heinz, R. and Bemus, B. (1979) The Wisconsin Case Classification/Staff Deployment Project: Two Year Follow-up Report. Madison, WI: Wisconsin Division of Community Corrections.

¹⁴Report of the Re-Entry Policy Council (2005), see note 1; Carter, M., and A. Ley, “Making It Work: Developing Tools to Carry Out the Policy,” in M. Carter (ed.) (2001), Responding to Parole and Probation Violations: A Handbook to Guide Local Policy Development. Silver Spring, Md.: Center for Effective Public Policy; Burke, Parole Violations Revisited (2004), see note 11.

¹⁵Taxman et al., “Graduated Sanctions: Stepping Into Accountable Systems and Offenders,” 1999, see note 9; Wiebush, Graduated Sanctions for Juvenile Offenders, (2002) see note 10.

¹⁶Taxman et al. (1999), “Graduated Sanctions: Stepping Into Accountable Systems and Offenders,” see note 9.

¹⁷See also Rottman, D.B. (2007) “Adhere to Procedural Fairness in the Justice System,” Criminology & Public Policy 6(4) 835-842.; Sherman, L.W. (1993) “Defiance, Deterrence, and Irrelevance: A Theory of the Criminal Sanction,” Journal of Research in Crime and Delinquency 19172-189.

¹⁸Report of the Re-Entry Policy Council, (2005) see note 1; Harrell, A., S. Cavanagh, and J. Roman, (1999) Final Report: Findings from the Evaluation of the DC Superior Court Drug Intervention Program. Washington, D.C.: The Urban Institute.

¹⁹We use the term “revocation” generically throughout this report, even though that term is technically reserved in Ohio only for parolees who are returned for technical violations, not PRC violators. Revocations and “prison sanctions” are conceptually similar, with both types of offenders experiencing similar lengths of stay once returned.

²⁰Sherman, “Defiance, Deterrence, and Irrelevance,” (1993), see note 17; Taxman et al. “Graduated Sanctions: Stepping Into Accountable Systems and Offenders,” (1999), see note 9.

²¹Burke, Policy-Driven Responses to Probation and Parole Violations, (1997), see note 1.

²²The last component, as well as an independent replication study of the Ohio Department of Rehabilitation and Correction’s quantitative analysis, were conducted by researchers at the Division of Criminal Justice at the University of Cincinnati under the direction of Lawrence Travis, Ph.D.

²³Petersilia, J. (2001) “Prisoner Reentry: Public Safety and Reintegration Challenges,” The Prison Journal, 81(3) 360-375; National Research Council (2007) Parole, Desistance from Crime, and Community Integration. Washington, D.C.: The National Academies Press.

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The GPS Electronic Monitoring Tool:

Strengths, Concerns, and a Call for Evidence-Based Practices

The use of global position satellite (GPS) systems to electronically supervise the movements of offenders and defendants in the community is a growing criminal justice sanction. Despite the burgeoning use of GPS and other electronic supervision tools, little scholarly research exists to document the strengths of electronic supervision, possible concerns and the need for evidence-based or data-driven applications of this sanction. This article provides an overview of potential strengths of GPS-based electronic supervision devices, highlights some concerns associated with the use of these devices as a sanction, and discusses recommendations for evidence-based research on this topic.



by Brian K. **Payne, Ph.D.** and Matthew **DeMichele, M.S.**

Continued growth in correctional populations and the associated costs have encouraged criminal justice policymakers to identify alternatives to incarceration. An assortment of electronic supervision technologies offers community corrections agencies additional tools with the potential to more effectively supervise growing probation and parole populations. Electronic supervision as a tool for community supervision professionals is growing in popularity, and there is an intense public and political interest in using these technologies as a community supervision tool for different types of offenders, particularly sex offenders.

It should be noted, however, that there are numerous electronic supervision technologies, each of which have different capabilities and are intended for different offender types (DeMichele and Payne, forthcoming). For instance, ignition-interlock systems are designed to prevent future drunk driving incidences by convicted drunk-drivers, whereas bilateral GPS systems are used during the pretrial phase to prevent future domestic violence assaults and kiosk reporting is used to monitor low-risk offenders. While an assortment of supervision devices exist, a major similarity among these devices is that they allow community corrections officials to gather important information at a distance regarding an offender's level of compliance with certain conditions of supervision.

There are two main types of electronic supervision tools that receive the most attention from policymaking and community corrections fields: *place-based technologies* and *location tracking technologies*. *Place-based technologies* refer to using radio frequency transmitters and receivers to identify whether an individual is present or absent from a specific place during specified times. This form of monitoring is typically referred to as *house arrest* and allows offenders to leave their residence at various times with expectation that they will return at specified times. *Location tracking technologies* go a step further by using GPS to actually “track” the places that an individual travels throughout their day. These technologies have the ability to report such travel information in near-real time (with about a 10-15 second delay) or the following day through a data download referred to as active and passive reporting, respectively (see Brown, McCabe, and Wellford, 2007). This type of electronic supervision allows community corrections officers to know, for the most part, whether offenders are abiding by their “travel plans.” That is, GPS technologies enable community supervision officers to designate a rather discrete path that offenders are to follow when they are fulfilling their daily obligations such as employment, treatment and office visits. These travel plans stipulate both zones of inclusion and exclusion, which are geographic locations that offenders can or cannot travel.

Several human services fields, including medicine, substance abuse and social work have become curious to know whether certain social interventions are effective at bringing about stated

goals or outcomes. They are seeking “evidence” as to the effectiveness of particular strategies. The criminal justice field too is moving toward a more evidence-based or data-driven framework in which process and outcome evaluations are used to identify the ability of interventions to bring about their desired goals. In the case of GPS tracking, for instance, many wonder if offenders can remain in the community—instead of incarcerated—without diminishing public safety. The effectiveness of GPS, and other electronic supervision tools, is relatively unknown (Renzema and Mayo-Wilson, 2005). This article explores some of the potential strengths and concerns related to the dearth of scientific inquiry into the effectiveness of GPS to supervise offenders in the community.

