



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 4 Fall 2009



*Enhancing Community
Corrections Response to*

DOMESTIC VIOLENCE

President's Message

by Barbara Broderick

Thirty years ago I joined APPA. Back then, I had no idea that my professional journey would someday place me in the role as your Association's President. I want to thank the members for electing me and express to you how much of an honor and privilege it is to serve you.

Please join me in thanking Gary Hinzman for his leadership during the past two years. Gary served as your President with distinction and during his time in office there were significant accomplishments.

Recognizing that APPA is positioned to play a key role in shaping the future of our field, Gary championed the development of the Leadership Institute. Nearly all departments around the country -- including APPA -- are faced with the issue of succession planning. As Gary put it, we need to "nurture and encourage our promising leaders." During Gary's tenure, the Leadership Institute had its first graduating class and it is now an operational part of APPA.

Gary was instrumental in strengthening the committee process. He encouraged broader participation from our membership in order to make it more inclusive and diverse. He also helped to institute practices such as conference calls every other month to committee members, thereby improving communication and sustaining momentum for the various projects.

The Branding Initiative is an important accomplishment for Gary and APPA. "A Force for Positive Change" is just the introductory for telling the story of community corrections. A branding package was developed complete with DVD, handouts, and manuals that provide a clear message of how probation, parole and community corrections plays a vital role in keeping our communities safe and healthy, and restoring adult and juvenile offenders to leading productive lives. This high-quality, transportable product is ready for use by local and state departments and agencies and will be pivotal in raising the recognition factor for probation, parole and community corrections.

While looking toward our future, Gary has not forgotten our past. He has shown great support for The APPA History Project that is being led by Mark Carey. The DVD showing the accomplishments of APPA over nearly four decades will be a source for pride and a great recruiting tool too.

I personally want to thank Gary for the time he has taken to help me transition into my new role. I plan to continue seeking him out for his advice and expertise.

Thanks also to Julie Howe, who served as Secretary and was program chair for the Anaheim training institute. Thanks to Jim Birrittella, who as Treasurer came up with creative investments and made the association more solvent. Thanks to Tom Roy for his strategic thinking, assistance in using technology creatively and the development of our new website. Thanks to Linda Layton for her dedication to the success of the Leadership Institute and her advocacy for juvenile is-



sues. With highest regards, I want to express my appreciation to Mark Carey for his years of leadership with APPA as he leaves the Executive Committee. To Gini Highfield and members of the nominating committee, thank you for a wonderful job in developing the slate of elected officers. I'm looking forward to the work we have ahead and working with the newly elected Executive Committee members:

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Gary Hinzman, Iowa's 6th Judicial District, Past President

It is my strongest desire to make the change in the Presidency of APPA a smooth transition. Over the next two years, I will be focusing on APPA's strategic goals and continuing work on important initiatives that are underway.

Our first goal is to develop and disseminate a positive and compelling image of the community corrections profession. We have already accomplished two critical objectives, developing our brand of being "A Force for Positive Change" and creating a branding package. The next step will be to market this image and implement strategies to roll it out. It is my belief that probation and parole officers and community corrections workers should be getting the recognition they deserve and they should be acknowledged as a powerful force which promotes public safety by changing offender behaviors.

We have come a long way towards achieving our second goal, gaining long-term financial stability. APPA is currently in good shape thanks to the hard work, creativity and dedication of our Board, staff, and membership. This achievement is really quite remarkable considering our economic times. I will do everything I can to sustain this success and support the strategies developed for improving revenue streams and examine different business models for governance.

Goal three is to strengthen the functioning of the Association. I will be charting a course with the Board and APPA staff to ensure that community corrections has a strong voice at the national level and can help to galvanize support at the state or local level on critical issues. It is important that we are viewed as a force for positive change and we must have a voice that is coordinated and consistent. Marketing the profession includes educating the public and funding

sources about the value of probation, parole and community corrections and using media effectively to market our business and secure resources. The implementation of the branding package, "A Positive Force for Change" will be part of a continuing action plan for APPA.

Goal four is to advance corrections policy. When developing our strategic plan, it was recognized that the Association must serve the needs of its constituency, which means paying attention to the specific needs of the membership. During the Summer Institute in Anaheim, the APPA Board was asked to identify key issues for the association's attention. Your representatives developed a list of important topics. I would like to mention a few of them.

APPA can become an even stronger proponent to further the implementation of evidence-based practices (EBP) within probation, parole and community corrections departments and agencies. System alignment, curriculum development, collaboration and performance measurement are all important aspects of EBP.

Disproportionate minority contact is a continuing issue throughout the criminal and juvenile justice system including our profession. APPA can be catalyst for sharing lessons learned in various jurisdictions and advancing policy in this area.

Workforce development includes staff development, succession planning and attracting new talent to the profession. I am pleased to announce that APPA is a partner in a new grant project funded by the Bureau of Justice Assistance to develop a Discovering Corrections Website. This national website will enhance employment recruitment and provide links to job opportunities throughout the country.

Increasing positive outcomes for seriously mentally ill offenders is an ongoing APPA initiative. Some of the important pieces are improved assessment and identification and the development of specialized supervision in more jurisdictions. This is an area that I feel needs our continued attention and one in which we can have a significant impact on people's lives. There is also strong interest in promoting reentry initiatives and improving offenders' successful transition from prisons and jails to the community.

Very soon, you will be receiving a survey asking you what corrections policies APPA should advance. The topics identified by the Board in Anaheim will serve as the starting point for developing this survey. You will be asked to identify which of these topics you would like APPA to address. Please complete this survey as soon as you can

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Welcome to the Fall issue of *Perspectives*. As we approach the end of another year, our field continues to be in the spotlight. The fiscal crisis has had a significant impact on governments at all levels, and a number of states are releasing large numbers of offenders from prison to parole in order to save money. The recent spotlight on the Phillip Garrido kidnapping case in California has refocused attention on parole release and supervision, GPS and sex offenders. On a broader basis, the fiscal meltdown has affected the communities and individuals we are responsible for. These indeed are challenging times.

Our lead article addresses a critical area that some data suggests is aggravated by personal financial downturns – domestic violence. Abner's article presents the results of an APPA project to develop research-based guidelines for the supervision of domestic violence cases. Supervision in domestic violence cases involves a complex mix of factors and usually includes some degree of involvement of and services to the victim. The full monograph is available on APPA's website and we encourage you to obtain a copy to read and apply in practice.

APPA's Executive Director Carl Wicklund is always reminding us of the unique challenges faced by probation and parole officers working in rural areas. In their article on housing for offenders in rural areas, Brent and Howard provide solid advice and guidance on methods to address this critical challenge. This article is all about collaboration – between community corrections and local agencies involved with housing as well as between the probation and parole officers and the offender's family.

In this issue, we feature an opinion piece by Lawrence Jablecki, "The Death of the War on Drugs". For more than two decades, this policy has wreaked havoc on the correctional system, flooding it with tens of thousands of addicted offenders. Despite the huge investment in this "war", we still have a significant problem with illegal drugs in this country. In his piece, Jablecki explores the impact and makes some modest proposals for change. Fortunately, the federal government seems to be moving the same way.

For many years, the process of transferring offenders across state lines has been ineffective, inefficient and monumentally frustrating for probation and parole staff. With the reform and implementation of the Interstate Compact, much of that has changed for the better. In this issue, we feature one aspect of the revised system, the Interstate Compact Offender Tracking System (ICOTS). This system is the realization of many years of hard work by legions of dedicated probation and parole staff to revise and automate the interstate transfer system. The data from ICOTS shows for the first time, the dimensions of the interstate transfer activity. It is a significant accomplishment, and all involved with it should be proud.

Our regular updates address, as usual, critical issues to the field of probation and parole. The Technology Update focuses on GPS and domestic violence offenders. As the Garrido case in California so clearly shows, GPS is a tool, not a panacea. There are limitations to what even the GPS technology can do. Understanding these limitations and designing supervision strategies and programs with them in mind is critical to the safety of victims and the community at large.



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The Research Update explores the impact of race on parole release decisions. The data suggest that despite the existence of parole release guidelines, there appears to be a significant affect of race on the release decision. For supervision decisions, we routinely use standardized assessment instruments to make decisions consistent, fair and behavior-based. However, most systems allow for overrides of the instrument by the officer. It is important to ensure that the “racial threat stereotype” identified in the research does not introduce racial bias into our decisions about supervision.

In the Safety Update, Thornton discusses one of those difficult issues that can arise when an agency is “doing the right thing”. In this case, doing the right thing is providing staff safety training. As noted in the update, good staff safety training has to be “dynamic and involve hands-on physical contact and exertion” if it is to be effective. This will inevitably involve some degree of risk of injury to those involved. It is incumbent on all involved – trainers, participants and administrators -- to be diligent about the design and delivery of the training to ensure that the risk is minimized as much as possible.

With this issue, we welcome APPA’s new president, Barbara Broderick of Arizona. As you will see from her inaugural message, she has a full agenda for her presidency. We look forward to hearing from her in the upcoming issues.

As you read this issue, we hope you find things that challenge you, inform you and stimulate you. As always, we welcome your thoughts, suggestions and feedback on *Perspectives*, your professional journal. ■



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:

Spring 2010 Issue – November 11, 2009 • Summer 2010 Issue – February 17, 2010 • Fall 2010 Issue – May 20, 2010 • Winter 2011 Issue – August 21, 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.

APPA SPECIALIZED TRAINING

If your agency is in need of training, but funds are low... APPA has a plan for you! If you only have a handful of employees who need specialized training in any of the topics APPA offers, we've got a plan for you! If you have a site that will allow training for at least 30 individuals (many of our trainings are limited to 30), and are willing to act as host...BOY, do we have a plan for you!

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CHANGE.

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January 11-13, 2010, Kankakee, IL

January 25-27, 2010, Marmel, CA

For additional information regarding APPA Specialized Trainings contact:

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American Probation and Parole Association CORPORATE MEMBERS

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

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 The Council of State Governments

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

vision

where community partnerships are

restoring hope by embracing a

balance of prevention, intervention

and advocacy.

We seek to create a system of Community Justice where:

A full range of sanctions and services provides public safety by insuring humane, effective and individualized sentences for offenders and support and protection for victims;

Primary prevention initiatives are cultivated through our leadership and guidance;

Our communities are empowered to own and participate in solutions; **Results** are measured and direct our service delivery;

Dignity and respect describe how each person is treated;

Staff are empowered and supported in an environment of honesty, inclusion and respect for differences; and

Partnerships with stakeholders lead to shared ownership of our vision.



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

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VA Probation and Parole Association

Western Correctional Association

WV Association of Probation Officers

Spotlight on Safety

Injury Avoidance in Training: Who's Responsible?

by Robert Thornton

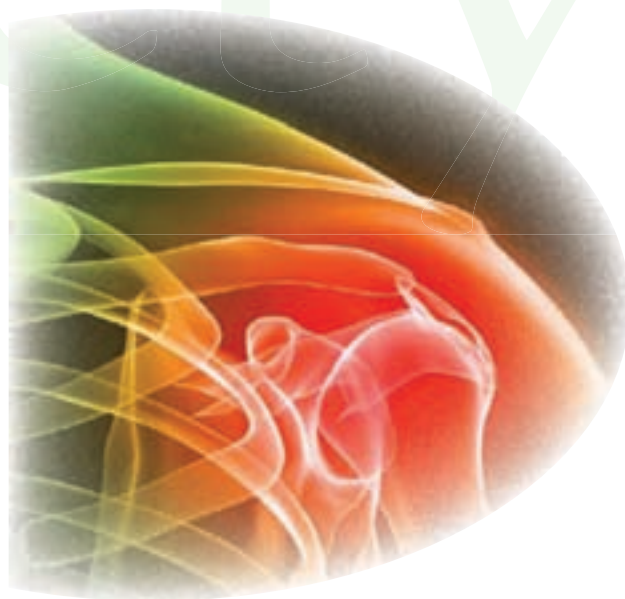
Periodically, I receive contact from trainers in defensive tactics and scenario-based training indicating that a participant was injured. Fortunately, all have been low-level injuries and the agency is questioning the training, and in some rare cases, threatening to cancel training. Unfortunately, if you do any training that is even moderately dynamic injuries will occur. The question is, how can we reduce the number and severity of injuries?

Another unfortunate event sometimes occurs and that's the "blame game." It is argued that the agency is responsible because they made me go, the instructor is responsible because they didn't take enough precautions, the student is to blame because they "went too hard" or didn't let anyone know of a pre-existing injury. Like many such issues, we can look to the courts for some guidance.

In occupations like community corrections, where officers are exposed to known dangers, the courts have ruled that there is an obligation to train and to provide training that is "recent, relevant and realistic." But who is responsible when someone gets hurt? Two cases address this issue, one of which involves a probation officer.

In *Hamilton v. Martinelli & Associates* suit was brought by a juvenile probation officer that was required to attend defensive tactics training and subsequently reported injuries to her spine and neck. The case never went to trial as the court granted the defendant's motion for summary judgment as to "no liability as a matter of law." The plaintiff appealed, and that is how the *Martinelli* case became a published decision of general applicability throughout the United States (Stone & Martinelli, 2006).

The defense in the case rested upon two legal doctrines recognized in case law; first the assumption of risk and secondly, the



so-called Firefighter's rule. Simplified, the Firefighter's rule states that when persons voluntarily engage in certain activities there is a level of anticipated risk. Thus, the rule precludes such employees from recovering damages for injuries arising out of risks particular to their employment.

The appellate panel noted that the officer's duties included physically restraining juveniles. By participating in the course, she assumed the risk that she would be injured. There was no proof that the instructor intentionally hurt her.

The appellate panel said that under the doctrine of assumption of risk and the Firefighter's rule, "no duty is owed to a peace officer who is engaged in training to meet an emergency situation." They added: "It is of no moment that the plaintiff was not injured while actually restraining a violent juvenile offender, but while training to restrain a violent juvenile offender." To hold otherwise would make assumption of risk hinge upon the formality of the activity, no the activity itself (AELE Law Journal, 2007).

