

# PERSPECTIVES

the journal of the American Probation and Parole Association

Volume 37

Number 3

Summer 2013



HOW TO GET THE  
MOST OUT OF

## RISK ASSESSMENT

IN JUVENILE JUSTICE

Save  
The  
Date!



Jan



A Force for P



January 12-15, 2014

# Houston

# January 12-15, 2014



Positive  CHANGE.



## PRESIDENT'S MESSAGE

**SCOTT TAYLOR**

President

American Probation and Parole Association

It has been a pleasure to serve as your President over the last two years. During my term, APPA has presented me with an embarrassment of riches. I have been given the opportunity to meet with community corrections professionals from around the nation and across the globe. Even after working over 40 years in corrections, APPA has expanded my view of the field and the tremendous opportunities that lay before us. Throughout a series of training institutes beginning in San Diego, Phoenix, Indianapolis, and Baltimore, I, along with all of the participants, was able to rub shoulders with the outstanding leaders and researchers in our field. As President, I also had the honor to open and close each of these Institutes and present the awards to our peers whose work inspires and promotes excellence. I was humbled to share the spotlight with each recipient and being influenced by their work. I would return to my own jurisdiction with renewed energy and commitment.

I began my Presidency with the goal and determination to continue the momentum of Past-President Barbara Broderick, Chief Probation Officer of Maricopa County, AZ. Barbara Broderick had dedicated her presidency to unifying our voices through the development of new position statements, issue papers, and resolutions. Now unified, my goal was to amplify APPA's message so that the voices of probation, parole and community supervision professionals could be heard upon the national policy stage. We at APPA initiated the creation of a Community Corrections Collaborative Network with support and facilitation by the National Institute of Corrections. Alongside APPA, this body represents the collective interests of the Association of Paroling Authorities International, the International Community Corrections Association, the National Association of Pretrial Service Agencies, and the National Association of Probation Executives. Working together, this collaborative has released its first position paper, *Community Corrections Collaborative Network: Safe and Smart Ways to Solve America's Correctional Challenges*. This collective will serve as an ongoing forum for prioritizing the emerging issues within our field, communicating our platform to local and national policymakers and educating the general public. Already, this collaborative has accomplished much in its relative infancy and I look forward to watching this body of leaders evolve as community corrections and reinvestment issues continue to draw national attention.

Within our association, APPA has also proudly advanced on several fronts. We have expanded the breadth and depth of our training opportunities. In the past two years, APPA has offered 21 specialized training sessions and rolled out 18 online webinars. Our bi-annual training institutes continue to provide excellent training and networking opportunities. In the past two years, all of the Training Institutes were at or above 80 percent capacity. San Diego and Baltimore were virtually sold-out with attendees exceeding the number of rooms reserved. We look to Houston to continue that momentum. We also saw the launch of the Discover Corrections website, a hub for position postings and an information clearinghouse for careers in community corrections. For example, my own jurisdiction recently posted a management position on Discover Corrections which received over 4,000 views during its posting. As an association we have recovered from the economic downturn and look to the future with increased financial solvency and the confidence that we will be an ongoing source of support to our field and

# PRESIDENT'S MESSAGE

the professionals who have proudly dedicated their lives to community-based supervision and services.

I am humbly aware that I did not serve alone. APPA has always relied on our Executive Committee to steer the association through both prosperous and challenging times. Our Executive Committee truly represents the broad spectrum of APPA's interests but our shared goal is to continue the forward motion of the organization. My heartfelt appreciation goes to:

**President,** Carmen M Rodriguez, Senior Training Specialist, Cook County Adult Probation (IL)

**President-Elect,** Susan Burke, Director, Utah Division of Juvenile Justice Studies (UT)

**Past-President,** Barbara Broderick, Chief Probation Officer, Maricopa County Adult Probation (AZ)

**Secretary,** Sarah Douthit, Deputy Chief Probation Officer, Coconino County Adult Probation (AZ)

**Treasurer,** Bruce Vander Sanden, Director, 6<sup>th</sup> Judicial District, Department of Correctional Services (IA)

**Affiliate At-Large,** Francine Perretta, Deputy Commissioner of Probation, Westchester County Probation (NY)

**Regional At-Large,** William Ashe, Branch Chief, CSOSA (DC)

**Regional At-Large,** Erika Previtt, District Manager, Multnomah County Community Justice (OR)

**Secretariat,** Carl Wicklund, Executive Director, APPA

Lastly, I would like to thank the dedicated staff of APPA who have not only supported my presidency but who also continue to work tirelessly to meet the needs of over 50,000 probation, parole and community supervision professionals.