STRENGTHS OF GPS-BASED ELECTRONIC MONITORING TOOLS

All criminal justice interventions contain strengths and raise concerns and electronic monitoring tools are no different. In this article, we identify five specific strengths associated with electronic monitoring as part of the community supervision process: flexibility and GPS, reintegration and GPS, control and GPS, punishment and GPS, and deterrence and GPS. While these strengths potentially offer the criminal justice field a powerful alternative to incarceration, there is a lack of research identifying the effectiveness of electronic monitoring as part of a community supervision strategy. In the following section, the strengths of GPS as a community supervision tool are considered. This is followed by a discussion of the need for data-driven community corrections policies and practices, and the need for evaluations to assess the ability of the electronic monitoring tool to continue to demonstrate these strengths.

Flexibility and GPS

GPS location tracking is a flexible community supervision tool. What does it mean to call GPS a flexible criminal justice tool? The *flexibility* is tied to the range of technological possibilities that can be integrated into a community supervision strategy. For example, with domestic violence offenders, community corrections officials could put a “hot zone” around victims that would alert community supervision officers and victims if offenders were near the victims (Erez and Ibarra, 2007). In a similar way, for sex offenders, the GPS device can have exclusion zones (e.g., schools, playgrounds, parks) programmed into it, and if offenders enter those zones, the community supervision officer would receive a text message, email or other notification from the central monitoring agency (Hill and Quan, 2005; Tennessee Board of Probation and Parole, 2007). GPS tracking actually goes further than simply allowing for programming exclusion zones, and enables community supervision officers the ability to detail explicit travel routes for offenders. The flexibility in establishing these travel plans is an added benefit for community supervision as they

can be set individually according to specific criminogenic needs of each individual. Providing the community supervision officer the opportunity to “watch” the offender from afar, provides time for other supervision functions by reducing the time needed to travel to visit the offender or make random collateral stops at work or treatment facilities (Parker, 2006). GPS provides community supervision officers with an additional tool to better assess an individual’s readiness to change.

GPS is also flexible because it can be used during different phases of the justice process and for a wide range of offenders. In terms of when the sanction can be used in the criminal justice process, it can be applied during one of three stages. First, GPS can be used as a form of pre-trial release to ensure that defendants show up for trial, with its most common application being for domestic violence defendants that may pose an additional threat to their alleged victims (see Erez and Ibarra, 2007). Second, it can be incorporated into either a suspended or split sentence attached to the front-end of a period of probation supervision following a conviction. The initial time on probation is when recidivism is found most likely to occur, and GPS offers more surveillance capabilities. Third, GPS is being used as a re-entry tool such as the case in Maryland, in which selected inmates are able to be released up to 90 days prior to the end of their scheduled sentence onto parole supervision (Sachwald, 2007, personal communication).

Reintegration and GPS

GPS offers the criminal justice system a “halfway back” option to begin *reintegrating* offenders back into their communities with supervision and assistance. Because GPS tracking allows offenders to find and keep employment, criminal justice tools such as this one are believed to have the capacity to reduce reoffending and revocations (Gainey, Payne, and O’Toole, 2000). Instead, GPS and other electronic supervision tools, are just that: tools—not designed to only punish or rehabilitate or achieve any other goal, but rather can be incorporated into an individually designed community supervision strategy to address criminogenic factors that increase the potential of an individual to fail on community supervision.

Related to reintegration, it can be argued that electronic supervision has the potential to assist justice professionals and offenders achieve goals of restorative justice. Led by criminologists Gordon Bazemore and Mark Umbriet (1994), advocates of restorative justice ideals suggest that crime should be broadened in both concept and response. Crime is not simply an illegal act, but it is an act that brings harm to victims and the community. Consequently, victims and the community should be involved in the response to crime. Table 1 shows how restorative justice ideals—as compared to retributive ideals—relate to the electronic supervision tools. It is easy to see how electronic supervision can ease the achievement of restorative justice goals.

Table 1. Electronic Monitoring and Restorative Justice

	Retributive Justice	Restorative Justice	Relationship to Electronic Monitoring
Crime control source	Criminal Justice System	Community	The community is involved in preventing crime.
Definition of accountability	Punishing the offender	Assuming responsibility and repairing harm	EM is used as a tool to teach offenders to be accountable.
Punishment ideology	Punishment deters crime	Punishment is not enough in and of itself, may do more harm than good	EM allows offenders to reintegrate into the community.
Victim role	Peripheral	Central role	Probation and parole officers may maintain open communication with victims.
Temporal focus	On offender’s past behavior to justify punishment	On current problem solving strategies and future obligations	EM focuses on keeping offenders out of trouble in the present.
Victim/offender/ community relationship	Adversarial	Dialog and Negotiation	For many offenses, the offender and victim continue.
Resolution method	Inflict pain to deter crime	Restitution to restore parties	Many offenders on EM must pay restitution as a condition of EM.
Community role	Peripheral	Central	Sanction occurs in the community.

Source: Adapted from Bazemore, G. and M. Umbriet. (1994).

Three elements define the way a restorative justice framework relates to electronic supervision: *accountability*, *community protection* and *competency development* (Bazemore and Umbriet, 1994). *Accountability* refers to taking actions to ensure that offenders accept responsibility and make amends for their harmful actions. Accountability is achieved through strategies such as restitution and community service. *Community protection* entails strategies that would ensure that offenders are engaged in fruitful activities that would limit their time, and their desire, for criminal activity. *Competency development* entails giving offenders the experience they would need to succeed in the society (Bazemore and Umbriet, 1994). Given that many convicted offenders may lose their jobs, they may need assistance and direction in developing vocational competencies for a new job or career.

Control and GPS

The criminal justice system is designed to achieve several goals, one of which is *control* of offenders. This control, however, should not become overly dominating and strip offenders of their individuality, but rather should apply a certain amount—determined according to individual criminal behavior—of external oversight to promote internal controls (English, Pullen, and Jones, 1996). When implemented correctly, it is believed that GPS allows community supervision officers to more effectively ensure that offenders are *where* they are supposed to be both at a point in time and over the term of their supervision. Community supervision is not only about catching offenders doing things wrong, but GPS actually enhances the ability for finding that offenders have not committed certain offenses. Tracking reports can verify where offenders were at the time of a particular crime, which could eliminate many offenders from suspicion rather quickly.