In the case of *Saville v. Sierra College, et al*, the California Court of Appeal again applied the assumption of risk doctrine and

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So, back to the original question posed; who is responsible for safety during training?

We all are; the administration, the instructor and the participant.

found in favor of the college. This case involved a student who was enrolled in an Administration of Justice program at the college. As part of the program the student was required to attend and pass, an Arrest and Control class.

At one point during the class, Saville and another student engaged in a slow-speed takedown maneuver. Saville was taken down by his partner and his neck hit the partner's knee. Saville suffered a herniated cervical disc and other injuries, resulting in surgery.

Saville sued the College, claiming that the College negligently failed to inform him at registration of the risk of injury in participating in takedown maneuvers, evaluate or screen him or advise him to do the same in light of the risks and supervise and properly train him and his classmates to perform the maneuvers correctly.

As previously stated, the Court of Appeal relied on a number of assumption of risk cases and then focused on those cases that involved training injuries when the plaintiff was trying to learn a new sport or physical skill, including *Martinelli*. Ultimately, the Third Appellate panel affirmed the grant of summary judgment in favor of Sierra College.

In their decision they found the student understood the training had to replicate real-life situations. The appellate panel wrote: "The maneuvers cannot successfully be learned for passing the POST examination and for eventual use by peace officers without incurring the risk of injury from practicing them. Eliminating the risk of injury inherent in the maneuvers would require eliminating the maneuvers from the class. Such a result is exactly what the doctrine of primary assumption of risk is designed to prevent. For these reasons, the nature of the activity indicates the assumption of risk doctrine applies here."

The courts have recognized that safety related training must be dynamic and involve hands-on physical contact and exertion in order to both teach and test the related skills. To remove all potential of physical harm would reduce the

training to a level where both the learning and retention of the skill would be negatively impacted.

So, back to the original question posed; who is responsible for safety during training?

We all are; the administration, the instructor and the participant.

The administration should work in concert with the training staff to ensure the skills taught are relevant to the job tasks. I have seen “safety academies” that have required participants to repel down ropes, jump high hurdles and perform other tasks that have little relevance to community corrections work. Research specific to community corrections, though limited, has shown that the most likely physical attacks will involve being kicked, punched or choked. Those are the types of attacks we need to teach our people to stop. For lethal force encounters, research shows that male officers are most likely to be confronted with a firearm and female officers are most likely to be attacked with an edged weapon or beaten. Thus, these are the situations we need to train our officers to defeat.

Agencies must also realize that no matter what precautions are taken, injuries, hopefully minor, will occur. Participants with pre-existing injuries will over-do and fail to self-monitor.

For trainers it is imperative that participants be told of the skills to be learned and the expectations of the class. If the agency has no physical standards for hire or retention, the instructor and the agency is hard pressed to make successful completion of each task mandatory. In agencies without physical standards, the agency can, and I believe should, make attendance of defensive tactics mandatory, but allow each student to evaluate their abilities and “sit out” when they are concerned the specific maneuver may result in injury.

Trainers should follow the Tell, Show, Do, Feedback method of instruction, that is, tell participants about the skill to be taught and why it is relevant; demonstrate the skill, then have participants try the skill, insuring there is appropriate staff/participant ratios to allow observation and feedback. The trainer must give feedback as to not only performance but anything the participant may be doing that would cause undue injury to themselves or the person to whom they are applying the technique. Other injury reduction practices should include:

- Explain the safety protocol and have each student sign the protocol acknowledging their understanding.

- Require each student to advise the instructor(s) of any pre-existing injuries, recent (within the last few years) surgeries or other potential issues such as high blood pressure, heart disease or difficulty breathing. Some agencies require this also be done in writing and supply a form for such at the beginning of the class.
- As the class progresses, make it mandatory that if any issues, unusual soreness or problems of any kind develop it is their responsibility to notify the instructor. After each exercise, instructors should observe each student and question them if there is anything that gives the instructor concern regarding the participant’s welfare. If the participant indicates an issue but states they are “OK” and want to continue, the instructor must make a determination whether to allow continued involvement. Ultimately, it must be the instructor’s decision.
- At the end of the class, make it mandatory that participants advise the instructor of any issues and the instructor should document the information or the lack thereof.

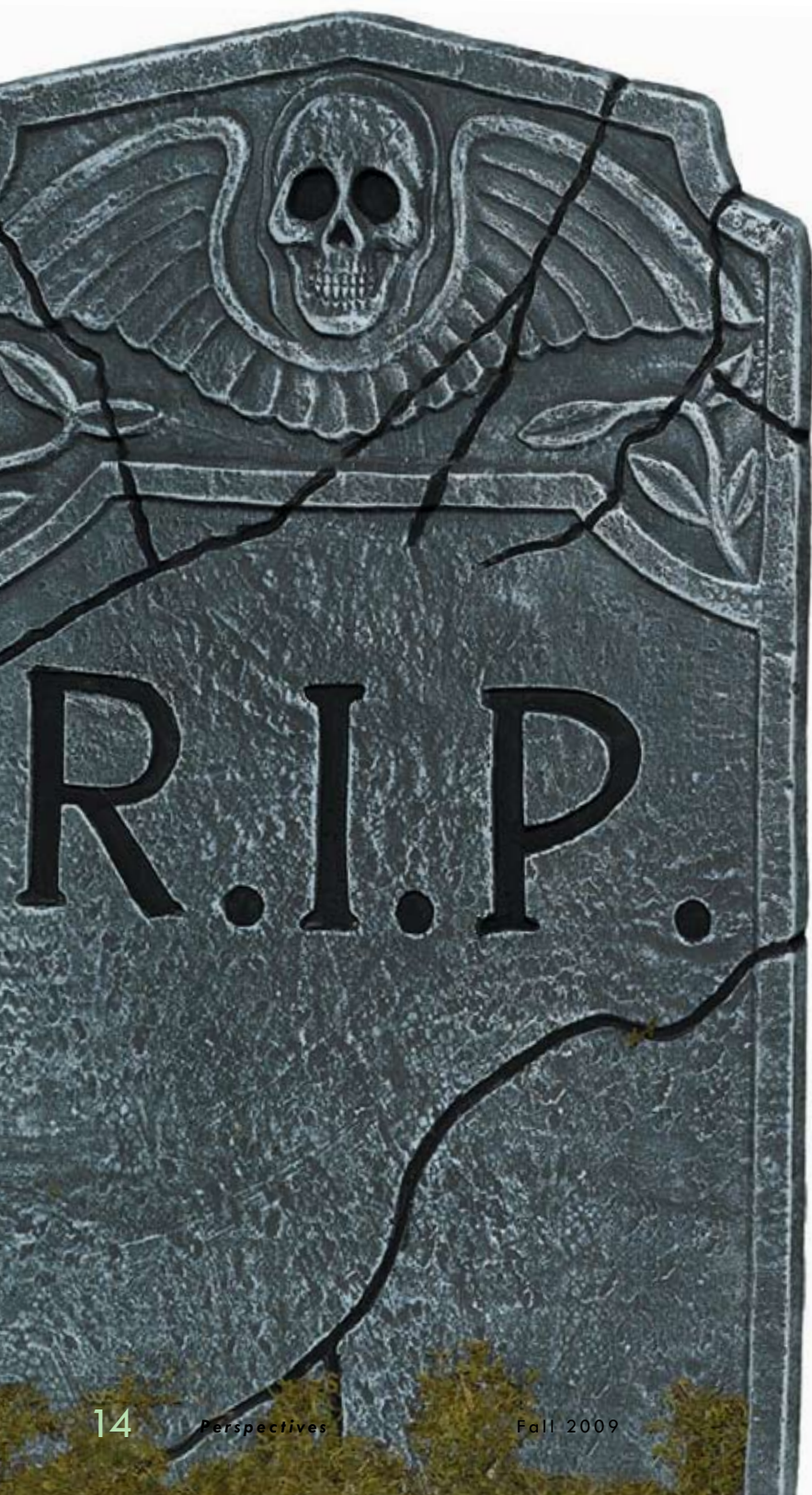
Lastly, it is the participant that is ultimately responsible for evaluating their capabilities and stopping when that limit is reached. Neither the agency nor the instructor knows how your body feels.

No one likes injuries or the workman’s compensation claims that can arise, but we are in a business where physical attacks and the need to defend ourselves is a known threat and thus we must train for that reality. Just make sure your training program is both relevant and realistic. We don’t cancel all field work when an officer has a job related car accident, nor should we overreact and not provide safety training just because an injury has or may occur. ■ ■ ■

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



The Death of the War on Drugs

by Lawrence T. Jablecki, Ph.D

In his maiden speech as the nation's new drug czar, Gil Kerlikowske suggested that the term 'war on drugs' should be retired because it implies that citizens who use illegal substances are enemies of the state to be conquered and destroyed. Instead of viewing the vast majority of these citizens as criminals deserving of punishment, a new paradigm should embrace them as members of our communities deserving of opportunities to establish or renew healthy and productive lives. The following comments are a statement of the reasons why I support this call for a new paradigm and include some specific recommendations addressed to our nation's prosecutors and legislators.

One of the few facts of which I am certain in the context of our discussion of the current drug policies in this country, is that no new arguments are available to employ in support of or in opposition to them. We are locked in an ideological contest between two conflicting, and not mutually exclusive philosophical perspectives, both of which have existed for many centuries. More specifically, the contest of which I speak is between the perspective, the heart of which is that a genuinely free society maximizes the rights and freedoms of its citizens allowing them to think, say and act as they please

as long as they do not harm or injure their fellow citizens. The other perspective emphasizes the claim that a stable social order cannot be maintained in the absence of the legal enforcement of a rather long list of the shared moral values of its citizens. In short, this contest is what the 18th century Scottish philosopher David Hume called the perpetual struggle between the liberty of the individual and the authority of the state. And what I cannot emphasize too much is that this is not a war between the armies of good and evil. Far too often, defenders on both sides of this conflict are persuaded that truth and justice are on their side, and they have allowed their zeal to sink to the level of inflammatory attacks on the motivation and personal characteristics of their opponents. Regardless of our moral stance on a cluster of very divisive issues, all of us should heed the sage comments of the philosopher Isaiah Berlin in his 1958 lecture on **Two Concepts of Liberty**. If, as I believe, the ends of men are many and not all of them are in principle compatible with each other, then the possibility of conflict- and of tragedy- can never be wholly eliminated from human life, either personal or social. The necessity of choosing between absolute claims is then an inescapable characteristic of the human condition.” The critical urgency of our present situation is that the contest to win the minds of our fellow citizens is dressed in the new clothes of our moment in history which means that we can draw inspiration from the past, but not specific answers and solutions. We are, therefore, participating in a contest to win the opinions and support of our fellow citizens. We must be ever mindful that despite the very frequent changes in the mood of the public, that the beliefs and values of the people in a society that enshrines rights and freedoms in the machinery of government, are the ultimate authorization of the policies of that government.

I am enormously proud to be an American citizen and would not choose to live in another country. I am, however, unequivocally ashamed of the indisputable fact that during the last 30 years our criminal justice policies, federal and state, have led to our international notoriety as the nation that incarcerates a higher percentage of its population than any other country in the world. The dominant crime control policies are driven by a harsh retributive view of punishment committed to the belief that the only criteria for doing justice are the seriousness of the offense and the criminal history of the defendant. Making no claim to originality, we have been beguiled by an addiction more powerful than all the drugs combined, namely, vengeance. This is a bitter pill and I am persuaded that honesty obliges us to swallow it.

There is a wealth of scholarly bickering about the feasibility of determining the actual number of non-violent drug offenders in our federal, state and private prisons. I am confident that no informed

person can produce evidence to inflict any serious damage on the claims of Michael Tonry in his book **“Thinking About Crime: Sense and Sensibility in American Penal Culture.”**

“Many thousands of people are serving decades long sentences in federal prisons for non-violent drug crimes. Their misfortune is to have been sentenced in federal courts before avoidance of sentencing guidelines by federal judges and prosecutors became common practice. Hundreds of thousands of people, mostly, but not only of minority and disadvantaged backgrounds have spent much of their young adulthood in prison for drug crimes. Their misfortune is that unwisely, but for young people not uncommonly, and typically as a result of peer influences and teenagers sense of invincibility, they experimented with drug use, got hooked, and got caught- in a time when antidrug policies were unprecedentedly harsh.”

It would be a major error in judgment to claim that the tough law and order campaigns of those seeking to attain or retain public office and well-financed lobbyists urging the construction of more prisons, particularly private prisons, were solely responsible for the realities presented by Tonry. Members of Congress and state legislators would not have been able to craft and pass harsh penalties without the strong support of their constituents. The opinions of the people; their beliefs and values approved the decision in favor of commencing and continuing the war on drugs. Fortunately, the opinions and sensibilities of a fast growing number of our citizens are moving in the direction of believing that the war of prohibition, eradication and harsh penalties is costing far too much in terms of human fatalities and consuming far too much of our federal and states fiscal resources. Many groups of dissenters, often very vocal and using the technology of mass communication are focusing on some items for an agenda for change, specifically:

- the medical use of marijuana
- the de-criminalization of the possession of small amounts of marijuana
- the still unresolved issue of the wide disparity in the penalties involving crack and powder cocaine
- access to clean syringes to reduce the spread of HIV and hepatitis C and
- new medical research involving prescription heroin or heroin replacements to drug addicts with the goals of improving health and reducing crime

Continued on Page 16

In this national and highly divisive debate, it is critically important for all of us, especially elected policy makers in Congress and state legislatures, to be reminded that we share a common history in which heretics were burned, the institution of slavery was said to be ordained by the Creator, homosexuals were prosecuted and jailed for lewd and un-natural conduct and males dominated females because nature has endowed them with emotional and intellectual superiority. All of these chapters in our history are now condemned as violations of basic human rights, but in their moments of time were approved as timeless and immutable truths. No one person is qualified to provide a detailed blueprint with an exit strategy from this ideological conflict and a listing of all of the items that should be on the agenda for change. I will, therefore, conclude with issuing an admittedly radical and heretical, but feasible challenge to the administrators of our nation's criminal justice machine and a recommendation to the President of the United States.