As my term nears its end, I hand over the baton to President Carmen Rodriguez from the Cook County Adult Probation Department. As we look forward to her leadership and to what I am sure will be many accomplishments, we can be assured of a seamless transition. The past three APPA elected presidents have made a commitment to proactive transition planning so that the association will benefit from an incoming president who can build on the knowledge gained rather than starting from scratch.

The work we do collectively is one of the public safety system's best options for achieving crime reduction and realizing healthy communities. It has been an honor to represent this association, this *Force for Positive Change*. >>>



Scott Taylor  
President, APPA  
Multnomah County, Oregon

**Click here  
to enjoy  
a special  
video  
message  
from Scott  
Taylor!**





I could be  
working  
for YOU!

ADVERTISE WITH US!  
CALL 859.244.8205 and ask for Karen.  
She will tell you how.



## EDITOR'S NOTES

**BILL BURRELL**  
Management Consultant



We've just returned from the very successful Baltimore Training Institute. It was another exciting and enjoyable event, loaded with informative workshops and interesting people. And at Tuesday night's baseball game, the Orioles were victorious!

In this, his last President's message, Scott Taylor talks about the work that his organization and APPA have done in the area of collaboration, training and financial stability in noting the formation of the Community Correction Collaborative Network, the success of recent Training Institutes and the many webinars produced, as well as APPA's ability to survive a struggling economy while maintaining quality services to its membership. These are just a few of the many examples of the dedication exhibited by community corrections professionals happening around the country resulting in incredible energy and significant accomplishments.

In our lead article, Gina Vincent and Laura Guy explore risk assessment in juvenile justice. While juvenile agencies have generally been slower to adopt risk assessment than adult agencies, that trend seems to be changing. With the support of groups like the Annie E. Casey Foundation with their Juvenile Detention Alternatives Initiative (JDAI), researchers and practitioners are rapidly bringing juvenile justice up to speed with evidence-based practices such as risk assessment. Vincent and Guy provide an overview of risk assessment, guidelines for implementation and results that demonstrate the effectiveness of risk assessment.

The focus on juveniles continues with Carl Reynolds' article on the School Discipline Consensus project. Much has been written about the "school to prison pipeline" where students who are suspended or expelled from school seem to get on a fast track to the juvenile justice system and ultimately for many, a stay in prison. This article provides an introduction to the project, a collaboration and consensus-based approach to develop strategies to reduce suspensions and expulsions, improve student academic performance and reduce involvement with the juvenile justice system. Keep your eye out for updates on this project in future issues.

Our next article shifts the focus dramatically to the back end of the correctional system, where Dan Cain writes about a project that works with offenders released from

## EDITORIAL COMMITTEE

**William D. Burrell, Chair**  
Management Consultant  
37 Cliveden Court  
Lawrenceville, NJ 08648-1447  
Phone: (609) 895-0212  
william.burrell@comcast.net

**Arthur J. Lurigio, Ph.D.**  
Dept. of Criminal Justice  
Loyola University of Chicago  
820 N. Michigan Ave.  
Chicago, IL 60611  
Phone: (312) 915-7564  
alurigio@luc.edu

**Edward E. Rhine, Ph.D.**  
Deputy Director  
Ohio Dept. of Rehabilitation and  
Correction  
1050 Freeway Drive N  
Columbus, OH 43229  
Phone: (614) 995-3599  
erhine3997@aol.com

**Faye S. Taxman, Ph.D.**  
University Professor  
Criminology, Law & Society  
Director, Center for Advancing  
Correctional Excellence  
10519 Braddock Road, Ste 1904  
Fairfax, VA 22030  
Phone: (703) 993-8555  
ftaxman@gmu.edu

**Susan V. Burke**  
Assistant Juvenile Court Administrator  
Administrative Office of the Utah Courts  
450 South State  
PO Box 140241  
Salt Lake City, UT 84114-0241  
Phone: (801) 578-3811  
sburke@utah.gov

**Susan Blackburn**  
Juvenile Court Consultant  
Pennsylvania Juvenile Court Judges  
Commission  
1871 Old Main Drive  
Shippensburg, PA 17257-2299  
Phone: (717) 277-1411  
sblackburn@state.pa.us

**Geraldine F. Nagy, Ph.D.**  
Director  
Travis County Community Supervision  
and Corrections Department  
411 W. 13th St., #400  
Austin, TX 78701  
Phone: (512) 854-4608  
geraldine.nagy@co.travis.tx.us

**Jason Dudish-Poulsen, Ph.D.**  
Cook County Probation  
2650 S California  
Lower Level  
Chicago, IL 60608  
Phone: (773) 674-7279  
Jdpoulsen2@comcast.net

## EDITOR'S NOTES, CONTINUED

long term confinement in prison. Having served between 16 and 36 years in prison, these men face enormous challenges as they try to make the transition to life in the community. The men speak of their sense of isolation in the community, even from their families. As one would expect, safe housing and good jobs are their primary concerns. Cain explores how the numerous challenges the men face can easily turn into a crisis if not well handled. The men are providing valuable peer support to one another.