It is perhaps because of this tool's ability or at least perceived ability, to control offenders that citizens, politicians, policy makers and some criminal justice officials have been so responsive to using GPS to monitor paroled sex offenders. Consider the following comments made by proponents of GPS:

- “This is the next level of supervision. Not only do we know when you're home, we know where you are when you leave” (probation officer's comments to Gorlick, 2005: np).
- “GPS technology would let officers know with certainty whether these individuals are actually going to work, whether they are staying at home at night, or whether they are in places that, frankly, they shouldn't be” (a governor's comments to Maddux, 2005: A01).
- “This expanded GPS will help law enforcement know exactly where these people are every minute of the day” (a governor's comments to Weier, 2006: np).
- “With GPS, we know when you're home; we know when

you're working; we'll know when you're going to and from work...We'll know where you are 24 hours a day” (Levenson, 2005: B1).

The importance of control, at least in the eyes of proponents of GPS, relates directly to the perception that tracking offenders will prevent misconduct. According to one police officer, “In theory, if a person knows they are being watched at all times, they will be less likely to commit a crime” (Nadeau, 2006: np). A state senator made similar comments stating, “We believe GPS will save the lives of children” (Bostwick, 2006: A01).

A study by Payne and Gainey (2004) indirectly addressed control on electronic monitoring by asking a sample of offenders what they thought about “escaping from electronic monitoring.” The majority of the offenders (n=49) agreed that it may be easy to temporarily be free, but certain factors kept them from even contemplating escape. Offenders cited four factors that kept them from escaping: threat of punishment, monitoring potential, conventional ties and offender characteristics. With regard to threat of punishment, the offenders recognized that they could get into a significant amount of trouble should they tamper with their monitoring equipment. On the monitoring potential of the electronic technology, offenders said that escape was not an option “because this has a range and they will know pretty quick.” In terms of conventional ties, the fear of losing something or someone of value as a result of any tampering with the equipment seemed to keep offenders from contemplating escape. Also, offenders tended to define themselves as less serious offenders who are really not a societal threat. In effect, they didn't see themselves as a threat.

Offenders in Payne and Gainey's (2004) study generally agreed that the electronic monitoring does in fact control their lives much the same way that incarceration controls inmates' lives. When talking about the controlling nature of the sanction, offenders' comments tended to fit into two categories: concerns about freedom and retributive experiences. Certainly, these two categories cannot be entirely separated in that any time an offender loses his or her freedom, punishment has occurred. Even so, the nature of the comments made by the offenders suggests that the loss of freedom is something that is perhaps unique to certain types of community-based sanctions such as electronic monitoring, halfway houses, and other non-custodial facilities.

In effect, sanctions such as electronic monitoring may actually place more control over offenders than prison or jail does, at least in the eyes of certain offenders. One recent study found that some offenders defined the “freedom” that inmates experience as making prison a more popular punishment than alternative sanctions (Williams, May, and Wood, in press). Those who have experience with prison, as measured by the experience of serving time, tend to rate prison as less severe than those who

have not served time (Moore, May, and Wood, in press). Along these lines, it may be the perception of the degree of control that community supervision officers have over offenders that contributes to certain groups seeing alternative sanctions in a negative light. Flory et al. (2006) write, “there are some offenders who feel that any agreement to participate in alternative sanctions is only prolonging the inevitability of recidivism” (p. 46).

Retribution and GPS

While reintegration is a central criminal justice system goal, so too is *retribution*, and GPS has the potential to meet such ideals. Given that the public tends to have punitive ideals, it is important that sanctions demonstrate at least some degree of punitiveness in order for sanctions to receive public support. Interviews with offenders show that electronic monitoring has qualities that are similar to the incarceration experience as well

as a few punitive qualities that are specific to the community-based monitoring experience (Payne and Gainey, 1998).

Using Gresham Sykes’ *Society of Captives* as a guide, Payne and Gainey’s (1998) research shows that monitored offenders experience “pains” of incarceration when they are electronically supervised. Surveying 49 electronically-monitored offenders, Payne and Gainey (1998) revealed that monitored offenders will experience pains of imprisonment similar to those discussed by Sykes (1958), and they will also experience a separate set of pains that are unique to the supervision experience (See Table 2).

While community-based sanctions are often critiqued on the grounds that they are too lenient, research shows that sanctions such as electronic supervision actually are experienced as punitive by offenders. In fact, some research shows that certain types of offenders would rather be in jail or prison than on elec-

Table 2. Pains of Electronic Monitoring and White-Collar Offenders

Pain	What it means	Comments Offenders Made
Deprivation of autonomy	Electronically-monitored offenders lose their freedom and have very little control over decisions about movement.	“This is jail inside your home.” “I feel like a dog on a leash.”
Deprivation of goods/services	Electronically-monitored offenders are not permitted to do activities outside of the home that others take for granted.	“I can’t go shopping.”
Deprivation of liberty	Electronically-monitored offenders lose many of their rights, with some losing their right to vote.	“Can’t vote.” “We lose our voting rights forever.”
Deprivation of heterosexual relations	Electronically-monitored offenders do not lose their ability to have relations with others, but these relations are certainly influenced by the sanction.	“My wife goes out more, leaves me more often.”
Monetary costs	Electronically-monitored offenders usually have to pay to be on the sanction.	“I pay for this.” “The worst part of it all is that it costs me \$70 a week.”
Family effects	The family members of electronically-monitored offenders must change their actions when someone in their home is monitored.	“I live with my parents and the phone calls wake them up.” “EM has shifted a great deal of the responsibilities outside of the home onto my wife.”
Watching other effects	Electronically-monitored offenders see others engaging in activities that they would like to be doing.	“It’s annoying how some people joke me about not being able to go outside.”
Bracelet effects	Electronically-monitored offenders often complain about having to wear the bracelet.	“The strap is uncomfortable.” “I have to wear pants all of the time.”

Source: Adapted from Payne and Gainey (1998).

tronic supervision. For example, a survey of 588 offenders found that Black offenders rated electronic supervision as more severe than White offenders (May, Wood, Mooney, and Minor, 2005). Blacks indicated they would be willing to serve eleven months on electronic monitoring in order to avoid twelve months in jail, while Whites indicated they would be willing to serve nearly sixteen months on electronic monitoring in order to avoid a year in jail.