The FBI's Uniform Crime Report of 2007 contains the following data. Of the 14,209,385 reported arrests, 1.8 million or 13 percent were for drug abuse violations. Almost half (47.5 percent) of those arrests for drug abuse violations were for marijuana and of that number 89 percent were for possession. Three of every four persons arrested for drug abuse violations were under the age of 30. It is a given that many thousands in this group had a significant criminal history and it is equally true that many thousands did not. This means that many thousands of young offenders with no criminal history are caught in the very wide net of criminal justice and the majority of them must endure a grueling process of adjudication which brands them with a conviction and the status of being a criminal. The radical proposal which I believe is realistically feasible would retrain the same professionals who administer our criminal justice systems to create some pre-prosecution agreements which still send a message of societal disapproval, but leave no permanent scars.

The specifics of the proposal are: all persons arrested for possessing small amounts of any illegal substance, excluding the sale and manufacture, having no criminal history, shall be granted a one-time only pre-prosecution agreement not to exceed one year. Within 30 days of accepting this agreement, they shall complete a substance abuse evaluation by a state certified substance abuse counselor approved by the local jurisdiction and follow any recommendations. Within 30 days of successful completion of this agreement the local jurisdiction and the state's criminal records division shall

destroy and expunge all records of the case, excepting a list of the participants. Any participant who is arrested and convicted of any new criminal offense is subject to prosecution of the original offense. The prosecutors in every local jurisdiction of this country have the explicit or inherent authority to create these programs and they certainly have the discretionary authority to dispose of numerous felony arrests by using this option. I am not embracing the claim that people who violate the criminal laws have any kind of a right that obliges the state to provide a comprehensive menu of services to fix the causes of their illegal conduct. I am claiming that there is a compelling public interest to do so.

The demise of the war on drugs can be accomplished if President Obama musters the political courage to use the presidential bully pulpit to win public and congressional support for the National Criminal Justice Commission Act of 2009 co-authored by U.S. Senators James Webb (D-Virginia) and Arlen Specter (D-Pennsylvania). The purpose of this commission is to:

....undertake a comprehensive review of the criminal justice system, make findings related to current Federal and State criminal justice policies and practices, and make reform recommendations for the President, Congress, and State governments to improve public safety, cost-effectiveness, overall prison administration, and fairness in the implementation of the Nation's criminal justice system.

If this commission is enacted and its final product receives strong public support and congressional approval, it can deal a death blow to the present international perception that the United States is a rogue nation with a criminal justice system at war with its citizens. ■ ■

Lawrence T. Jablecki, Ph.D. was the Director of the Community Supervision and Corrections Department in Brazoria County, TX from 1985 until his retirement in 2004. He is currently a Lecturer in the Master of Liberal Studies program and a part-time Lecturer in the Sociology Department at Rice University.



American Probation and Parole Association

Call for Presenters

APPA 35th Annual Training Institute
Washington, D.C. • August 15-18, 2010

The American Probation and Parole Association is pleased to issue a Call for Presenters for the 35th Annual Training Institute scheduled to be held in Washington, D.C., August 15-18, 2010. Institute participants include community supervision and corrections personnel, the judiciary, treatment providers, criminal justice researchers and others who are interested in the field of community justice. Presentations should relate to the following topics:

- Substance Abuse Issues
- Gender Issues
- Local Issues
- Line Officer Health & Safety
- International Issues
- Prevention/Restorative Justice
- Juvenile Justice
- Victims
- Evidence - Based Practices and Research
- Mental Health in Corrections
- Workforce Development
- Diversity
- Judicial
- Technology
- Federal and APPA Initiatives
- Leadership and Management
- Offender Programs and Supervision
- Workforce Development

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, August 16 and Tuesday, August 17.)
 - Intensive Session, 4 to 8 hours (Intensive Sessions held on Sunday, August 15.)
- **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.

NOTE: Preference will be given to workshop submissions that contain evidence of energizing, hands-on activities designed to engage adult learners.

Presentation summaries may be emailed by Friday, November 16, 2009 to sschmoll@coconino.az.gov. Questions regarding submissions should be directed to the National Program Chair:

Sarah Schmoll
Deputy Chief Probation Officer
Coconino County Adult Probation
222 East Birch Avenue
Flagstaff, AZ 86001
Phone: (928) 679-8409
Fax: (928) 773-8705
Email: sschmoll@coconino.az.gov

Workshop proposals should be received no later than Friday, November 16, 2009 and must be received in electronic format in order to be considered. Annual Institute program committee members will contact the person who nominated the workshops(s) to indicate their selection for the Institute. Please note that it is APPA's policy that, regrettably, expenses and fees associated with participation cannot be reimbursed by APPA.



American Probation and Parole Association Awards

Recognize, Acknowledge and Celebrate...



APPA presents several prestigious awards that recognize your most distinguished professional achievements and allow you to share best practice ideas with your peers. Award nominations are accepted twice each year and are presented at the APPA Annual and Winter Training Institutes.

Nominations are being accepted for the following awards to be presented at the APPA Winter Training Institute in Austin, Texas – January 31-February 3, 2010:



APPA President's Award

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

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



APPA Award for Excellence in Community Crime Prevention

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



APPA Community Awareness Through Media Award

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



Joe Kegans Award for Victim Services in Probation and Parole

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





American Probation and Parole Association Awards

*Recognize,
Acknowledge
and Celebrate...*



*The following supporting documentation is required
for each nomination and must be submitted
with the completed nomination form.*

Written Justification – Description of justification and/or contributions the nominee has made that support the award, including the following:

- **Education** – Date of degree(s) awarded; school(s) attended. Specify information for all universities attended including course work towards a degree.
- **Employment History** – Current job title; location of employment; periods of employment (cover past 15 years of employment).
- **Professional and Community Activities** – Identify memberships, offices held and awards received.

**Note – A curriculum vitae or resume containing the information above may be substituted.*

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





American Probation and Parole Association Awards

Winter 2010 Awards Nomination Form



Information on Award Nominee:

Award for whom this person/program is nominated _____

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

Title _____ Agency _____

Address _____

City _____ State _____ Zip _____

Daytime phone (_____) _____ Fax (_____) _____

Email _____

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

Address (if different from above) _____

City _____ State _____ Zip _____

Nomination Submitted By:

Name _____

Title _____

Agency _____

Address _____

City _____ State _____ Zip _____

Daytime phone (_____) _____ Fax (_____) _____

Email _____

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

Address (if different from above) _____

City _____ State _____ Zip _____

Eligibility

1. Recipients of the APPA awards presented at the Winter Institute are not required to be a member of APPA.
2. Members and non-members of APPA may submit multiple entries in each award category.
3. Nomination entry form and all supporting materials must be submitted by November 6, 2009.

Award Recognition

In an effort to give each recipient the recognition deserved for such outstanding work, APPA has divided the presentation schedule between the Annual and Winter Institutes. Nominations for awards presented at the APPA Winter Institute are due by November 6, 2009.

Submit this form along with all supporting documentation by November 6, 2009, to:

APPA Award Nominations, American Probation and Parole Association, 2760 Research Park Drive, Lexington, KY 40511-8410, Fax: (859) 244-8001. Questions concerning APPA Awards may be directed to Susan Frank at (859) 244-8207 or sfrank@csg.org.

so the results can be shared at the upcoming Winter Training Institute in Austin, Texas. It is critically important that your voice be heard.

The list of things to do may grow or change over time. The results of the survey could have a major impact on our Association's strategic direction. We will need to revisit our strategic plan and review our course frequently over the next two years. Of course, our ability to serve effectively as a force for positive change will be enhanced if we take the journey collectively.

Nobody embodied "A Force for Positive Change" more than Norm Helber. We were all saddened to learn of his passing a few months ago. I have had the privilege of following in his footsteps as the Chief Adult Probation Officer in Maricopa County and now, as President of APPA. If you had to define Norm in a single word, it would be passionate. He pursued love, life, and his job with zest and vigor.

Norm was a visionary who pushed our profession to see beyond broken windows through community building and human resiliency. Norm was an early supporter of the American Probation and Parole Association (APPA), if not a founding father. He advanced the profession on a national level and mentored many of today's leaders in community corrections.

In the process, he developed many lasting friendships. Rocco Pozzi (a former APPA president) says, "Norm was a friend and a mentor. Norm was to probation, what an encyclopedia is to a student. He will be missed, but his philosophy and innovative thinking will live on, because he has left an indelible mark on each of us who had the honor and privilege to have known him."

To honor Norm, APPA has established the Norm Helber Leadership Scholarship. Participants of each Leadership Institute will select a fellow participant as the person who demonstrated the best leadership. The scholarship will be awarded to recognize this leader and will pay for attendance at the next APPA Institute.

I am pleased to let you know that APPA will sponsor Norm Helber's wife, Mary, and daughter, Toni, to attend the 35th Annual APPA Institute in Washington, D.C. I hope you have the opportunity to meet with these two marvelous people.

Please join me in Austin, Texas, January 31 – February 3, 2010 for the Winter Training Institute. I am looking forward to working with you for the next two years and want to thank you again for the honor of being your Association's President.



ICOTS: A New Era

by Harry E. Hageman

"Although ICOTS is an evolving system, the real time submission and open sharing of information with the field make ICOTS light years ahead of anything we were doing before to get these cases processed." - Regina Grimes (DCA) Texas

The current hot topic and the subject of much conversation over the last four years is the Interstate Compact Offender Tracking System (ICOTS.) Early this fiscal year, the National Office, working with the states, prepared for a historical change in the way the Commission conducts business.

Application testing, pilots and readiness meetings culminated in a massive training effort and a successful launch of the system on October 6, 2008. Implementing ICOTS nationally was not without problems and issues; nonetheless, in the early weeks states processed thousands of actions using ICOTS. Transfers that previously took months now process in weeks, and in some cases days. Today, ICOTS tracks information on 118,000 offenders and is used by nearly 30,000 users processing numerous transfer requests each month.

The implementation of a national offender tracking system is an important event, but it is only the beginning. Since the initial implementation, the vendor is busy repairing problems not identified in testing the original code. State Compact Offices completed two audits in the ongoing efforts to maintain credible data. A user survey conducted by The Council of State Governments' Policy and Research Department indicates that while users on average find ICOTS easy to navigate, there is still a significant need for ongoing user training.

Aside from facilitating offender movement, ICOTS is a clearinghouse of offender information. In eight short months, data generated by ICOTS provides valuable insight into the movement of offenders and their success on supervision in another state. The statistics presented in this report demonstrate a new era for the Commission, which is a credit to ICOTS.

Continued on Page 20

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and many new online features!**

www.appa-net.org

VIOLATIONS, BY STATE

Receiving State	Total Violations	Sex Offender	Registered Victim	New Arrest	New Conviction	Absconders
AK	19	2	0	16	1	1
AL	176	5	2	166	18	8
AR	90	3	0	89	6	8
AZ	55	2	2	48	6	2
CA	194	7	1	168	14	8
CO	76	2	2	67	12	9
CT	29	0	0	22	5	0
DC	67	2	0	61	4	4
DE	24	0	0	20	6	2
FL	569	4	18	538	16	14
GA	129	5	5	121	16	8
HI	7	0	0	7	0	0
IA	117	5	2	102	11	6
ID	46	1	1	37	4	3
IL	186	4	3	171	23	17
IN	244	6	9	217	25	11
KS	97	3	2	85	10	7
KY	170	3	2	149	32	6
LA	122	3	1	117	12	7
MA	115	2	3	85	3	9
MD	94	5	4	87	18	12
ME	28	1	0	26	1	1
MI	115	8	1	103	24	2
MN	76	1	0	58	16	9
MO	196	7	8	168	16	24
MS	55	4	0	50	9	3
MT	16	1	0	11	1	0
NC	114	3	1	100	34	8
ND	52	0	1	38	5	3
NE	29	0	0	28	2	0
NH	23	1	2	19	0	0
NJ	63	1	0	51	5	4
NM	145	2	5	105	3	6
NV	89	3	2	77	1	1
NY	110	4	2	99	10	8
OH	328	6	2	275	52	8
OK	145	4	1	132	26	11
OR	54	3	0	46	14	5
PA	271	4	6	194	34	2
PR	4	0	0	2	2	0
RI	12	0	0	11	5	0
SC	94	2	0	86	10	9
SD	41	2	1	34	5	4
TN	238	5	7	222	29	14
TX	291	7	11	265	31	38
UT	55	3	0	47	11	3
VA	54	3	0	43	19	2
VT	18	3	1	14	0	0
WA	88	8	3	67	7	11
WI	242	9	9	163	4	5
WV	67	2	0	61	7	2
WY	28	0	1	14	6	2
Total	5767	161	121	4982	631	327

Interstate Compact Facts and Figures

On October 6, 2008, states began processing all new transfers through ICOTS and started the arduous task of identifying and loading a limited amount of legacy case information. The data presented is a compilation of new case information and a limited amount of legacy data collected prior to the launch of ICOTS.

Within weeks of launch, nearly 30,000 compact and field staff used ICOTS to process new transfer applications and to manage previously approved compact cases. Each state chose to implement ICOTS in a way that best fit the needs of their jurisdiction; therefore, the number of users by state varies.

Offender Demographics

Fiscal year 2009 closed with over 118,000 offenders under supervision on an interstate compact transfer. The demographic characteristics of the interstate offender population when measured by gender, age and race remain consistent with those of adults on probation and parole. The Commission hopes to utilize the capabilities of ICOTS to identify trends in interstate offenders and their level of success on an interstate compact.

Gender

Males are overrepresented in both probation and parole offenders. According to national data from the Bureau of Justice Statistics for 2007, 88 percent of adults on parole were male and 12 percent were female. This is consistent with those in the transfer system.

Age of Offender

The age group most frequently represented in all offenders is 18 to 29, with 60 percent under the age of 40. The least represented are the under-18 and over-63 age group.