In our Technology Update, Joe Russo addresses a major crisis in electronic monitoring. A series of horrific crimes have been committed by offenders while under EM/GPS monitoring. Increasingly, we are finding that probation and parole agencies are unable to effectively respond to the many alerts generated by the monitoring systems. Some of the alerts are benign (low batteries, lost cell signal) but some are serious violations that precede serious criminal behavior. Agencies must develop the capability and staff capacity to respond to alerts in a timely and effective manner. After all, EM/GPS is just a tool, and it must be used effectively. Failure to do so will endanger public safety, damage the image and reputation of community corrections and lead to harsh legislative and policy responses that are unwarranted.

In our Research Update, Lincoln Sloas explores the issue of specialized supervision in probation and parole. This is an increasingly common practice in our field (and others – witness the specialized court movement). While many agencies have embraced specialized caseloads and programs, how much do we really know about their effectiveness? In some ways, this is likely to lead to the question of caseload size – smaller caseloads are necessary, but

not sufficient to create better outcomes. We can specialize, but we also need to apply evidence-based practices to achieve good results.

We broaden our focus in the International Update. Bob Brown, Robert Leggat and Rodento Victorio describe the revival of probation in Africa's newest nation, South Sudan. It is a challenge to imagine what it must be like to rebuild and re-introduce probation in such a chaotic and fluid environment. We have difficulty managing probation and parole in the US, where they have been in existence for more than a century and a half.

From an experience that is foreign to most of us, we now turn to one that all PPOs have experienced in the field – aggressive dogs! In the Safety Update, Bob Thornton discusses several federal court cases arising from field search situations with aggressive dogs. The officers involved used lethal force to subdue the dogs and litigation ensued. It appears that defending yourself against a charging dog isn't as simple a situation as one might think. As Bob has repeatedly advised and cautioned us over the years, field searches must be based on sound policy and practice, staff must be properly trained and equipped and we must keep up to date as the case law in this area evolves.

We hope you enjoy this issue of *Perspectives*, your professional journal. If you have ideas for improving the journal, would like to see an article on a specific topic, or wish to provide us with your feedback, we would love to hear from you. Please send us a message at [appaeditorial@gmail.com](mailto:appaeditorial@gmail.com). >>>



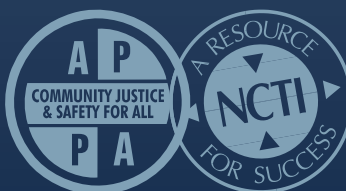
**With More than Curricula Alone...**



## **NCTI's Complete Behavior Change System**

**gives you a support structure that  
makes referring professionals' work easier,  
strengthens program fidelity,  
and enhances learning by clients.**

NCTI's renowned, evidence-based curricula and the only APPA-accredited facilitator training in the field, comes with a complete system of powerful tools that helps you discover an effective path to Behavior Change. Call today to find out how NCTI can help you.



**800.622.1644 | [www.NCTI.org](http://www.NCTI.org) | [info@NCTI.org](mailto:info@NCTI.org)**

Evidence-Based Curricula & Certification Training from NCTI in Partnership with APPA  
National Curriculum & Training Institute®, Inc. | 319 E. McDowell Road, Ste. 200 Phoenix, AZ 85004

# table of contents

## features

**48** How to Get the Most Out of Risk Assessment in Juvenile Justice  
by Gina M. Vincent, Ph.D. & Laura S. Guy, Ph.D.

**68** The School Discipline Consensus Project: Helping Schools Improve Students' Engagement and Juvenile Justice Outcomes  
by Carl Reynolds

**72** Strangers in a Strange Land  
by Dan Cain



## departments

- 20 Spotlight on Safety
- 26 Technology Update
- 30 Research Update
- 40 International Update
- 80 Calendar of Events

## plus!

- 15 APPA 2014 Winter Training Institute: January 12-15, 2014; Houston, TX
- 16 APPA Corporate Members
- 18 APPA Specialized Training
- 19 APPA Specialized Training Spotlight
- 25 APPA Call for Papers: *Perspectives* Articles
- 36 In Memoriam: Rudolph "Rudy" Szollar
- 38 APPA Awards - 38th Annual Training Institute; Baltimore, MD

## 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 and mailed to Karen Mucci, Production Coordinator, PERSPECTIVES Magazine, P.O. Box 11910, Lexington, KY, 40578-1910, or can be emailed to [kmucci@csg.org](mailto:kmucci@csg.org) in accordance with the following deadlines:

**Spring 2014 Issue – November 12, 2013**

**Summer 2014 Issue – February 17, 2014**

**Fall 2014 Issue – May 21, 2014**

**Winter 2015 Issue – August 23, 2014**

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. Authors should provide a one paragraph biography, along with contact information. 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 AFFILIATE MEMBERS

American Correctional Association  
Association of Paroling Authorities International  
Association of Women Executives in Corrections  
AZ Chief Probation Officers Association  
AZ Probation, Parole & Corrections Association  
CA Probation, Parole and Corrections Association  
Chief Probation Officers of CA  
Conference Permanente Europeenne de la Probation  
County Chief Adult Probation and Parole Officers Association of PA  
Crime Prevention Coalition of America /  
National Crime Prevention Council  
Dismas Charities, Inc.  
FL Association of Community Corrections  
IA Corrections Association  
IJIS Institute  
IN Association of Community Act Counties  
International Community Corrections Association  
International Corrections and Prisons Association  
Interstate Commission for Adult Offender Supervision  
KS Association of Court Services Officers  
MA Parole Officers Association  
MI Association of District Court Probation Officers  
Middle Atlantic States Correctional Association  
MN Association of Community Corrections Acts Counties  
MN Corrections Association  
MN Association of County Probation Officers  
MO Probation and Parole Officers Association  
National Association of Pretrial Services Agencies  
National Association of Probation Executives  
NC Probation & Parole Association  
New England Council on Crime and Delinquency  
New Zealand Association of Probation Officers  
NY State Council of Probation Administrators  
NY State Probation Officers' Association  
OH Chief Probation Officers Association  
OR Association of Community Corrections Directors  
PA Association on Probation, Parole and Corrections  
Pretrial Justice Institute  
Probation and Community Corrections Officers Association  
Probation Association of NJ  
Probation Officers' Professional Association of IN  
Probation Officers Association of Ontario  
Probation Officers Association of Wielkopolska  
SC Probation & Parole Association  
TX Probation Association  
UT Correctional Association  
VA Community Criminal Justice Association  
VA Probation and Parole Association  
Western Correctional Association  
WV Association of Probation Officers

### Executive Committee

Carmen Rodriguez	President
Susan Burke	President-Elect
Mack Jenkins	Vice President
TBD	Treasurer
Erika Preuitt	Secretary
William Ashe	At-Large Member
Deborah Minardi	At-Large Member
Francine Perretta	At-Large Affiliate
Scott M. Taylor	Past President
Carl Wicklund	Executive Director

### Production Staff

Karen Mucci	Production Coordinator
John R. Higgins	Graphic Designer/Layout
Lynda Wilkerson	Editorial Assistant

### Services Directory

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

Communications should be addressed to:  
 American Probation and Parole Association  
 C/O The Council of State Governments  
 P.O. Box 11910, Lexington, KY 40578-1910  
 Fax: (859) 244-8001, E-mail: [appa@csg.org](mailto:appa@csg.org)  
 Website: [www.appa-net.org](http://www.appa-net.org)

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

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

Reprint permission. Direct requests for permission to use material published in Perspectives in writing to Lynda Wilkerson.



© 2013  
 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.



# American Probation and Parole Association



*"There is no better venue to network with community corrections professionals than at an APPA Training Institute."*  
-attendee from the 2012 Annual Training Institute, Indianapolis, Indiana

## January 12-15, 2014 **HOUSTON** APPA Winter Training Institute

The Hilton Americas-Houston is the official host hotel of the Institute (1600 Lamar St, Houston, TX 77010) and APPA has secured a lodging rate at the federally approved government per diem of \$109.00\* single or double occupancy and \$20 per each additional occupant. The Hilton Americas Houston is currently accepting reservations and APPA Institute attendees may make reservations directly with the hotel at <https://aws.passkey.com/event/10571451/owner/11720/home>. You can also make reservations directly by calling the hotel at (800)236-2905 and ask for the Group code of IPP. APPA's special rates are based on availability until December 12, 2013.

The Hilton Americas-Houston is conveniently located in the heart of downtown Houston and is just steps away from Discovery Green Park, Toyota Center, BBVA Compass Stadium, GreenStreet premier dining and entertainment center, and Minute Maid Park.

\*Government rate is subject to change reflecting GSA's 2014 per diem rates to be released in October 2013.



**OVER  
50  
WORKSHOPS!**

**NETWORK  
WITH  
YOUR PEERS!**

**NEW!  
WEDNESDAY  
WORKSHOPS**

Register now at [www.appa-net.org](http://www.appa-net.org), or call Kris Chappell at (859)244-8204 or email her at [kchappell@csg.org](mailto:kchappell@csg.org).