Deterrence and GPS

A few recent studies have tested the ability of electronic supervision tools to *deter* criminal behavior. Deterrence is the reduction of the offender's potential (i.e. specific deterrence) or the public's potential (i.e. general deterrence) for law violations. Deterrence ideals are traced to the enlightenment philosophy of Beccaria's (1764) *On Crimes and Punishments*, which suggests that the law must be certain, swift and just severe enough to outweigh the pleasure one would get from the criminal act in order to deter the offender from future misconduct. Punishment must not be too severe lest we run the risk of causing crime, rather than deterring it. At the same time, not punishing offenders at all may lead to a greater likelihood of re-offending. The trick is to provide an appropriately severe sanction given the seriousness of the offense.

Regarding the deterrent potential of electronic supervision, research in Florida (Padgett, Bales and Blomberg 2006) found that radio-frequency and GPS tracking significantly reduced the likelihood of technical violations, reoffending and absconding for serious offenders. This large study of electronic supervision found that radio-frequency monitoring was just as effective in reducing offender absconding and revocation for a new offense as GPS tracking and more effective than GPS in reducing the likelihood of a technical violation. For many offenders, it may be more cost-efficient to use radio-frequency monitoring than it would be to use GPS tracking, especially considering that the per day cost of GPS tracking is about 4.5 times greater than radio-frequency monitoring. In Florida, for example, the per day cost of GPS monitoring is \$8.97 versus \$1.97 for radio-frequency. However, one must consider that there may be peculiar concerns regarding sex offenders that may make GPS technologies more attractive regardless of cost.

Finn and Muirhead-Steves (2002) studied the likelihood of a violent offender returning to prison within four years of release. They determined that electronic monitoring had little direct impact on reducing recommitments to prison or extending offenders' time in the community. Incidentally, sex offenders in the electronic monitoring program performed better than similar (based on criminal history) sex offenders not in the program. The authors, however, do not call for increased use of electronic monitoring for sex offenders. Instead, they call for more research

on this topic (their sample was limited to 35 monitored sex offenders) to understand how this group experiences the monitoring sanction and conclude that electronic monitoring "does not appear to ensure greater community protection" (p. 309).

CONCERNS ABOUT ELECTRONIC SUPERVISION

Despite evidence of the strengths of electronic supervision, a number of concerns warrant that the sanction be used with caution for certain types of offenders (see DeMichele, Button, and Payne, 2008). The following concerns have been identified regarding the use of GPS for sex offenders:

- Officer workload
- Net-widening
- False sense of security
- Sanctions applicability to different offenders
- Stigma and degree of control
- Redefining the justice orientation
- Legal issues
- Lack of research (Payne and DeMichele, 2008a).

Table 3 (next page) shows how these concerns arise for the electronic supervision tool. The last concern, about the lack of research, warrants detailed discussion, given the heightened attention to evidence-based practices in the community corrections field.

ASSUMING EFFECTIVENESS WITH LIMITED RESEARCH

There is little scientific research documenting the effectiveness (or lack thereof) for electronic supervision programs with sex offenders or other offender types. Renzema and Mayo-Wilson (2005) conducted the most thorough review thus far of research literature on electronic supervision program effectiveness. They found just three research reports that met all of their inclusion criteria as methodologically rigorous, with one of these from the U.K. They conclude that "applications of electronic monitoring as a tool for reducing crime are not supported by existing data" (Renzema and Mayo-Wilson, 2005: 215).

In general, few studies have examined recidivism rates following participation on electronic monitoring; most have focused solely on program completion. Those that have focused on recidivism and the electronic monitoring sanction are flawed in five ways. First, many of the electronic monitoring studies have utilized small sample sizes. Because the sanction is still relatively new and increased significantly in the 1990s, researchers have not been afforded large samples necessary to evaluate the effectiveness of electronic monitoring to reduce future criminality or technical violations. The small samples were justified given the exploratory nature of several of the prior studies focusing on electronic monitoring. Larger, more representative studies,

TABLE 3. CONCERNS ABOUT ELECTRONIC MONITORING

Concern	Why it is a concern
Concern about the workload for probation and parole officers	Practically, these devices are time-consuming to operate at the departmental and officer levels. Legislative proposals typically have little conversation of how much time it will take officers to learn how to use the equipment as well as teach offenders how to maintain the equipment before they can begin tracking an offender. Consider that in some jurisdictions an officer may be required to go to an offender's residence to fit them with a GPS bracelet, which that offender is not to remove for usually between 90 and 120 days. However, the offender must also learn things such as charging the batteries, synchronize the data each night, respond to officer emails, and maintain the equipment.
Concern about net-widening	There is reason to believe that more offenders will be placed under the control of the justice system with increased use of electronic monitoring. There is no evidence that the sanction actually reduces the number of individuals in jail or prison.
Concerns about a false sense of security	The dynamics of sex offending are such that there is no evidence that electronic monitoring tools will actually protect members of society from harmful actions by those being monitored.
Concerns about the responsiveness of the sanction characteristics of different offenders	The vast majority of sex offenses occur in or near the offender's or victim's homes. Tracking devices would not be able to indicate if offenders are committing offenses near their homes.
Concern about the sanction's responsiveness to the motivations for offending	Monitoring devices are based on the assumption that offenders commit offenses as a result of opportunity. While this may be the case for some offenders, for many other offenders (violent offenders in particular), motivations go beyond opportunity.
Concern about stigma and degree of control	Research shows that certain offenders feel stigmatized having to wear monitoring devices.
Concern about legal issues for probation officers	With the increased use of electronic monitoring for violent offenders, it is not clear whether a different set of expectations are placed on probation officers. If offenders abscond and commit a new violent offense, legal issues may surface with regard to the probation officer's duties in supervising violent offenders.

Source: Adapted from Payne and DeMichele (2007)

however, are needed.

Second, and on a related point, those studies that have compared groups of offenders have been limited because of the lack of random assignment. Researchers were forced to use available data of offenders who just happened to be on electronic monitoring (Courtright et al., 1997; Gailey et al., 2000). This lack of random assignment calls into question findings about the deterrent potential of this criminal justice tool.