Race and Ethnicity

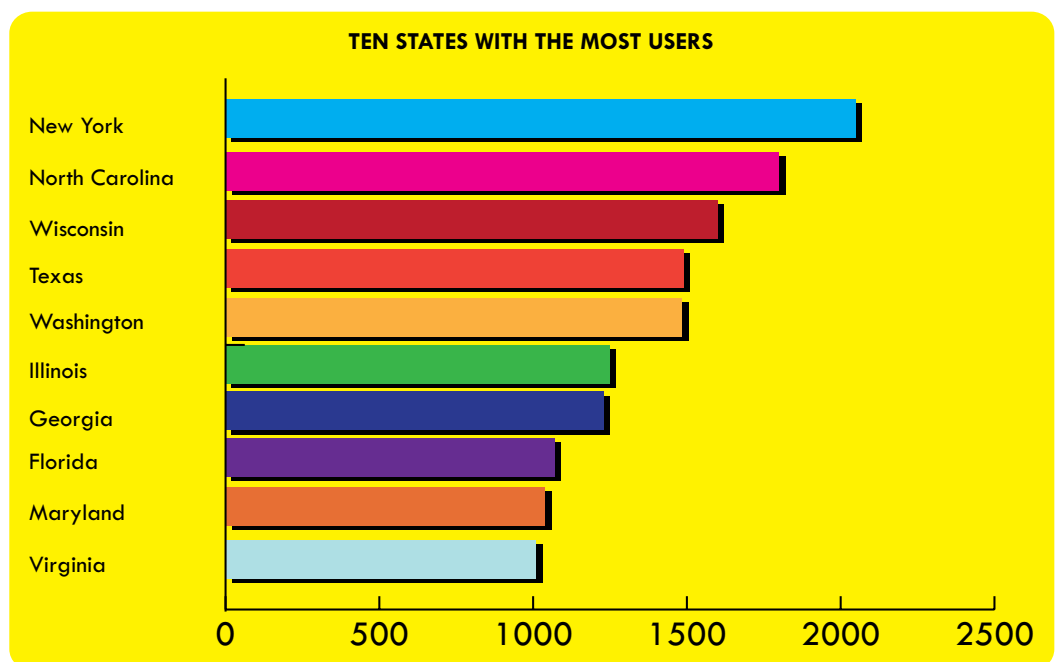
White offenders make up the largest percentage of offenders. While black offenders make up the second largest group, there are a larger percentage of black parole offenders (32.2 percent) than of probation offenders (24 percent).

Cases

The average length of supervision for compact cases for FY 2009 is 3.17 years. Almost 73 percent of the offenders are on supervision for a period between one and five years. Of that same group, 49 percent of offenders are on supervision for a one to three year period.

Reason for Transfer

Since the October 6, 2009 launch, there are 185,250 active and inactive transfer cases in ICOTS. Of those, 118,114 are legacy cases. Because the “reason for transfer” was not a required data field for the legacy load, the reason for transfer for 63 percent of the cases is “unknown.” For the remaining cases, the most prevalent reason for transferring supervision is “resident family and employment or means of support”.



Acceptance and Rejection Rates

In addition to being listed as accepted or rejected, transfer cases may also be listed as closed, pending or withdrawn; therefore, the sum of the acceptance and rejection rates for any state may not equal 100 percent. Nationally, there are 67,136 non-legacy transfer cases in ICOTS. Receiving states accepted 49 percent of all non-legacy cases and rejected 12 percent.

Discretionary Transfers

Of particular interest are offenders who transfer for discretionary reasons. Discretionary cases account for 3.6 percent of all cases. State's acceptance rates range from a 21 percent low to a 63 percent high. Rejection rates range from an 8 percent low to a 50 percent high.

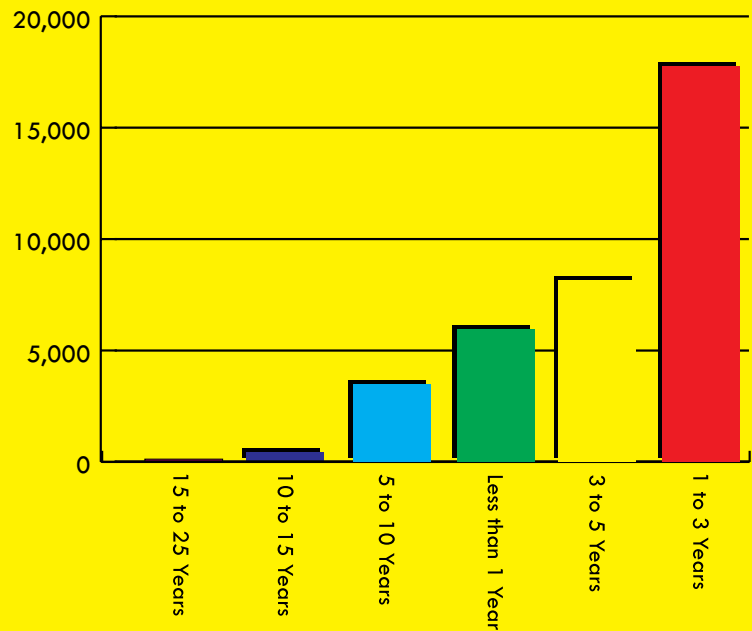
Victim-Sensitive Cases

Victim-sensitive cases are identified as such by the sending state in accordance with its definition of "crime victim" under the statutes governing the rights of crime victims in the sending state. Of the 8,884 cases designated as victim sensitive, 39 percent were accepted by the receiving state and 12 percent were rejected, with the remaining cases listed as closed, pending or withdrawn.

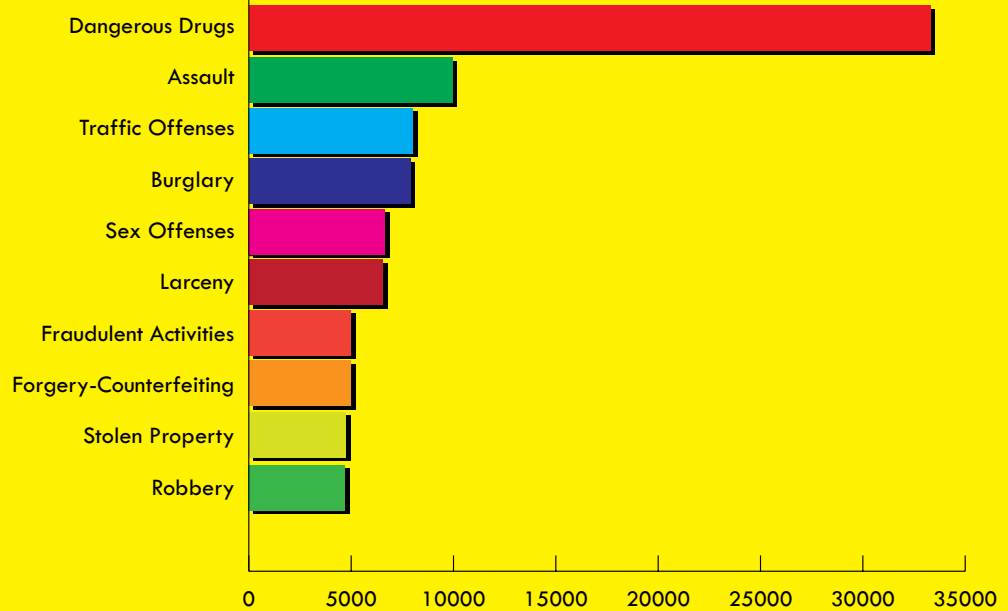
Registered Sex Offenders

Sex offender is defined as an adult placed under, or made subject to, supervision as a result of the commission of a criminal offense and released to the community under jurisdiction of the courts, paroling authorities, corrections or other criminal justice agencies, and who is required to register as a sex offender either in the sending or receiving state and who is required to request transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision. Of the 8,139 cases nationally designated with a registered sex offender status, 53 percent of the transfers were accepted and 14 percent rejected, with the remaining cases listed as closed, pending or withdrawn.

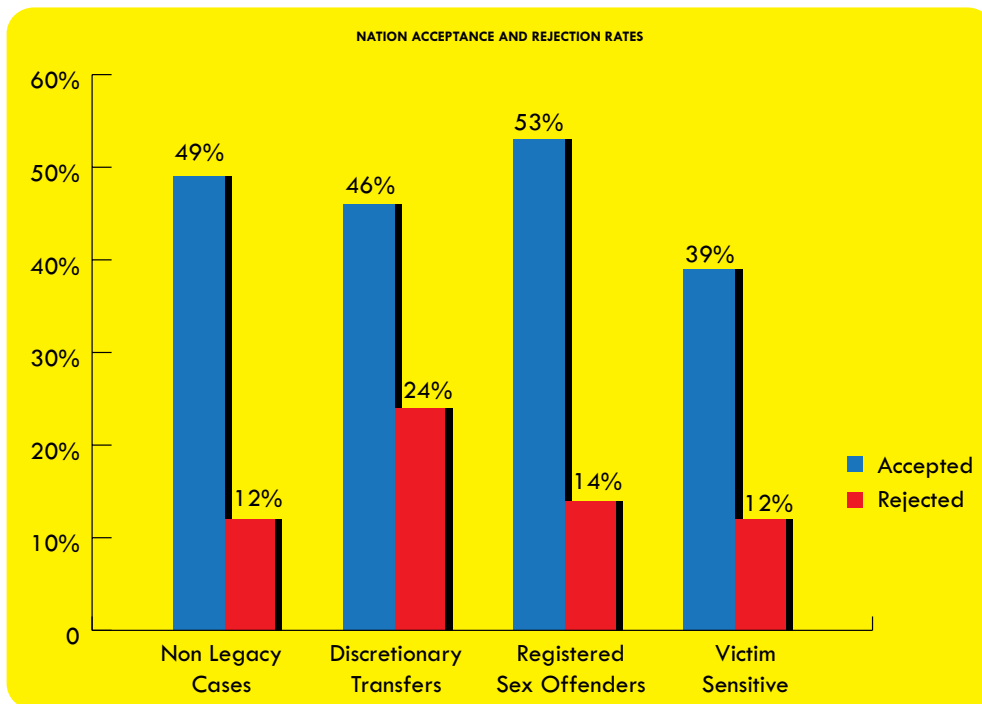
AVERAGE LENGTH OF SUSPENSION



TOP TEN CRIMES OF CONVICTION



Continued on Page 22



Crimes of Conviction

The crime of conviction for compact offenders mirrors the general population of probation and parole offenders. In the table shown, the top five crimes of conviction account for over half of the total.

Violations

Since the implementation of ICOTS, member states and territories reported 5,767 supervision violations. Slightly more than 86 percent or 4,982 of the violations involved a new arrest. Eleven percent or 631 of the new arrests resulted in a conviction. In 327 or 5.6 percent of the cases, the offender absconded supervision.

Slightly more than half of the 5,767 violations are labeled significant¹ resulting in a recommendation by the supervising agency to return the violator to the sending state in 26.4 percent or 1,527 of the cases. At the time of this report, 3,686 of the offenders are in custody, 1,173 released on bond and 908 released on their own recognizance.

Actions recommended by the supervising agency include remain on supervision (24 percent), order the offender to return to the sending jurisdiction (26 percent) or issue a warrant (50 percent.) Slightly less than three percent of violators are registered sex offenders and two percent or 121 of the 5,767 violations involve victim-sensitive cases. ■■■

Harry Hageman is the Executive Director of the Interstate Commission for Adult Offender Supervision in Lexington, KY.

¹ A significant violation is an offender's failure to comply with the terms or conditions of supervision that, if occurring in the receiving state, would result in a request for revocation of supervision.

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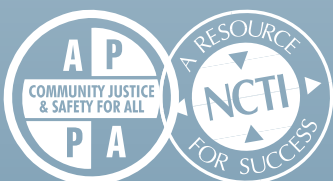
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- Staff and Offender Grooming Techniques
- Laws and Liability
- Warning Signs
- Sexualized Work Environment
- Inappropriate Use of Power and Consent

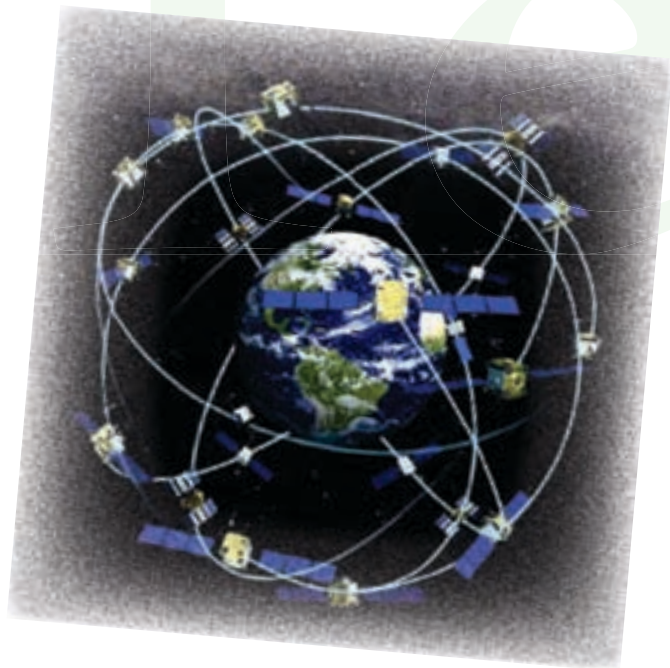
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GPS and Domestic Violence Offenders

by Joe Russo

From the time that GPS was first introduced as an offender tracking tool it has been linked to the supervision of sex offenders. A series of high profile cases involving sex offenders and resulting legislation quickly mandated the use of GPS for this offender group in many states. It can be argued whether sex offenders are the optimal group to be monitored in this way. Sex offenders have the capacity to inflict an enormous amount of pain and suffering on their victims and since GPS provides the most vigorous form of surveillance available short of incarceration there are good reasons to employ this technology on this group. There are good reasons why this is not the best population as well. Most sex offenders are not randomly predatory in nature; they are usually known to their victims and take time to carefully groom them. Knowing where sex offenders are and keeping them to a strict schedule can, in theory, be effective as a containment and behavior modification tool. However location is only one, small part of the total picture. Knowing where sex offenders are and knowing what they are doing are two different things. The recent case of Phillip Garrido in California provides a classic example of this.