**SEE YOU  
THERE!!!**





# 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.



## 3M

Kerri Ryan  
Director of Marketing and Business Development  
3M Electronic Monitoring  
1838 Gunn Hwy.  
Odessa, FL 33556  
Phone: (813) 749.5454 x1275  
Fax: (813) 749.5474  
Email: kerri.ryan@mmm.com  
Website: www.mmm.com



## BI Incorporated

Monica Hook  
Marketing Communications Manager  
6400 Lookout Road  
Boulder, CO 80301  
Phone: (800) 241-2911  
Fax: (303) 218-1413  
Email: monica.hook@bi.com  
Website: www.bi.com



## G2 Research Limited

Ron Stewart  
202 Brownlow Ave. Ste 304  
Cambridge 2  
Dartmouth, NS B3B 1T5  
CANADA  
Phone: (902)407-3191  
Fax: (902)407-3194  
Email: rstewart@g2-research.com  
Website: www.g2-research.com



## Alkermes

Jeffrey Harris  
Director, Public Policy  
852 Winter Street  
Waltham, MA 02451  
Phone: (617) 852-7356  
Email: jeffrey.harris@alkermes.com  
Website: www.alkermes.com



## Capita Technologies

Kelly Lund  
Business Development Manager  
17600 Gillette  
Irvine, CA 92614  
Phone: (949)260-2003  
Fax: (949)851-9875  
Email: klund@capita.com  
Website: www.capitacase.com



## Intoxalock

Shelley Sullivan  
10520 Hickman Road  
Des Moines, IA  
Phone: (515)564-2029  
Email: ssullivan@cstinc.com  
Website: www.intoxalock.com



## Alcohol Monitoring Systems

Jennifer Mill  
Marketing Manager  
1241 West Mineral Avenue  
Littleton, CO 80120  
Phone: (303) 785-7828  
Email: jmill@alcoholmonitoring.com  
Website: www.alcoholmonitoring.com



## Corrections Software Solutions, LP

James Redus  
President  
316 North Lamar Street  
Austin, TX 78703  
Phone: (512) 347-1366  
Fax: (512) 347-1310  
Email: jredus@correctionssoftware.com  
Website: www.correctionssoftware.com



## iSecuretrac Corporation

Jeff Milner  
V.P. of Sales  
5078 S. 111th Street  
Omaha, NE 68137  
Phone: (317) 409-2108  
Fax: (402) 537-9847  
Email: jmilner@isecuretrac.com  
Website: www.isecuretrac.com



## AnyTrax

Louie Hunter  
VP of Sales  
125 Clairemont Avenue, Suite 400  
Decatur, GA 30030  
Phone: (800)359-4208  
Fax: (404)687-1152  
Email: info@anytrax.com  
Website: www.anytrax.com



## JPAY, Inc.

Josh Shapiro  
V.P. of Business Development  
10800 Biscayne BLVD # 770  
Miami, FL 33161  
Phone: (818)943-9944  
Fax: (212) 898-1388  
Email: josh@jpay.com  
Website: www.jpay.com



### **Marquis Software**

Ben Harrell  
 Director of Sales and Marketing  
 1611 Jaydell Circle, Suite G  
 Tallahassee, FL 32308  
 Phone: (850)877-8864 x 123  
 Fax: (850)877-0359  
 Email: ben.harrell@marquisware.com  
 Website: www.marquisware.com



### **National Curriculum and Training Institute**

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



### **New Dawn Technologies**

Jessica Cottle  
 Manager, Marketing & Communications  
 843 S 100 W  
 Logan, UT 84321  
 Phone: (877) 578-8927  
 Fax: (603)308-8138  
 Email: jcottle@newdawn-tech.com  
 Website: www.justware.com



### **Northpointe, Inc.**

Sherri Hughes-Smith  
 Director, Marketing and Communications  
 Phone: (303) 216-9455  
 sherri.hughes-smith@northpointeinc.com  
 Website: www.northpointeinc.com



### **Omnilink**

Steve Shero  
 Director of Judicial Sales  
 5900 Windward Parkway, Ste 200  
 Alpharetta, GA 30005  
 Phone: (678)624-5900  
 Email: judicialsales@omnilink.com  
 Website: www.omnilink.com



### **Satellite Tracking of People, LLC**

Greg Utterback  
 V.P. of Business Development  
 1212 North Post Oak Road #100  
 Houston, TX 77055  
 Phone: (832) 553-9503  
 Fax: (832) 553-9530  
 Email: gutterback@stopllc.com  
 Website: www.stopllc.com



### **Smart Start, Inc.**

Jim Ballard  
 V.P. of Marketing  
 4850 Plaza Drive  
 Irving, TX 75063  
 Phone (800) 880-3394  
 Fax: (972) 915-0562  
 Email: jballard@smartstartinc.com  
 Website: www.smartstartinc.com