Third, past studies on this topic are limited because they have tended to be localized in nature, focusing primarily on recidivism within a specific electronic monitoring program in a specific jurisdiction. Because programs will vary from one community to the next, the ability to generalize from such studies is limited.

Fourth, most of these past studies have considered the utility of electronic monitoring for less serious offenders. Over the

past several years, states have begun to use electronic monitoring on a more widespread basis for more serious offenders including domestic violence offenders, sex offenders, gang members and chronic drunk drivers. Because these past studies have focused primarily on less serious offenders, whether the sanction will deter misconduct among all types of offenders is not clear.

Finally, the past studies have considered the impact of electronic monitoring systems which used rather dated technologies for monitoring offenders. Technological advances over the past six or seven years have altered the way that offenders are monitored (see DeMichele and Payne, forthcoming). Again, this past research cannot be used to gauge how well these current strategies deter misconduct. Taken together, these limitations have resulted in some experts calling into question the usefulness of electronic monitoring. According to one author, "as far as the electronic monitoring of offenders is concerned, evidence based remains at

the level of rhetorical claim” (Mair, 2005, p. 257). Still, the appeal and potential of the sanction is such that “it is not unreasonable to think that electronic monitoring technologies will one day become a normal and dominant feature of community supervision” (Nellis, 2004).

EVIDENCE-BASED PRACTICES AND ELECTRONIC MONITORING

Evidence based practices refers to the use of scientific research to inform the development and implementation of various policies, strategies and activities. In terms of criminal justice, the notion of evidence-based practices calls for criminal justice policies and practices that are informed by, guided by and evaluated with rigorous scientific studies. As noted above, very few studies have guided the development and implementation of GPS-based electronic supervision tools. Any success that comes along with the use of these tools is based on theoretically-assumed strengths of the sanction. To ensure that the tools are responsive to various types of situations, it is imperative that electronic supervision practices be subjected to, and guided by, evidence-based research.

Because so little guidance has been offered on how to use evidence-based research to inform electronic monitoring applications, the authors provide the following recommendations as a foundation from which evidence-based principles can be applied to electronic supervision (also see DeMichele and Payne, forthcoming, chapter 10):

- Build evaluation into the implementation phase of electronic monitoring programs.
- Provide a clearly defined mission statement .
- Establish relationships between (1) practitioners and policy makers developing and implementing the sanctions and (2) researchers who can evaluate effectiveness.
- Seek funding from local, state and federal agencies.
- Incorporate data collection into regular record keeping.
- Plan to disseminate the results through publications and conferences so others can benefit from the evaluation.
- Develop partnerships with local colleges and universities to engage with experts in relevant areas of study.
- Define evidence-based practices as a process rather than an event.
- Use the results to improve the use of electronic supervision tools.

Each of these ideals is discussed below.

Build evaluation into the implementation phase of any electronic monitoring program

Those developing electronic monitoring programs should make sure that evaluation plans are a component of any electronic supervision tool. Using the medical field as an analogy, when new prescription drugs or treatments are used to address

specific diseases, the evaluation plan is designed and tied into the use of the new drugs or therapies. When electronic supervision tools are used or expanded to different types of offenders, policy makers and practitioners must build evaluation ideals into the use of electronic supervision tools.

Provide a clearly defined mission statement (for internal and external use)

Electronic monitoring tools have many uses. These range from pretrial supervision, to forms of punishment, to conditions of probation, to conditions of release. With so many different uses, the possibility that the actual function of the tools gets ambiguously defined increases. Rather than waiting for the evaluation to define what electronic supervision tools should be doing, administrators must determine prior to use of the tools how success will be defined.

Establish relationships between (1) practitioners and policy makers developing and implementing the sanctions and (2) academics and other researchers

Program administrators and practitioners should work to develop broad partnerships when implementing electronic supervision tools. The use of the sanction requires that individuals with diverse backgrounds work together to implement and evaluate electronic monitoring tools. Payne and DeMichele (2008b) point out that, at a minimum, electronic supervision tools will require individuals with the following backgrounds to evaluate the programs:

- Criminal Justice
- Criminology
- Sociology
- Psychology
- Public Administration
- Political Science
- Law
- Computer Science
- Engineering
- Business
- Counseling

In building partnerships that are promoting evidence-based ideals, practitioners should work to include academics with expertise in these areas to assist in evaluating electronic monitoring programs.

Seek funding from local, state, and federal agencies

Funding is perhaps one of the most common barriers to evaluating electronic monitoring tools and programs. Recent funding from the National Institute of Justice has been dedicated to increasing scientific awareness about electronic supervision tools. Whether such funding will continue remains to be seen. However, practitioners should continue to seek funding from dif-

ferent levels of government to guide their evidence-based strategies. Demonstrating that tools work should help to provide information needed to support additional funding for the tools.

Incorporate data collection into regular record keeping administration

As a way to offset costs of evaluation, data collection instruments should be incorporated into program administration. Rather than building the electronic monitoring program, and then figuring out how to evaluate it, administrators should build the evaluation into the adoption of any new supervision tool. Consider the way that professors evaluate students. Prior to the start of an academic semester, professors develop their guidelines for how they will evaluate student success. During the course of the semester, the professor evaluates students through different mechanisms. Evaluation is not separate from the course; rather it is a part of the course. In the same manner, evaluations of electronic supervision should be a part of the tool, not separate from its use.

Plan to disseminate the results through publications and conferences so others can benefit from the evaluation

Those working with electronic supervision tools should be encouraged to share the results of their practices in different ways. Academics routinely publish their research in academic journals and present their findings at academic conferences. The gap between academic-based scholarship and practitioner-oriented evaluations must be reduced in an effort to generate practical information that can be used to guide the application of electronic monitoring tools.