In recent years there has been a legislative push to utilize GPS tracking technology on domestic violence offenders, particularly at the pre-trial stage. More than a dozen states have enacted laws enabling the courts to require GPS for high-risk cases and or in cases where the offender is violating restraining orders. The use of

GPS technology for this group appears to be an excellent fit. DV offenders are typically a danger to one particular individual who he is required to maintain distance from. Current technology can alert the victim and authorities when the offender comes too close to the victim's home, workplace or other designated location. In addition, the victim can carry a small tracking device which can be used to create a mobile exclusion zone around her as she moves through the community.

There are a number of major advantages to this approach. First, it can provide the victim with advanced notice that the offender is approaching whether it be intentionally or unintentionally. Second, it can provide a clear record of the offender's movements and proximity to the victim which cannot be debated. Without the technology an offender may violate restraining orders by stalking the victim for long periods of time without being detected or apprehended. With the technology the first violation can be dealt with immediately before the behavior has a chance to escalate into a violent encounter. Ideally the knowledge that the offender's movements are tracked and recorded would serve as a deterrent that the restraining order alone could not provide. This is a powerful tool and can be critical for the victim's safety.

That said there are important caveats which agencies and victims must acknowledge. Victims must be coached to understand

that they are ultimately responsible for their own safety and must develop a safety plan regardless of whether GPS is used in their case. Victims should know that while GPS can be a powerful asset it cannot guarantee their safety. The technology has inherent limitations and can fail for a variety of reasons. Offenders can and will circumvent the technology whether it be by deliberately blocking signals or by cutting the device off. A number of jurisdictions have formalized this notification process in the form of a written notice that the victim signs.

Most importantly there must be a commitment to this approach among stakeholders. Funding, of course, is key. In a number of states where legislation has passed there is no money available to acquire the technology. Assuming the funding is found, this approach is heavily reliant on a coordinated response system. That is, the resources must be in place to ensure that there will be a timely response by authorities to every violation or alert. Coordination between the courts, probation and law enforcement is critical.

To better understand the utility and effectiveness of GPS in domestic violence cases the National Institute of Justice has provided funding to the University of Illinois at Chicago to perform research in this area. Researchers will examine such things as how GPS-based programs alter the frequency and nature of batterers' recidivism in the short term, during the pretrial/predisposition period and in the long term, post-adjudication. In addition they will examine the impact of GPS use in DV cases on criminal justice system outcomes and women's self-help behavior in subsequent offenses, as measured by conviction and dismissal rates and victim-initiated calls to the police.

For further information on the APPA Technology Committee or NIJ's research in the area of GPS 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 Race and Parole

by David R. Karp and Nicholas Hara

“The Role of Race and Ethnicity in Parole Decisions”

Beth M. Huebner and Timothy S. Bynum

Criminology 2008. 46: 907-937.

Race and ethnicity are enduring topics in criminal justice. Racial and ethnic disparities in arrest, conviction and sentencing have generated long debates about crime rates in minority communities and the criminal justice systems’ response. This study looks specifically at parole boards. Are they race-blind?

Parole boards are charged with making significant public safety decisions with little information. Typically, they are provided guidelines to assist them in weighing inmate risk of recidivism. While these guidelines help to provide consistency in the decision-making process, board members must ultimately decide if the factors that influenced the inmates’ incarceration are still relevant. Were the causes of their crimes a stable, internalized feature of their personalities, or mutable, treatable qualities, such as lack of education or drug counseling? Making such attributions may be fine and necessary, but becomes problematic if parole boards associate stable traits with race or ethnicity, for example, if board members believe that African-Americans have a special propensity towards violence. The authors of the study argue that discrimination by parole boards might occur because the decisions by parole boards receive less oversight and scrutiny than decisions made in other parts of the system. Parole boards also have significant discretion potentially opening the door to board member bias.

The researchers of this study were particularly interested in what criminologists called racial threat hypothesis. The hypothesis states that prejudice and discrimination will vary geographically according to the perceived threat of a minority group. When a minority population is large and/or rapidly growing, the majority group will see it as more threatening. One expression of that sense of threat would be greater negative parole decisions of the minority group.

For the state in which the study was conducted the largest minority group is blacks. The Hispanic population of the state is one-third the national average and Hispanic inmates in the study sample were only 7 percent of the total—blacks composed 48 percent of the total.

The study employed data for male inmates incarcerated in one state. Its parole board has full discretion and offenders become eligible once they have served their minimum sentence minus good time. A majority vote releases the prisoner on parole. The study sample was drawn from three correctional institutions, focusing on male inmates between ages 17 and 24. The subjects were part of a larger study of weapons involvement, gang membership and drug use

Continued on Page 32

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among young, incarcerated, male inmates. Involvement was voluntary for the 423 inmates that eventually were used in the study, all of whom became eligible for parole between 1996 and 2004. Data for the study was obtained from presentence investigation reports and official records from the department of corrections.

The researchers looked not only at the “yes or no” parole decision, but also time to parole since inmates can appear before a board more than once. As predicted, blacks were less likely to receive parole than white inmates and Hispanic inmates. The researchers found them to be 31 percent less likely to be released than white inmates, even when other factors are accounted for, such as education level, mental health, prior convictions and institutional misconduct. In other words, when black and white inmates of similar backgrounds appeared before the parole board, race was an important factor that led to parole rejections for black inmates. The researchers also found that the parole board took longer to release black inmates than whites. On average, parole releases for blacks took 709 days compared to 683 days for white inmates. The story was quite different for Hispanic inmates. Unlike blacks, they were not less likely to be granted parole and their time to release was actually quicker than for white inmates.

The authors point out that race bias is not the sole determining factor in parole release. They also found that mental illness, the seriousness of the crime and institutional misconduct were also strong predictors of negative parole decisions. It was also the case that inmates who scored high on the guidelines rubric, meaning they were more suitable candidates for release, were in fact more likely to be released than those who did not. All of these findings suggest rationality and consistency in the parole decision-making process. But the findings suggest that the board does go beyond the guidelines and, whether consciously or unconsciously, show racial bias. The findings also support the racial threat hypothesis, suggesting that bias may be geographically-particular and predicated on demographic characteristics of the area. In the case of this one state, the evidence suggests a racial threat stereotype for blacks, but not for Hispanics. ■■■

David R. Karp is Associate Professor of Sociology and Interim Associate Dean of Student Affairs at Skidmore College in Saratoga Springs, New York. **Nicholas Hara**, class of 2011, is a government major at Skidmore College.

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A small, tilted photograph of a woman with dark hair, wearing a dark jacket, talking on a mobile phone. She is outdoors, with green foliage and a metal railing visible in the background.



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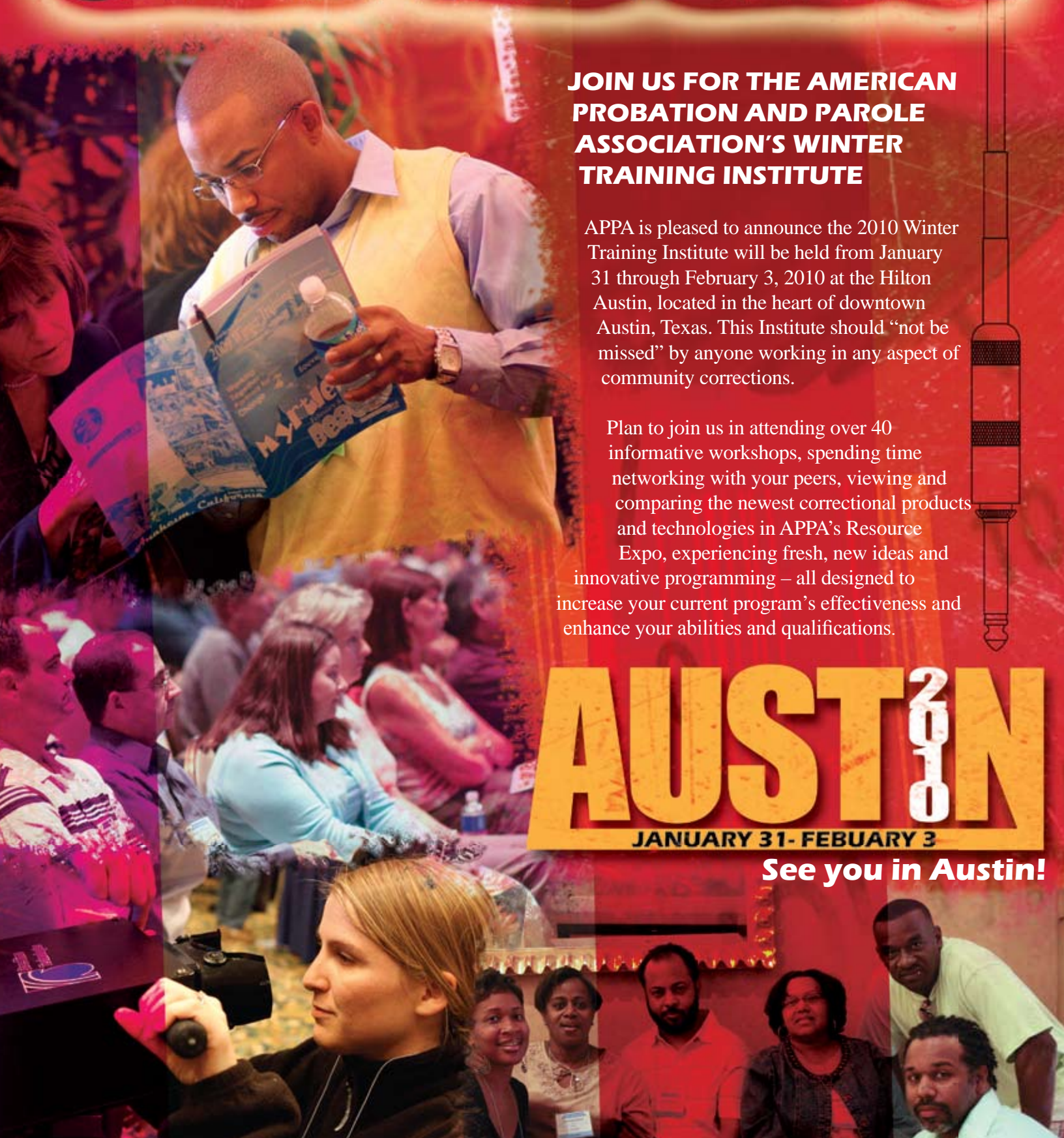
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BRIDGING THE GAP: ENHANCING COMMUNITY CORRECTIONS' RESPONSE TO DOMESTIC VIOLENCE

by Carrie Abner

COMMUNITY CORRECTIONS AGENCIES HAVE A UNIQUE OPPORTUNITY TO HOLD DOMESTIC VIOLENCE OFFENDERS ACCOUNTABLE FOR THEIR CRIMES AND PROMOTE THE SAFETY OF VICTIMS. IN LIGHT OF THIS, THE AMERICAN PROBATION AND PAROLE ASSOCIATION (APPA), THROUGH FUNDING FROM THE UNITED STATES DEPARTMENT OF JUSTICE OFFICE ON VIOLENCE AGAINST WOMEN (OVW) AND IN PARTNERSHIP WITH THE NATIONAL CENTER FOR STATE COURTS, THE NEW YORK STATE COALITION AGAINST DOMESTIC VIOLENCE, AND THE SAFE RETURN INITIATIVE, HAS RECENTLY PUBLISHED *COMMUNITY CORRECTIONS' RESPONSE TO DOMESTIC VIOLENCE: GUIDELINES FOR PRACTICE*. THIS RESOURCE PROVIDES A SET OF 41 RESEARCH-BASED GUIDELINES DESIGNED TO ENHANCE THE ABILITY OF COMMUNITY CORRECTIONS STAFF TO UNDERSTAND AND ADDRESS INTIMATE PARTNER VIOLENCE THROUGH EFFECTIVE SUPERVISION OF DOMESTIC VIOLENCE OFFENDERS AND COORDINATION WITH OTHER JUSTICE SYSTEM AND COMMUNITY-BASED SERVICES.

BACKGROUND


Intimate partner domestic violence is among the most prevalent forms of violence in the United States, resulting in nearly half a million crimes against women annually and accounting for approximately one fifth of all violent crimes against women (Catalano, 2007).¹ According to the National Institute of Justice and the Centers for Disease Control, one in every four women will experience domestic violence in her lifetime (Tjaden and Thoennes, 2000). In 2005, approximately 1 in every 320 households was affected by domestic violence (Klaus, 2007).

While domestic violence represented 22 percent of nonfatal violent crimes against females aged 12 and older between 2001 and 2005 (Catalano, 2007), it can—and often does—have fatal implications for its victims. In 2006, there were 1,836 murders reported to the FBI involving a single female victim and a single male offender. Of these, approximately 60 percent of the victims were killed by an intimate partner (Violence Policy Center, 2008). On

average, three women are murdered by their intimate partners in this country every day (Rennison and Welchans, 2000).

Reports indicate that the incidence of domestic violence has increased in the past year. While national statistics on the rates of domestic violence victimization have steadily declined since 1993 (Catalano, 2007), recent reports indicate that the economic crisis affecting the nation has contributed to a spike in intimate partner abuse. Although advocates stress that a bad economy does not cause domestic violence, national and state hotlines and agencies that assist victims of domestic and sexual violence are reporting increases in requests for assistance. The National Domestic Violence Hotline reported a 21 percent increase in calls for assistance in September 2008 over levels in September 2007. According to a six week study conducted by the national Hotline, 54 percent of callers reported a change in their household's financial situation over the past year (NDVH, 2009).

This project is supported by Award No. 2007-TA-AX-K020, awarded by the Office on Violence Against Women, Office of Justice Programs, U.S. Department of Justice. Points of view in this article are those of the author and do not necessarily represent the official policies of the U.S. Department of Justice.