### **SuperCom**

Amir Shemesh  
 Vice President, EM division  
 SuperCom Ltd.  
 14 Shenkar St., Herzlia, ISRAEL  
 Phone: +972-9-8890800  
 Fax: +972-9-8890820  
 Email: Amir@supercom.com  
 Website: www.supercom.com

For more information on  
 Corporate Membership,  
 please contact:, Karen  
 Mucci, APPA  
 c/o The Council of State  
 Governments, P.O. Box  
 11910, Lexington, KY  
 40578-1910,  
 Phone (859) 244-8205,  
 Fax (859) 244-8001,  
 Email: kmucci@csg.org



## 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!

APPA contracts with expert trainers who are reimbursed for their services and all their costs by APPA. We also provide registration services, training materials, name badges and certificates of completion to all participants. (Note: travel, lodging and daily expenses for participants are not covered in the registration rate)

For additional information regarding APPA Specialized Trainings contact:

**Karen Mucci**

Phone: (859) 244-8205 Email: [kmucci@csg.org](mailto:kmucci@csg.org)

### COGNITIVE FACILITATOR CERTIFICATION TRAINING

October 7-11, 2013  
White Plains, NY

October 21-25, 2013  
Napa, CA

October 28-November 1, 2013  
San Diego, CA

November 4-8, 2013  
Gilbert, AZ

January 10-14, 2014  
Harrisburg, PA

### PREA- PREVENTING STAFF SEXUAL MISCONDUCT AGAINST OFFENDERS FACILITATOR CERTIFICATION TRAINING

September 10-12, 2013  
Martinez, CA

September 16-18, 2013  
Sallisaw, OK

September 24-26, 2013  
Johnston, IA

October 30- November 1, 2013  
Elkhart, IN

**CLICK HERE**





# APPA SPECIALIZED TRAINING

## APPA SPECIALIZED TRAINING SPOTLIGHT:

### SURVIVAL SPANISH FOR PROBATION AND PAROLE

LIMITED TO 25 PARTICIPANTS  
2 DAYS, 12 CONTACT HOURS

### COURSE DESCRIPTION:

This program provides non-Spanish speaking probation officers and their staff with functional skills in Spanish. Instruction addresses a wide variety of officer/client scenarios important in probation work. Instructional methods include intensive drills, choral response, learning pairs and triads and role-play and scenarios. No prior knowledge of Spanish is necessary.

### LEARNING OUTCOMES:

Upon completion, participants will be able to use Spanish to: conduct initial and subsequent interviews, announce fines, restitution, court dates, appointments, greet and direct clients, handle phone calls, obtain information in order to complete status forms and conduct field and home visits.

### KAREN MURPHY

Karen Murphy is President of Murphy Associates, a training and consulting organization specializing in Occupational Spanish, Occupational Portuguese, Cross-cultural and Customer Service initiatives. Murphy Associates was launched in early 2000 with training initiatives targeting public, private and non-profits sectors. Today clients are from many different industries and include companies such as the MA State Lottery, Dartmouth-Hitchcock Medical Centers, The 99 Restaurant, NC US Probation, MA Judicial Institute, Lowe's Companies, Inc. and Westchester County Probation Department.



Her professional experience living and working abroad and dealing with international markets provides first-hand knowledge of the importance of language and cultural awareness skills along with the positive impact of exemplary customer service.

She has worked with the Far East, lived and worked in Europe and has worked/traveled in Latin and South America. Her language proficiency includes Spanish, French, Danish and Portuguese along with a knowledge of Japanese. Karen holds a B.A. in Modern Foreign Languages and a B.S. in Marketing from Westfield State College. She is also is a certified Command Spanish□ instructor.

For more information about how to bring this training to your agency, please contact Karen Mucci at (859)244-8205 or email [kmucci@csg.org](mailto:kmucci@csg.org).