Develop partnerships with local colleges and universities so professors are more willing to give occasional information sessions to staff about program evaluation

Those working with electronic supervision tools should also work to develop partnerships with local colleges and universities so that professors are available for occasional briefings about evaluations. It is common for professors to call upon practitioners to provide students with information about job expectations for community supervision officers in the professor's classroom. Turning this around, practitioners should be able to call upon professors to occasionally provide information sessions about ways to evaluate electronic monitoring tools. These sessions could be attended by administrators, supervisors, and line-staff both directly involved with electronic supervision and others, because it is important that all community supervision officers understand the importance of data collection and evaluation. In addition to learning about data collection, participants in these information

sessions would learn why evaluations are necessary, how to conduct them, what obstacles to expect, and how to overcome those obstacles.

Define evidence-based practices as a process rather than an event

It is also recommended that evidence-based practices are integrated into electronic monitoring programs to the degree that the practices are seen as processes rather than events. What this means is that evaluations should not be seen as "things that are done," but as "processes that are ongoing." Technically, there is no end to an evaluation. Evidence-based strategies provide information about ways to use electronic monitoring tools effectively. If program administrators change the way the tools are used, then evaluations should determine the influence of those changes.

Use the results to improve the use of electronic supervision tools

On a related point, for evidence-based strategies to have any meaningful purpose, it is imperative that practitioners use the information they receive from the evaluation of electronic supervision tools to improve the use of the tools. Evaluations are not conducted solely for informative reasons; instead, they are conducted with a purpose in mind – to affect change where necessary.

CONCLUDING REMARKS

The correctional system is bursting at the seams (Christie, 2000), with more than two million adults in jails and prisons in the U.S. and more than five million adults on probation and parole. Some may wonder why it is that the U.S. continues to incarcerate so many of its citizens when the community corrections field can provide a safe alternative to institutionalization. This is not to say that some people should not be incarcerated, but rather to point out the tremendous burden that massive incarceration places on our country, our communities, and families. GPS and other electronic supervision tools have the potential to offer criminal justice policymakers viable options to long prison sentences. However, the use of GPS supervision cannot be determined on supposition alone. Rather, process and outcome evaluations are greatly needed to determine the effectiveness of an assortment of electronic supervision tools. No doubt the bulk of this article concentrated on GPS tracking of higher-risk offenders, but there is an assortment of technologies that exist to monitor lower-risk individuals that may not need to be incarcerated at all.

One example is that the New York City Probation Department recently moved nearly 60 percent of their probationers to kiosk reporting. This shift has freed probation officer time to concentrate on high-risk probations, and has also allowed these

lower-risk individuals to move on with their lives. Interestingly, this shift has occurred without increasing crime among the lower-risk individuals, and slightly reduced recidivism among the higher-risk groups.

The point is not to suggest that GPS, kiosks or any other electronic supervision tool is going to provide a crime panacea. Rather, we recognize that the decisions individuals make to commit crime are wrapped up in diverse and dynamic socio-cultural factors that this article does not seek to uncover. What we do hope to highlight is the potential for electronic supervision tools to alleviate institutional correctional populations by offering a less coercive alternative to incarceration. Before these alternatives can be fully embraced, however, scientific research is needed to determine how, when, and with what populations various electronic supervision tools should be implemented. ►►▲

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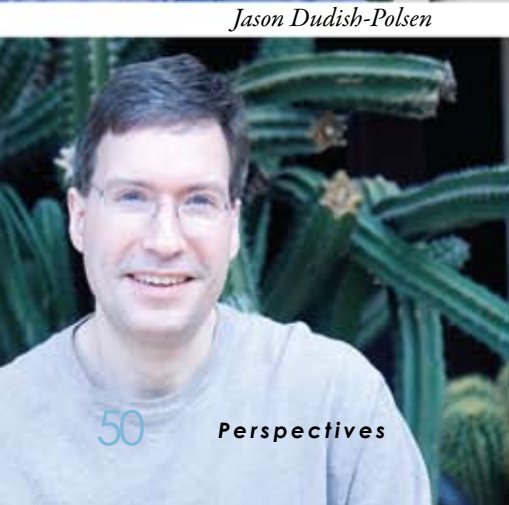
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Paul Schoon

APPA Leadership Institute:

A Successful Succession Strategy



It began with conversations about succession planning. For years, Community Corrections leaders spoke with distress about their concerns. Who will follow us in this profession as the leaders and visionaries of tomorrow? Baby Boomers are retiring at alarming rates. The upcoming generations do not think like we did. They will not stay with one organization. They will want to know what is in it for them. They will be wonderfully diverse and the profession will be richer for it, but... How do we ensure that there are leaders for the professional organizations and work places that we have spent our lives developing?

A portrait of Greg Fitzpatrick, a man with short dark hair wearing a grey polo shirt, set against a background of green cacti.

Greg Fitzpatrick

A portrait of Ann Beranis, a woman with blonde hair wearing a black top and a blue necklace, set against a background of green cacti.

Ann Beranis

A portrait of Alan M. Palomino, a man with a beard wearing an orange shirt and a striped tie, set against a background of green cacti.

Alan M. Palomino

A portrait of Andrea Martin, a woman with dark hair wearing a black and white patterned top, set against a background of green cacti.

Andrea Martin


"From a personal perspective, I enjoyed being a coach. From a work perspective, we would have never had a vision/mission statement if it were not for your project. From an APPA perspective, there is no question that your class has engaged in the APPA process of committee work and Board of Director service. For these reasons, I have felt very strongly that we continue to offer the Leadership Development program and improve upon a successful first session."

Ray Wahl, Utah Juvenile Court Administrator

For several years, this has been the discussion – the large number of leaders in community corrections and allied professional organizations that are leaving the work force at the same time. As the baby boomers reach retirement age, much of the history and experience in the community corrections industry could be gone, simultaneously, from agencies across the country. The passion for volunteering outside of the workplace and professional networking is waning with new generations skillful and comfortable with electronic communications. Email, internet and blackberrys make us readily available but do not always encourage face to face communications or close relationships.

APPA Past President Mark Carey, acknowledging this professional dilemma, appointed an ad hoc committee to discuss possible strategies for bridging the gap. APPA and other volunteer organizations were struggling with waning membership. The younger generations in the work force did not join professional organizations as readily. Similarly, agencies are looking at their bench strength and wondering how to best prepare the work force for the roles that they will step into as they move toward executive leadership.