Historically, individuals, communities and the justice system regarded intimate partner domestic violence as a private family matter—not a criminal issue. Behind this veil of privacy, serious criminal violence was allowed to continue and burgeon into a major social problem that maimed and killed thousands of women annually. By the 1970s and 1980s, however, battered women and their advocates began calling for the justice system to treat domestic violence like other assaults (McGuire, 1998). After years of struggle, appropriate attention now is focused more frequently on the role that the justice system—in coordination with community-based organizations—must play in holding abusers accountable for their actions and promoting victim safety.

Effective responses to domestic violence require coordinated, collaborative efforts in partnerships with a variety of community organizations and professionals, although, too often community corrections, other justice system agencies, and community service providers have worked in isolation. Responding swiftly and consistently to domestic violence, however, is a job that is too large for any single agency to accomplish; it requires cooperation, coordination, collaboration, and commitments by multiple justice system and community organizations. The establishment of coordinated community response systems, composed of a variety of justice system agencies and community based organizations working together in a collaborative effort to hold abusers accountable for their crimes and protect and support victims and their families, has improved communities' responses to domestic violence cases.

Recognizing that most domestic violence offenders are released on community supervision prior to, in lieu of, or following periods of incarceration, probation, parole and pretrial services agencies are increasingly involved in coordinated community response to domestic violence. Research indicates that proactive community corrections responses in domestic violence cases can reduce recidivism, increase the time between arrests among abusers, and increase the satisfaction of victims (Klein and Crowe, 2008). While community corrections agencies are becoming increasingly aware of the role that they can—and should—play in addressing domestic violence, more must be done to ensure that community corrections professionals are adequately prepared to act proactively in responding to these cases. Clear guidance is needed to assist the community corrections field in fulfilling their responsibilities as critical components of a coordinated community response to intimate partner abuse.

GUIDELINES DEVELOPMENT

With the passage of the Violence Against Women Act of 1994 (VAWA), significant resources were appropriated to strengthen to the justice response to domestic violence. Specifically, VAWA

BRIDGING THE GAP

provided much-needed funding to assist state and local jurisdictions to increase the number of arrests and prosecutions of batterers and to promote effective sentencing of convicted abusers by the courts. Few efforts were undertaken, however, to improve the ability of probation and parole to supervise domestic violence offenders under community supervision. In light of this, in 2001 APPA entered into a cooperative agreement with OVW to develop and deliver resources that would assist community corrections professionals and agencies in their efforts to intervene in domestic violence cases, including guidelines for the community supervision of abusers.

Early in the project period, project staff convened a working group composed of experienced practitioners from the community corrections, law enforcement and judicial fields, as well as victim advocates, academics and national experts on domestic violence. Through intensive discussions, the members of this working group developed a set of guiding principles as well as the 41 guidelines for the community supervision of domestic violence offenders. In addition to the many contributions of this working group, the vast experience and expertise of the practitioner community were incorporated through a series of project-related workshops, training programs and focus groups held throughout the project period, enabling project staff to shape the guidelines in a way that reflects not only the complexity of the problem, but also the challenging realities experienced by community corrections professionals on the ground.

CORE GOALS AND PRINCIPLES OF THE GUIDELINES

Through its discussions and deliberations, the working group established three core goals for the guidelines, which provide the purpose and direction for working with domestic violence cases: victim safety and autonomy; offender accountability; and offender intervention. In addition, the working group identified five practice principles that form the foundation for each of the guidelines and should be woven through each strategy that is undertaken to achieve these goals through the guidelines implementation.

PRACTICE PRINCIPLE #1: CASE INTERVENTION IS VICTIM-FOCUSED

To achieve the primary goal of victim safety, community corrections must change its traditional offender-centered approach to a victim-focused strategy that fosters safety through offender

accountability and changes in offender behavior and thinking patterns. This may constitute a fundamental change for community corrections and requires continuing attention to the realignment of goals and strategies for this work.

PRACTICE PRINCIPLE #2: ABUSIVE BEHAVIOR IS THE RESPONSIBILITY OF THE OFFENDER

An offender's choice to perpetrate domestic violence and his capacity to stop domestic violence are completely independent of the actions of others, including the victim. No excuses for abuse are acceptable (e.g., substance abuse, stress, childhood victimization). Therefore, community corrections interventions, while focused on victim safety, should promote offender behavior change and accountability through the application of legal and social sanctions for his abusive behavior.

PRACTICE PRINCIPLE #3: CONSIDER UNINTENDED CONSEQUENCES

Unintended consequences that are detrimental to victims can occur during the supervision of domestic violence offenders. An overriding precaution during supervision should be, "Assure no remedy causes further harm." Responses to domestic violence must be crafted carefully to avoid inadvertently placing victims in greater jeopardy. Unknowingly engaging in practices that might increase risks to victims should be avoided by investigation and consideration from all possible perspectives. This principle underscores the importance of communication with victims and collaboration with domestic violence victim advocates in designing community corrections responses to domestic violence.

PRACTICE PRINCIPLE #4: EMPLOY EVIDENCE-BASED PRACTICES

Considerable research has been conducted during the past few decades on effective interventions in community corrections. In contrast, "promising practices" or "best practices" are based on the collective experience and wisdom of the field rather than scientifically tested knowledge. Research findings support most of the guidelines for the supervision of domestic violence offenders developed by APPA. In some cases, however, practice strategies suggested for particular guidelines are considered "best practices," having been implemented by agencies and professionals but lacking rigorous evaluation research that support them. This is an area of scientific investigation that must grow to assure the field that the best possible strategies are being used to foster victim safety, offender accountability and offender behavior change.

KRISTIN



In 1992, Kristin Lardner was a talented young art student living in Boston, Massachusetts, when she was murdered by her ex-boyfriend, Michael Cartier. Having known him for less than four months, Kristin had attempted to end their relationship after he brutally beat her on April 15, 1992. On that evening, he shoved her down on the sidewalk, kicked her repeatedly in the head and legs, hit her with a reinforcing rod from a construction site, and threatened to kill her. Although Cartier was on probation and despite restraining orders taken out against him by Kristin and two others, Cartier approached Kristin on the night of May 30, 1992, and shot her three times in the head. He then ran to his apartment where he was found dead from a self-inflicted gunshot.

Kristin's father, George Lardner, a *Washington Post* reporter, investigated the circumstances surrounding her tragic death in the weeks and months that followed. In 1993, the Post published a Pulitzer Prize winning article he wrote about the murder of his daughter, and in 1995 he published *The Stalking of Kristin: A Father Investigates the Murder of His Daughter*. Through his investigation, Lardner found a "disjointed system of justice," which failed to hold Cartier accountable for his crimes and intervene to protect his victims. Cartier's violations of probation went largely unaddressed; warrants for his arrest were not processed in a timely manner, and his lengthy criminal record was not sufficiently reviewed by the courts. Tragically, the failures of the criminal justice system in responding to Michael Cartier's case enabled him to ultimately end Kristin's life, and should serve as critical lessons learned to justice agencies nationwide—including community corrections—about the role they must play in addressing intimate partner abuse.

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What is Domestic Violence?

According to the New York State Coalition Against Domestic Violence, domestic violence is abusive behavior - emotional, psychological, physical or sexual - that one person in an intimate relationship uses in order to control the other. It takes many different forms and includes behaviors such as threats, name-calling, preventing contact with family or friends, withholding money, actual or threatened physical harm and sexual assault. Stalking can also be a form of domestic violence (NYSCADV, 2009).

Domestic violence and abusive behaviors are repeated by individuals in a relationship either as a current or former intimate partner of the same or opposite sex (i.e., spouses, ex-spouses, cohabitants, former cohabitants, those who are parents of a child in common and those in a dating relationship.)

PRACTICE PRINCIPLE #5: HOLD PRACTITIONERS AND ORGANIZATIONS ACCOUNTABLE

While offender change and accountability are essential components of the response to domestic violence, the justice system and society also need to change and hold themselves to higher standards of accountability and expanded roles in confronting domestic violence. Agencies and professionals should be aware of and vigilant about correcting individual, institutional, and justice system biases that blame victims for offenders' violence and abuse, are more punitive to marginalized groups or individuals, or taint the opinions of and the provision of services to either victims or offenders. Sufficient resources should be committed to domestic violence cases to demonstrate that victim safety and offender accountability are meaningful principles in community corrections practice.

COMMUNITY CORRECTIONS' RESPONSE TO DOMESTIC VIOLENCE: GUIDELINES FOR PRACTICE

Throughout the process of developing the guidelines, APPA project staff, project partners and members of the working group worked diligently to ensure that the final guidelines would provide the information and resources needed by community corrections professionals to effectively manage domestic violence cases throughout the community supervision process—from pre-trial release of defendants to the conclusion of a community supervision sentence for convicted offenders. Moreover, acknowledging the critical roles that community-based service providers play in addressing domestic violence cases, the project team also included specific guidance for accessing and working with key stakeholders, including victims' advocates and batterer intervention programs.

Given the comprehensive, complex nature of the guidelines, the project team organized them into five key categories to facilitate their review and implementation. Those categories include:

- Guidelines for Professionalism and Ethical Practice
- Guidelines for Case Investigation
- Guidelines for Community Supervision and Enforcement
- Guidelines for Victim Safety and Autonomy
- Guidelines for Batterer Intervention Programs

GUIDELINES FOR PROFESSIONALISM AND ETHICAL PRACTICE

The Guidelines for Professionalism and Ethical Practice, while more broadly defined than guidelines included in other categories, are integral for the effective intervention in domestic violence cases. The four guidelines included in this category offer the community corrections field with recommended strategies for ensuring appropriate community coordination of case management, programs and services in response to cases of abuse;

adequate training and education for community corrections staff on domestic violence issues; and maintaining the highest ethical and professional standards in an effort to more effectively respond to intimate partner domestic violence.

Guideline 1

Community corrections programs and professionals develop active partnerships with domestic violence advocates and other justice system and community organizations and personnel working with offenders or victims to better understand domestic violence and unite in common efforts to promote victim safety.

Guideline 2

Community corrections professionals engage in ongoing learning opportunities on domestic violence.

Guideline 3

Community corrections professionals maintain high standards of professional integrity and consciously avoid unintended reinforcement of domestic violence.

Guideline 4

Community corrections professionals are knowledgeable about and capable of working with offenders, victims, community members, and other professionals from diverse cultural backgrounds.

GUIDELINES FOR CASE INVESTIGATION

Most domestic violence defendants enter the justice system on misdemeanor charges. As with any type of criminal case—but perhaps even more important in domestic violence incidents—complete, pertinent and timely information about a defendant or offender is critical in order to make informed decisions regarding release after arrest, plea, and sentence, including conditions and level of supervision. Jurisdictions vary in organizational structure, community corrections practices and the timing and thoroughness of investigations. The first contact a community corrections agency has with a domestic violence offender, however, should prompt a thorough investigation, whether that is at the determination of pretrial release, presentence investigation, parole determination, or at the point of intake for probation or parole supervision. The Guidelines for Case Investigation therefore recommend a series of important steps for community corrections officers in the collection, review, and assessment of information pertaining to domestic violence cases.

Guideline 5

A consistent, thorough prerelease, presentence, or intake investigation is conducted in all cases of intimate partner domestic violence.

Guideline 6

Community corrections professionals use effective interviewing strategies appropriate for each person involved in a case.

Guideline 7

Community corrections professionals identify and investigate for the presence of known risk factors for domestic violence reabuse and danger.

Guideline 8

Community corrections professionals follow established criteria and protocols for making decisions about the preadjudication release or continuation in custody of intimate partner domestic violence perpetrators.

Guideline 9

If a standard risk assessment instrument is used in the agency, protocols are in place to override scores based on the presence of domestic violence risk factors that indicate higher risk.

Guideline 10

Community corrections professionals periodically reassess offenders convicted of and supervised for other crimes to identify those who are also abusing their intimate partners.

Guideline 11

Investigation of domestic violence offenders is ongoing with new information, violations, pending hearings or reports from programs prompting immediate scrutiny. Program personnel regularly check for existing or new protective orders or indicators of new criminal conduct and respond to these by investigating them and intervening appropriately.

Guideline 12

Community corrections professionals independently verify information provided by victims that will be used in sentencing or sanctioning offenders.

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GUIDELINES FOR COMMUNITY SUPERVISION AND ENFORCEMENT

Domestic violence cases are rarely pursued as felonies, but instead offenders are usually prosecuted for a misdemeanor charge. This charge designation, however, may not adequately describe the seriousness of the current offense, or the danger that the offender poses to the victim or to individuals mandated to supervise the offender within the community. Community corrections professionals should avoid treating domestic violence offenders as homogenous group or merely as misdemeanor offenders. Rather, community corrections officers supervising domestic violence offenders—regardless of offense level or type—should individualize supervision strategies more effectively and efficiently utilize resources, protect victims and ensure that offenders are compliant with all conditions. The Guidelines for Community Supervision and Enforcement provide recommended strategies for ensuring that supervision plans are adequate and appropriate for the offender based on assessed risk; that supervision requirements hold offenders accountable for their crimes while addressing identified needs for treatment and services; that supervision conditions and strategies are planned to promote the safety of victims and community corrections staff; and that violations of supervision conditions are responded to quickly and appropriately.

Guideline 13

Recommended sentences, supervision conditions and case plans match the level of appraised risk and provide community corrections personnel with the tools and authority needed to hold offenders accountable and promote victim safety.

Guideline 14

The process of moving cases through investigation, sentencing and intake is expedited so that supervision begins as soon as possible.

Guideline 15

Initial supervision is intensive and occurs within a context of ongoing evaluation of risk; differential supervision and intervention options are implemented based on risk level changes. Supervision strategies should foster victim safety, offender accountability and offender behavior change.

Guideline 16

Offenders are required to maintain abstinence from alcohol and other drugs.

Guideline 17

Offenders are required to relinquish firearms or other known weapons.