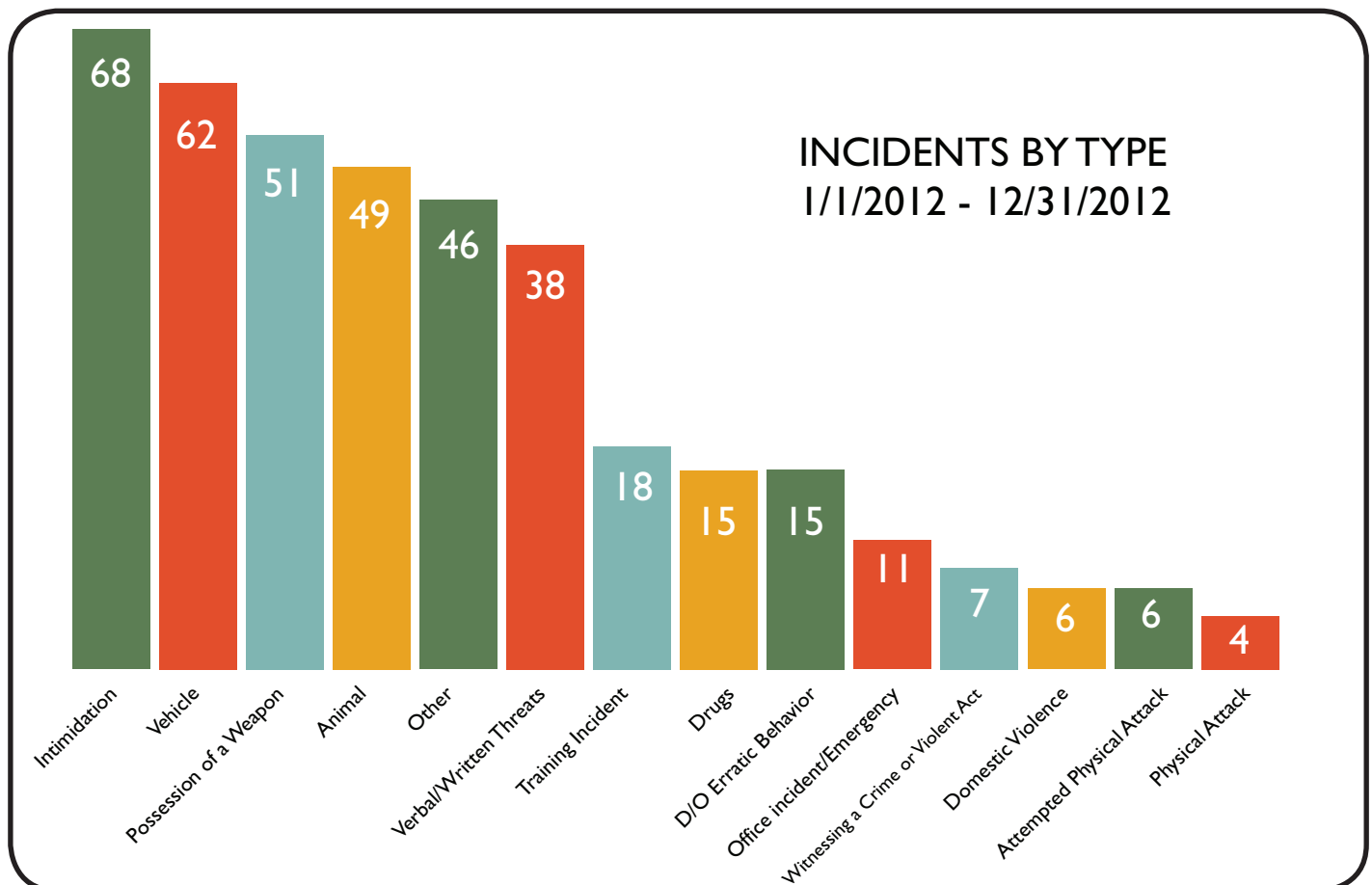
## AGGRESSIVE DOGS: SAFETY, THE FOURTH AMENDMENT AND YOU

**A**ny probation/parole officer doing fieldwork has encountered a less than friendly dog. You probably considered the safety issues for yourself in canine confrontations and attacks, but have you and your agency considered possible liability issues if you must use force to protect yourself? An illustration of how common canine confrontations are is reflected in the Administrative Office of the U.S. Courts, Office of Probation and Pretrial Service's (OPPS) "Safety Information and Reporting System" report for 2012 listing animal-related hazardous incidents as being the fourth highest hazardous duty

incident reported by frequency of incident (49 incidents) of the 14 incident categories. In their 2010 report, animal-related incidents were number one by frequency, making up 21 percent of the reported hazardous duty incidents.

In a review of the 2010 data, OPPS reported "Dogs bit officers in 20 cases. In two incidents, officers discharged a firearm at a dog. In another incident, the officer suffered significant injuries to his upper arm."