From this ad hoc committee a proposal was made: Create a Leadership Institute that will prepare future executive leaders,

A portrait of Erika L. Preuitt, a woman with short dark hair wearing a purple top and a necklace, set against a background of green cacti.


Erika L. Preuitt

A portrait of Rhonda Rhodes, a woman with short blonde hair and glasses, set against a background of green cacti.

Rhonda Rhodes

A portrait of John Bruner, a man with short dark hair, set against a background of green cacti.

John Bruner

A portrait of Jim Duque, a man with short dark hair and a beard, set against a background of green cacti.


Jim Duque

A portrait of Bridget Guzman, a woman with short dark hair, set against a background of green cacti.

Bridget Guzman

A portrait of Dana Cormany, a woman with blonde hair, set against a background of green cacti.

Dana Cormany

A portrait of Sarah Schmoll, a woman with dark hair, set against a background of green cacti.

Sarah Schmoll

The following are questions asked of two of the participants, Susan Burke, Assistant Juvenile Court Administrator, Utah Administrative Office of the Courts and Sarah Schmoll, Deputy Chief Probation Officer, Coconino County, State Of Arizona in regards to their participation in the first APPA Leadership Institute.

What is your overall opinion of the Leadership Institute?

Susan:

Having worked in the justice field for 18 years now, I thought I knew what it took to be a good leader. I had observed both good and bad leaders. I knew what characteristics I wanted to emulate and which ones I did not want to follow. The APPA Leadership Institute, however, had me questioning what I knew, introduced me to new concepts about leadership, and ultimately helped me put into action some changes. The APPA Leadership Institute is the only one of its kind that focuses on developing future leaders in the area of probation and parole by using experts from the field. The program was definitely worth the time and expense.

Sarah:

Participation in the APPA Leadership Institute was an incredible experience. In addition to great classroom training, the Institute provided the opportunity to network with many of the most recognized leaders in the field and a chance to bond with many of my peers from across the country. On a personal note, the biggest benefit was meeting great people who share common interests. Today, I know I can pick up the phone to chat about issues of mutual concern with up and coming leaders, as well as any of the expert faculty and my assigned coach.

How do you believe this program benefited you and your agency?

Susan:

I have benefited personally and professionally from my participation in the Leadership Institute. I gained a lot of insight into my strengths as a leader and have identified areas that need additional attention. I also gained a new perspective about leadership and how to cultivate it at all levels of my organization. I have personally benefited from the friendships I have developed and look forward to maintaining them throughout my career and beyond.

and assist them in developing a passion for volunteering and networking within the profession. Thus the APPA Leadership Institute was born. Quickly, partners came on board: the Correctional Management Institute of Texas at Sam Houston State University (CMIT), the National Association of Probation Executives (NAPE), and the National Institute of Corrections (NIC). Additionally, the Past Presidents of APPA pledged their active support.

The commitment of the partners was strong. It was unanimously believed that creation of the Institute was critical and the timing was right. During the discussions, the steering committee laid out four specific goals around which to develop the Institute.

- Provide participants with a fundamental understanding of leadership and management within the community corrections arena.
- Increase participants' critical thinking skills and analytical abilities to sustain the increasing demands of leadership and management and to further develop the leadership capacity for organizational change.
- Develop participants' skills for navigating through various levels of the political system in organizations, including organizational units, and sub-service delivery systems to advance the objectives of community corrections.
- Enhance participant's professional growth through sustained interaction with a national network of community corrections leaders, managers, and executives.

The curriculum design team along with curriculum specialists from CMIT and funding from NIC outlined the core curriculum. The design team left CMIT with additional assignments for themselves and other members of the steering committee but with the knowledge that a very impressive and exciting program had emerged from the thoughts and dreams exchanged between the community corrections professionals and the higher education faculty at Sam Houston State. The planning session was a unique experience. Though the two groups had met for the first time, the understanding and needs of leadership transcended the boundaries of each area of expertise.

The resulting course explores leadership and management issues from a practical point of view. It uses theory applied in the community corrections arena, requires self exploration and develops problem-solving skills. The design leads the participants to interact directly with the instructors, facilitators, each other, and recognized leaders and executives in community corrections and allied professions. The faculty is selected from expert educators, community corrections leaders and others in allied fields.

The APPA Leadership Institute is a twelve month learning series. Participants receive pre-session assignments, meet for

"This project has been one of the most rewarding things I have worked on in my career. I have been very fortunate to have had the opportunity to attend different leadership programs. This was my way of giving back and it is very exciting to see the new leaders of tomorrow benefit from this program. The dividends we gain from this will serve our organizations and profession for the years to come. We need to continue to invest in our future."

Kathy Waters, Director, Adult
Probation Services, Arizona
Supreme Court

three two-day sessions, and respond to facilitated assignments in the two intervals between the three sessions. Each on-site session is held prior to an APPA Institute. The course relies on discussion-oriented lectures, group exercises, homework, project development, readings and book reviews, self assessment evaluations, case studies and volunteer participation in selected professional organizations. Course content includes social scientific literature on leadership theories, models and processes, organizational development and change, ethics and legal issues, work force and generational issues and political forces within the work place. Each participant completes a large project that provides leadership in a needed area in their home agency. An APPA mentor is partnered with each participant to provide introductions and networking opportunities with national executives and leaders in the profession.

To introduce the first APPA Leadership class, letters were sent to Agency Heads across the country soliciting support and applicant nominations. Their commitment was to invest in the cost of the leadership program (\$1500), and to have the nominated staff attend the next three APPA Training Institutes and be involved in the intra-session work that would be required. Nominees were screened and a full class of 25 participants was set to become the APPA Leadership Class of 2008. Following the twelve month learning experience, the first class of 22 graduates received certificates of completion in August 2008.

Sarah:

I view this project and my participation in the Leadership Institute as highlights of my career in probation. Further, my involvement in the Institute allowed me to take the next step in my career, by helping me achieve a recent promotional opportunity. I am truly grateful for my agency and sponsor's support and encouragement in the program. I challenge anyone seeking to enhance their leadership skills and knowledge of community corrections to pursue attendance at the Leadership Institute.

Can you describe your leadership project and how that was helpful to you and your agency?