Guideline 18

Community corrections professionals are aware of stalking behaviors and the threat they represent to victims and employ supervision strategies that prohibit stalking by the offender and promote victim safety.

Guideline 19

Community corrections professionals thoroughly document activities, findings and problems related to case supervision.

Guideline 20

Protocols and strategies are adapted as needed to be culturally sensitive.

Guideline 21

Community corrections personnel remain vigilant about their own and others' safety during the course of supervision.

Guideline 22

Community corrections professionals impose immediate responses for any violations of supervision conditions.

Guideline 23

Warrants for violators and absconders are processed and served expeditiously.

Guideline 24

Procedures are followed for promoting victim safety when a cross-jurisdictional placement and supervision of a domestic violence offender is requested or carried out.

GUIDELINES FOR VICTIM SAFETY AND AUTONOMY

One strategy that distinguishes community supervision of domestic violence cases from supervision of most other types of offenders is the increased focus on victims, both in terms of the primary goal of victim safety and autonomy and the practice of direct contact with victims. Recent research has validated the benefits of this approach (Klein, et al., 2005). Although some community corrections professionals may be unaccustomed to engaging victims in ongoing contact and such contact often adds to the complexity and challenges of supervising domestic violence cases, research has found that it is an effective component of community supervision.

Community corrections professionals cannot guarantee the safety of women who are abused. However, these professionals play a crucial role in making it possible for victims to achieve safety, autonomy and self-determination while also holding offenders accountable for their actions. Community corrections professionals are in a key position to provide support for women who are abused and to respond in ways that can meet their needs more effectively. The Guidelines for Victim Safety and Accountability outline a number of strategies for community corrections professionals to work with victims in a way that supports their protection and enables them to make more informed decisions regarding their own safety and well-being and that of their children.

Guideline 25

Community corrections professionals contact domestic violence victims using methods that promote victim safety and provide victims with information that will help them make decisions about their safety.

Guideline 26

Community corrections professionals discuss risk assessment information with the victim.

Guideline 27

Further periodic contact occurs with the consent of victims unless they are being notified of an escalation in their risk or a change in the case status.

Guideline 28

Community corrections professionals validate the experiences of domestic violence victims, provide encouragement and assistance to victims, promote their safety, and actively support each victim's right to autonomy and self-determination.

Guideline 29

Community corrections professionals protect the confidentiality of victim information.

"Domestic violence offenders are some of the most violent, dangerous individuals under community supervision, and for too long community corrections agencies and staff have struggled to identify the best strategies for holding abusers accountable for their crimes while also working to ensure the safety and security of their victims," says Nancy Halverson, Corrections Unit Supervisor for an adult field service unit of the Hennepin County Department of Community Corrections in Minneapolis, MN. "Community Corrections Response to Domestic Violence: Guidelines for Practice is a valuable tool for officers who conduct investigations and supervise abusers on their caseloads, and for agencies working to become more effective partners in their community's coordinated response to domestic abuse."

Guideline 30

Community corrections professionals assist victims with preliminary safety planning and refer them to domestic violence victim advocates for additional safety planning assistance.

Guideline 31

Community corrections professionals recognize the risks of separation violence to victims and monitor cases closely to warn victims of related risks and hold offenders accountable.

Guideline 32

Community corrections professionals identify additional victims of the perpetrator (if any) other than the victim of record and contact them with information that will help them make decisions about their safety.

Guideline 33

Women offenders on community supervision are screened for a history of or current domestic violence, and if abuse is present, they are provided the same supportive services as are non-offender victims.

Guideline 34

Community corrections professionals are cognizant of the risks to children and others living with an abuser, report suspected abuse or neglect as mandated and share appropriate information about the offender's behavior to assist in decision making about the safety of the victim and others living with domestic violence.

GUIDELINES FOR BATTERER INTERVENTION PROGRAMS

Batterer intervention programs are group intervention and educational programs designed to intervene in a very specific way to address the patterns of violent and abusive behavior and issues of power and control exerted by domestic violence offenders. Domestic violence offenders have learned through experience that violent and abusive behavior toward their partners rewards them based on their current beliefs of power and control. Through the power of the justice system to intervene when they criminally abuse others, offenders must learn a different lesson that includes the rights of others, changing beliefs about personal responsibility, and new skills for interpersonal relationships.

Batterer intervention programs may help some domestic violence offenders change their behavior, and they may be helpful in providing ongoing support, supervision and monitoring to maintain behavior changes if offenders can continue their involvement with the program beyond the program's set number of sessions. Further, batterer intervention programs for which enrollment and participation are strictly enforced may help safeguard victims by providing an early indicator of noncompliance and higher risk. The effectiveness of this as an indicator of risk and early warning for victims, however, depends upon effective collaboration between the community corrections agency and the batterer intervention program. The Guidelines for Batterer Intervention Programs provides specific strategies for community corrections officers to enhance collaboration with batterer intervention programs for more effective monitoring of offenders.

Guideline 35

Batterer intervention programs are used in conjunction with community supervision protocols. The primary focus of a batterer intervention program is offender accountability; any rehabilitative benefits for offenders are secondary. The goal is stopping the violence and abuse.

Guideline 36

Batterer intervention programs conform to appropriate standards that have been developed in partnership with domestic violence advocacy organizations.

Guideline 37

Community corrections professionals discuss with victims the purpose and limitations of batterer programs.

Guideline 38

There is regular communication between batterer intervention program personnel and community corrections officers regarding attendance, participation and progress of offenders in these programs. Community corrections professionals respond immediately when offenders fail to comply with court-ordered program attendance and participation.

Guideline 39

Where possible, batterer intervention programs accommodate offenders with special needs or diverse cultural backgrounds.

Guideline 40

Female domestic violence offenders do not attend batterer intervention program groups with male offenders.

Guideline 41

Batterer intervention programs have protocols for assessing for and referring offenders with substance abuse or mental health problems to appropriate treatment programs, when indicated.

CONCLUSION

Domestic violence continues to be daily occurrence in the United States, resulting in thousands of victims suffering from physical, sexual and emotional abuse at the hands of their intimate partners. While many community corrections agencies have historically not been incorporated in coordinated community responses to domestic violence, this trend is changing. Now more than ever, community corrections agencies are aware of their critical role in holding intimate partner abusers accountable for their behaviors and promoting the safety and well-being of their victims, and are collaborating with key stakeholders within the community in responding to domestic violence cases.

The American Probation and Parole Association and its project partners are pleased to support these efforts through the development and publication of *Community Corrections Response to Domestic Violence: Guidelines for Practice*. For the first time, community corrections practitioners have access to comprehensive set of guidelines that outline key strategies to incorporate throughout the community supervision process. Equipped with this information, community corrections professionals will be better prepared serve as critical community partners in holding abusers accountable for their crimes, enhancing victim safety, and promoting offender behavior change.

For more information about APPA's initiative on domestic violence and to download a FREE copy of *Community Corrections Responses to Domestic Violence: Guidelines for Practice*, please visit the APPA Web site, www.appa-net.org. ■■■

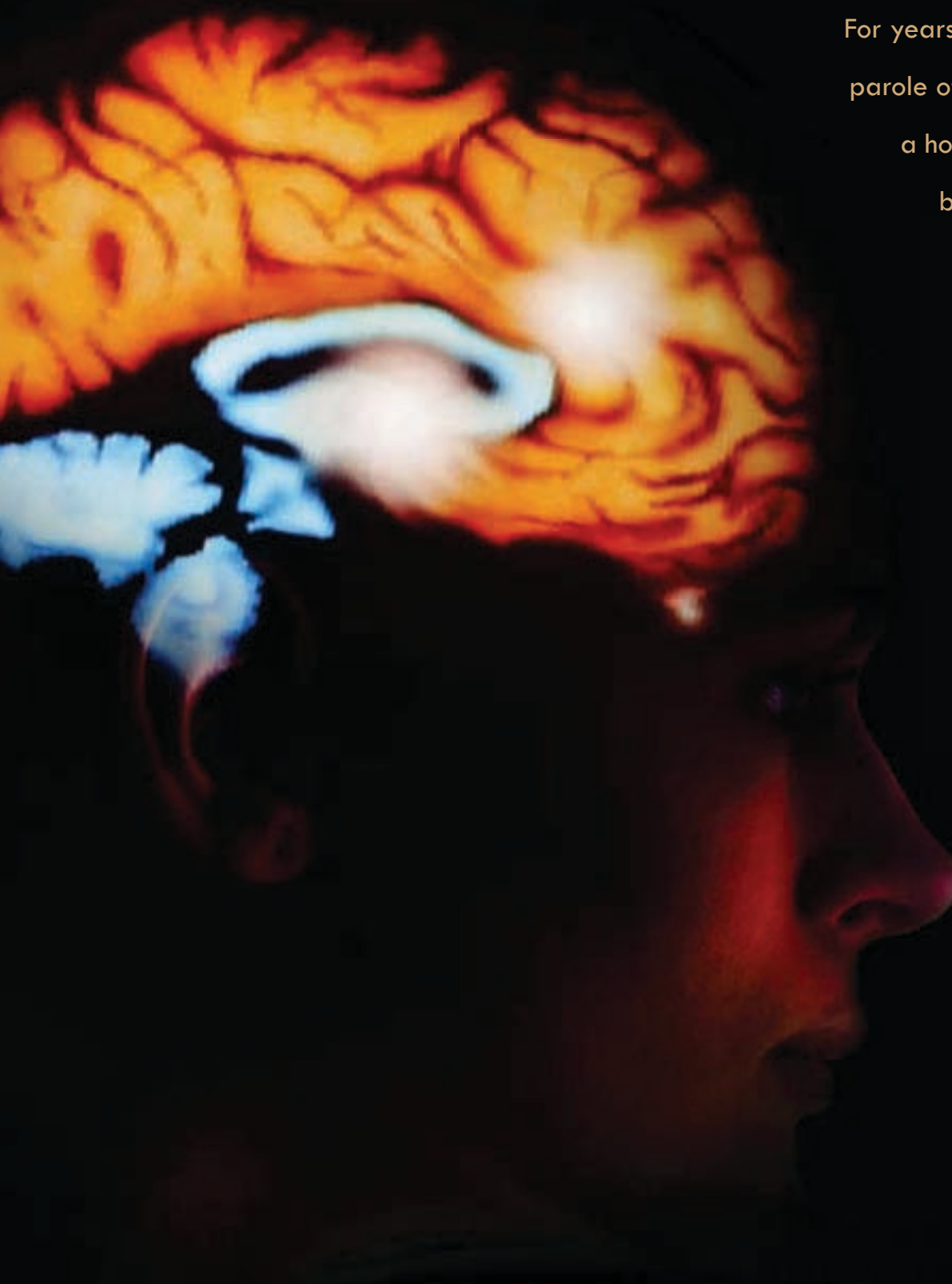
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COLLABORATION

How Community Corrections Personnel



For years, probation and parole officers have confronted a housing crisis, since long before foreclosures and bailout plans became front-page news. Obtaining stable housing can be a serious challenge for people involved in the criminal justice system—and for their families, particularly in rural areas of the country.

ON IS CRUCIAL: el Can Expand Rural Housing Options

Lily Brent and Veter Howard

In October 2007, the Bureau of Justice Assistance supported the nonprofit organization Family Justice in launching a project to explore possibilities for expanding housing options for families that live in rural communities and have loved ones involved in the justice system. Family Justice joined with the Arkansas Department of Community Correction to pilot strategies for collaboration with families and community partners in four of the state's rural counties. Family Justice also called on the expertise of the Housing Assistance Council to gain insight into rural housing issues. This article shares some of the learning and best practices generated during the pilot process.

BARRIERS TO FINDING HOUSING IN RURAL AMERICA

Incomes are lower in rural areas than in the rest of the country (Bureau of the Census 2006) and jobs in these areas tend to pay less. Most people in rural America own their homes, but the housing low-income people can afford is often dilapidated or unsafe; though rural households constitute only one-fifth of American homes, they account for more than 30 percent of the residences that lack adequate plumbing. (Bureau of the Census 2006)



Renters in rural America are twice as likely to live in substandard housing as people who own their homes. And more than half of all rural households that experience multiple housing problems are renters. Low-income residents of rural areas frequently experience overcrowding and when they become homeless, they often move in with friends or relatives. (Bureau of the Census 2006)

Finding adequate housing in these parts of the country is even more difficult for people involved in the criminal justice system. They may face restrictions from public housing providers and discrimination from private landlords. People who have been incarcerated often lack the credit history that landlords require and have difficulty securing jobs because they have a criminal record. Rural areas typically have fewer employment opportunities; major industries such as mining, timber and manufacturing have declined, increasing competition for a smaller number of positions. As jobs in these industries are replaced by those requiring different skills, people involved in the justice system are at a significant disadvantage if, while they were in a correctional facility, they did not learn trades that are in demand.

Rural areas tend to have fewer homeless shelters and transitional housing units, as well as less access to social services, than is the norm in more densely populated regions. In a survey asking probation and parole officers in rural areas about housing and reentry in their communities, Family Justice heard many comments, such as, "Our local Salvation Army allows only one-night stays. We have no options for someone who is homeless and drug-free. Their only option is to remain incarcerated." Another remark was, "Transitional housing was our only real option, but funding has been cut and the program is being shut down."

Research has shown that stable housing is key to successful reentry. (Center for Housing Policy 1996, Baldry, et al 2003, Rubenstein and Mukamal 2002) It makes intuitive sense that having a safe, permanent place to live increases employment opportunities and improves access to health care. Stable housing also sets the stage for family reunification. Probation and parole officers have the potential to work in partnership with families to ensure that individuals under supervision have a sound place to live. When living with family is not possible, community corrections officers can reach out to local partners to help resolve housing issues.



THE ROLE OF FAMILY

Most people return home from jail or prison to live with their families. Ensuring that individuals on probation or parole have a safe place to reside can be as simple and as complex as engaging the significant people in their lives. When families are welcomed as partners early in the reentry process they can be an unparalleled source of support and insight. Working with family members from the outset can help prevent situations in which officers do not hear from them until something goes wrong or until loved ones are so frustrated that they decide the person on probation or parole must move out.

Family members are the first to celebrate one another's successes and they are also the first to notice when something is amiss. They see the first signs that someone has stopped taking medication or is at risk of relapsing into drug use or other potentially detrimental behavior. If families feel comfortable reaching out to probation officers, parole officers or other service providers, they can work as a team to help keep harm from escalating and help prevent violations of supervision mandates. But it is up to community corrections personnel to open the lines of communication. This can be difficult, especially with families that have had negative experiences with the justice system or with social service agencies.

Families dealing with involvement in the justice system often face multiple interrelated challenges. (Barreras, et al 2005) Families are better able to support a loved one under supervision when they can manage other stressors in their lives effectively. Though it is not the role of a probation or parole officer to "counsel" families, a referral to mental health care or to an advocate who can help people obtain benefits can make an important difference. Likewise, talking *about* family with a person under supervision can be extremely valuable, even if family members are not present.

Family Justice recommends engaging families by using a collaborative, strength-based approach. Rather than blaming families for past mistakes, Family Justice's experience demonstrates that families can and should help address the challenges faced by loved ones who are under supervision. Ask family members what has worked for them in the past and who their allies are. Talk with them about what support they offer—or potentially could—such as teaching a trade, giving a ride to a clinic, providing child care or elder care or helping fill out a job application.

Family members often motivate one another to meet their goals. Probation and parole officers can invite people they supervise to bring a supportive family member with them to appointments. They might host a family day to answer questions and talk with the individuals who provide social support to the person under supervision. During home visits, they can ask to see family pictures and listen to stories about loved ones. Establishing positive, productive relationships and encouraging people to think through family issues may help avert conflict that leads to housing problems and can help improve supervision outcomes and decrease recidivism. If family members are equipped to support one another, they can continue to help prevent relapse and recidivism long after the individual has completed probation or parole.

OPPORTUNITIES FOR PARTNERSHIP

The family is a natural and often immediate resource for securing and maintaining stable housing, managing medication, monitoring symptoms, keeping appointments and preventing or handling a crisis. However, in addressing systemic issues such as a lack of affordable housing, probation and parole officers may also need to call on their allies in the community. When the goal is improving public health and safety, many community partners become interested.



Special thanks to the members of the project's National Advisory Board:

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During Family Justice's pilot effort in four rural counties in Arkansas, the organization worked with the Housing Assistance Council and the Arkansas Department of Community Correction to gather a group of stakeholders that have an interest in improving housing options and decreasing recidivism; both outcomes will make success more likely for individuals involved in the justice system as well as for their families. The stakeholders involved in the pilot included community corrections personnel, corrections staff, nonprofit housing developers, public housing administrators, advocates for the homeless and staff of community-based organizations. Together, members of the work group generated strategies to marshal limited formal resources and abundant informal resources toward their collective goals. The work group developed the following steps for future action:

- **Create a standing coalition that meets regularly to discuss reentry, housing and community corrections issues.** The Arkansas work group decided that a bimonthly or quarterly meeting of invested community stakeholders would go a long way toward increasing cooperation and eliminating duplication of services. The group could plan to coordinate members' actions and responses to housing and reentry issues. Also, the meetings would give members the opportunity to build critical relationships. For example, if a parole officer wants to help secure public housing for a participant and the officer's supervisor has been attending coalition meetings, the supervisor might contact a local public housing official she knows and ask for advice.
- **Plan for reentry soon after a person is incarcerated to improve release plans and outcomes.** The Arkansas work group determined that by asking the right questions, corrections officials can facilitate planning for reentry as soon as an individual enters a facility. What goals does the person have for after his or her release? What can the person do while incarcerated to help achieve those goals? With whom will the incarcerated person live in the future? What does he or she think it will be like, and what issues might arise? With whom might the incarcerated person want to talk prior to release—and who are his or her sources of social support? Asking such questions early may help motivate people to maintain connections or complete programs in prison and can increase the chance that they will have a stable place to live upon reentering the community.
- **Institute and issue certificates of achievement to document successes of people while they are incarcerated such as the completion of programs.** The Arkansas work group decided that people coming home from jail and prison should have a record of their progress toward rehabilitation while they were incarcerated. The certificate might list programs they completed (such as drug treatment, GED classes, anger management sessions, job training, etc.), responsibilities they held and a history of good conduct. The certificate can help potential landlords and employers understand the specific circumstances of the formerly incarcerated people they meet. For example, a landlord may usually be suspicious of potential tenants who have a criminal record. But if the landlord sees a certificate from the Department of Correction or Community Correction showing that though an applicant was incarcerated for a drug charge, she has been drug-free for three years, has successfully completed treatment, has earned her GED and is employed, the landlord may conclude that the woman has earned a second chance. Research indicates that providing evidence of rehabilitation is a crucial step toward persuading landlords to rent to people who have had criminal convictions. A study by Lynn Clark of the University

A study by Lynn Clark of the University of Akron, Ohio, found that 66 percent of landlords surveyed said they do not accept applicants who have a criminal history. However, of this group, 60 percent said they would reconsider if the applicant were able to show that he or she had been “rehabilitated.”

of Akron, Ohio, found that 66 percent of landlords surveyed said they do not accept applicants who have a criminal history. However, of this group, 60 percent said they would reconsider if the applicant were able to show that he or she had been “rehabilitated.”(Clark 2007)

- **Create a comprehensive state reentry resource guide.** Members of the Arkansas work group wanted to make sure that corrections and community corrections officers know what resources are at their disposal. One great idea is to use new technology like wikis (websites like Wikipedia that users can revise and monitor). With a wiki, officers can continually describe and document the resources they use and how they use them, and provide advice about the best people to contact, creating greater organization and saving valuable time.
- **Catalog state and local policies that restrict the housing, employment or benefits available to formerly incarcerated individuals.** Every state has different laws and policies about eligibility for public housing and other government programs. Housing authorities’ policies and practices regarding people involved in the criminal justice system may differ even within the same state. The Arkansas work group wanted the corrections and community corrections departments to have a catalog of relevant laws and policies so that staff members know where people involved in the justice system can find information, services and support. For example, a Family Justice staff member spoke with a public housing official who said he is willing to accept people with criminal records, but that parole officers had never approached him. The parole officers in his area said they were unaware that public housing would

accept tenants who are under supervision. Bringing these parties together and clarifying the law brought to light a new housing resource.

- **Increase the employment prospects of formerly incarcerated people by providing training programs for work in industries that have a significant number of jobs.** Both housing and employment are crucial to successful reentry; finding a safe, decent apartment doesn’t help if you can’t pay the rent. As industries change in rural areas, the Arkansas work group intends to collaborate with universities, area businesses and government and community-based organizations to ensure that job training programs in correctional facilities and associated with community corrections initiatives are relevant. For example, at the California State Prison in Solano, some people learn eyewear manufacturing skills, which are in high demand.
- **Match volunteers from the faith community with projects that meet the needs of formerly incarcerated people in rural areas.** In rural areas, churches and other religious institutions are often major providers of social services. Houses of worship may be willing to provide volunteers or offer other resources to help people coming home from jail and prison or to families dealing with a loved one’s incarceration. To facilitate the best use of resources, the Arkansas work group plans to suggest projects best suited to religious institutions, such as providing transportation or mentoring.

As a result of observing Arkansas stakeholders engage in their collaborative process, Family Justice has written a manual for community corrections departments that wish to encourage

cooperation to increase local housing options for people involved in the justice system. While many community corrections officers already deal with housing issues on a regular basis, they may not regard themselves as agents of change in housing policy and practice. The Family Justice manual is designed as a resource to systematize and bolster the work that is already under way. Family Justice and its partners hope to raise awareness about the stigma and lack of affordable housing that adversely affect people involved in the justice system—and also affect their families. Given the abundance of research asserting that housing is key to success upon reentering the community, the criminal justice community needs to take steps toward making safe and stable housing more accessible by engaging families, landlords, community-based organizations and government officials as partners. ■■■

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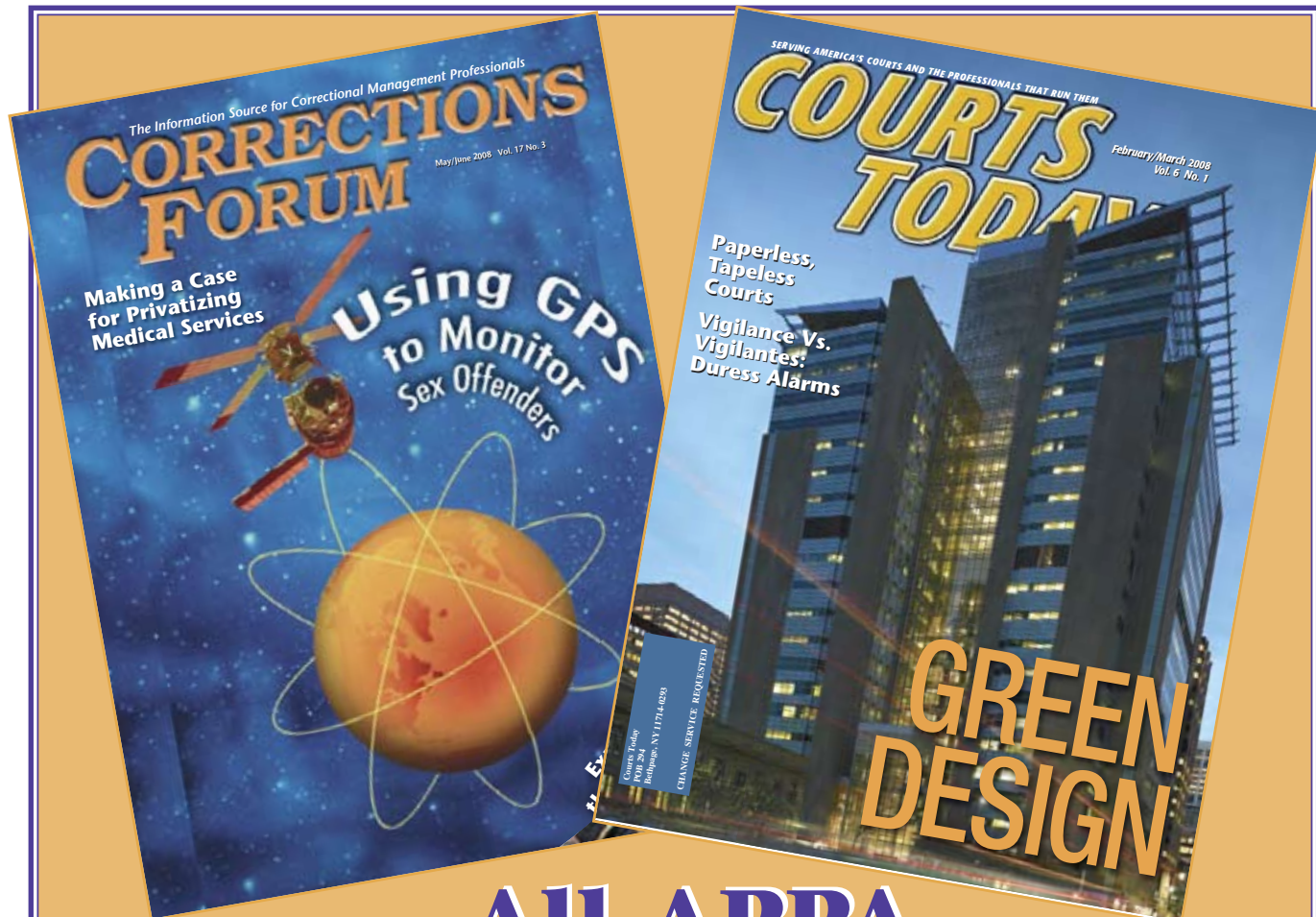
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Mapping Wisconsin Communities Workshop: An Introduction to GIS and Community Analysis. For more information, visit www.nur-online.com.

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Sentencing, Advocacy, Practice and Reform Institute Washington, DC. For more information, visit www.abanet.org.

November 16-18, 2009

Preventing Staff Sexual Misconduct Against Offenders Facilitator Certification Training, Des Moines, IA. For more information, contact Jeff Koenig at (602)452-5236 or email at jkoenig@ncti.org.

November 16-20, 2009

APPA's Cognitive Facilitator Certification Training, Edensburg, PA. For more information, contact Jeff Koenig at (602)452-5236 or email at jkoenig@ncti.org.

December 2-4, 2009

Preventing Staff Sexual Misconduct Against Offenders Facilitator Certification Training, Spokane, WA. For more information, contact Jeff Koenig at (602)452-5236 or email at jkoenig@ncti.org.

December 7-11, 2009

APPA's Cognitive Facilitator Certification Training, Westchester, NY. For more information, contact Jeff Koenig at (602)452-5236 or email at jkoenig@ncti.org.

January 22-27, 2010

2010 ACA Winter Conference, Tampa Florida. For more information, please visit www.aca.org.

January 31-February 3, 2010

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

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April 5-10, 2010

Defendant/Offender Workforce Development Conference, Dallas, TX. For more information, visit <http://associationdatabase.com>.

June 6-9, 2010

Middle Atlantic States Correctional Association 72nd Annual Conference and Training Institute, Atlantic City, New Jersey. For more information, visit www.masca.corrections.com.

July 30-August 4, 2010

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

August 15-18, 2010

**APPA 35th Annual Training Institute,
Washington, DC. For more information, go to
www.appa-net.org.**

July 24-27, 2011

**APPA 36th Annual Training Institute,
Chicago, Illinois. For more information, go
to www.appa-net.org.**

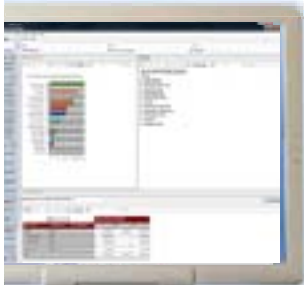
To place your activities in Calendar of Events, please
submit information to: Darlene Webb, American
Probation and Parole Association, P.O. Box 11910,
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