Susan:

My Leadership Project was the development and implementation of a vision and mission statement for the Utah Juvenile Court. Such a project was timely as we had undergone many changes to our management structure due to retirements. At the same we were overwhelming staff with new evidence-based models for probation, model courts for child welfare and delinquency and a new statewide information system. The project involved a planning committee that represented staff at all levels of our organization and culminated in a statewide Leadership Conference. This project has unified the staff of our organization and given us a clear direction. With the downturn in the economy and budget cuts to our organization, it has been helpful to refer to our vision and mission.

Sarah:

As a component of the program, participants were required to lead a change effort at their home agency. For my project, I led a workgroup to revise our statewide probation supervision policies to move away from a strict contact driven model to one that incorporates the principles of Evidence Based Practices. Because of my participation in the Institute, I had access to many subject matter experts and to established leadership principles to assist in the implementation of this major change initiative in Arizona. Although the road to statewide EBP implementation is long and winding and requires the dedication of many players, this policy change is a much needed component for systemic change. Since the completion of the Institute, the policies have moved forward for statewide adoption. Additionally, NIC has become involved in Arizona's project and is providing technical assistance to each of the counties in order to complete strategic plans in line with new protocols.

During the Leadership Institute, participants provided an evaluation following each session to assist in refinement of the curriculum. A final evaluation of the series was completed by participants, agency heads and coach/mentors. This feedback was critical for modifications to the learning experience and the logistics for the sessions. With this information in place, the Leadership Steering committee, the partnering agencies and the APPA Executive Committee met to determine the future of the Leadership Institute. The decision was a unanimous commitment to continue the Institute. The APPA Leadership Institute had met all of the original goals and then some. A number of the projects, of the 2008 class, have been highly successful and beneficial to their agencies. Several participants have received promotions and many are active in committees and elected offices in APPA.

To the partnering associations, agencies and others, a special thanks for supporting this initial endeavor. To all the leaders who have and will attend this Institute, we offer sincere and heartfelt thanks for becoming the future of our profession. >>>▲

Selection Process

Individuals interested in applying to participate in the next APPA Leadership Institute or in nominating an applicant can do so by visiting the APPA web site at www.appa-net.org or contact Lisa Ginter at (859) 244-8193 or lginter@csg.org. All applications must contain a letter of agency support. Final selection will be made by the APPA, NAPE, CMIT, and NIC leadership team. **The application deadline is June 1, 2009.**

Dee Bell is the Program Coordinator with the Georgia Department of Juvenile Justice. Linda Layton is an Independent Consultant/ Trainer residing in Georgia. Kathy Waters is a Past President of APPA, Director of Adult Probation Services Division, Administrative Office of the Courts, Arizona Supreme Court.



Calendar of Events

2009 - 2010

April 22- 24, 2009

Ohio Wardens & Superintendents Conference
Columbus, Ohio. For more information, visit,
www.owsa.org

April 25 –29, 2009

American Association for the Treatment of
Opioid Dependence. New York, NY
For more information, visit www.aatod.org.

April 25 –28, 2009

CASA 28th Annual Conference. Denver, CO.
For more information, please visit www.casanel.org/conference

April 27-28, 2009

Occupational Spanish for Probation & Parole
Officers, Nashville, TN. For more information,
contact Karen Murphy at murphyassoc@comcast.net.

May 1 –5, 2009

CJJ National Conference and Council of SAGs'
Meeting, Arlington, Virginia
For more information contact Mark Ferrante at
ferrante@juvjustice.org

May 4-8, 2009

Cognitive Facilitator Certification Training
Junction City, KS For more information, contact
Jeff Koenig at jkoenig@nctic.org

May 6-7, 2009

Intersection with Terror, Portland, OR
For more information, visit www.ndaa.org.

Jun 1 –3, 2009

2009 Innovative Technologies for Community
Corrections Conference. San Diego, CA
For more information, visit www.justnet.org.

August 7-12, 2009

139th Congress of Correction, Nashville, Tennessee.
Please visit www.aca.org for more information

Aug 23 –Aug 26, 2009

American Probation & Parole Association's 34th
Annual Training Institute. Anaheim, CA. For more
information, visit www.appa-net.org

Aug 24 –Aug 28, 2009

International Terrorism and Organized Crime
Conference. Anaheim, California
For more information, visit [/www.agiac.com](http://www.agiac.com)

January 22-27, 2010

2010 Winter Conference, Tampa, Florida. Please visit
www.aca.org for more information

January 31 – February 3, 2010

American Probation & Parole Association's Winter
Training Institute. Austin, TX. For more information, visit
www.appa-net.org

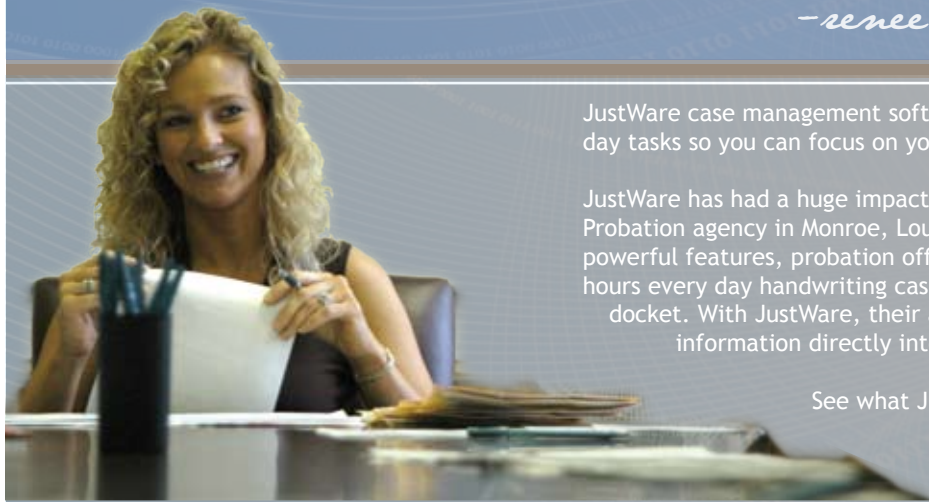
July 30-August 4, 2010

140th Congress of Correction, Chicago, Illinois. Please
visit www.aca.org for more information

To place your activities in Calendar of Events,
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