In their 2012 report OPPS advised "Officers in this category (animal incident



**Capita CASE is an intelligent case management system that mirrors your department's processes to:**

- ✓ **Increase efficiency** & prioritize each user's daily task list
- ✓ **Reduce liability** by alerting supervisors of pending/past tasks
- ✓ **Measure success** with graphical, statistical & ad-hoc reports
- ✓ **Reduce recidivism** by implementing & refining best practices



**Available on  
the web  
from tablets,  
phones &  
laptops!**

**1. Integrated Assessments**

Supports multiple assessments for each case type to accurately assess offender needs



**2. Drive Best Practices**

Automated case plans leverage assessment results to develop the most effective interventions

capita|**case**

**YOUR FULL-CIRCLE TOOLS  
TO REDUCE RECIDIVISM**



**6. Improve Services**

Non-technical administrators can configure Capita CASE to reflect findings



**3. Efficient Operations**

Proactively prioritizes each user's daily task list based on your department's operations



**5. Measure Performance**

Rich ad-hoc, recidivism & statistical reports measure program success



**4. Vendor Login**

Provide login for vendors to access system and record program progress



category) were either bitten or chased by dogs. More than half of the attacks involved officers being bitten during home contacts. Bites occurred to the arms or legs. In one incident an officer was attacked by two pit bulls as he approached the door of the defendant's home. During the attack the officer managed to draw his weapon and shoot both dogs."

"Officers deployed Oleoresin Capsicum (OC) spray in four instances and managed to retreat tactically without incident on ten occasions. No one breed of dog is noted in these reports" (Gabriel & Gallagher, 2013).

While many agencies provide some form of officer safety training, we find that few agencies train specifically on dog attacks and how to respond. While dog attacks are recognized as a safety issue, have you or your agency considered the liability issues?

On March 12, 2013, the Second Circuit Court of Appeals decided *Carroll v. County of Monroe et al.*<sup>1</sup>, which involved the use of deadly force against a dog that threatened law enforcement officers as they executed a no-knock search warrant. The facts of *Carroll*, taken directly from the case, state that on October 11, 2006, Deputy Carroll and other officers from the Greater Rochester Area Narcotics Enforcement Team, Rochester, New York, executed a "no-knock" warrant for the plaintiff's home. A no-knock warrant permits officers to enter a residence without knocking and announcing their presence and is issued when there is reason to believe that the occupants of the residence will, if the officers announce themselves prior to entry, pose a significant threat to officer safety or

attempt to destroy evidence. The officers used a battering ram to break through the front door and Deputy Carroll, who was in charge of securing the entryway, was the first to enter the house.

Deputy Carroll immediately saw a dog growling, barking, and quickly and aggressively approaching him. Once the dog had advanced to within a foot of him, Deputy Carroll fired one shot from his shotgun at the animal's head and killed him. According to Deputy Carroll, the plaintiff was not close enough to the dog to help restrain him from charging at the officers.

Prior to executing the warrant, Sergeant Michael DeSain briefed the team and mentioned that a dog would be present at the plaintiff's home. The team did not discuss a plan for controlling the dog or formulate a strategy to neutralize any threat the dog might pose by non-lethal means. Additionally, although the County had a written policy prohibiting the use of lethal force against an animal unless the animal posed a danger to officers or other persons, the County did not formally train its officers about how to handle encounters with dogs during searches. The officers testified that they would call animal control to help secure a dog when executing a normal warrant but never planned for non-lethal means to secure a dog during execution of a "no-knock" warrant.

The officers explained that executing a "no-knock" warrant requires them to move through the entryway (also called the "fatal funnel") as quickly as possible to avoid becoming easy targets for armed occupants.

In DeSain's words, the officers "don't have the time" to use nonlethal means during execution of a "no-knock warrant" when confronted by a dog in the fatal funnel "because our lives are at risk entering that door." Moreover, the officers explained that any delay in securing the entryway and moving through the house could facilitate the destruction of evidence. They emphasized, however, that shooting a dog was often unnecessary during execution of a "no-knock" warrant when, for example, an owner is able to restrain the dog or where the dog runs away, lies down, or poses no threat to officer safety.<sup>2</sup>

After a jury returned a verdict in favor of the defendant county, sheriff's department and deputy in this case, the plaintiff filed a motion and asked the district court to set aside the jury verdict. The district court denied the motion and the plaintiff appealed to Second Circuit Court of Appeals.

The issue before the Second Circuit was whether, as a matter of law, it was a *Fourth Amendment* violation for the agency to fail to train its officers regarding non-lethal means to secure dogs and to formulate a plan to restrain the plaintiff's dog using non-lethal means.

The Second Circuit then examined precedent relevant to the issue in this case. The court first noted that: "As a number of our sister circuits have already concluded, the unreasonable killing of a companion animal constitutes an unconstitutional 'seizure' of personal property under the *Fourth Amendment*."<sup>3</sup>

The court also noted that there is a balancing of competing interests in determining whether a seizure was reasonable under the *Fourth Amendment*. Particularly, the court stated: "To determine whether a seizure is unreasonable, a court must 'balance the nature and quality of the intrusion on the individual's *Fourth Amendment* interests against the importance of the governmental interest alleged to justify the intrusion' and determine whether the totality of the circumstances justified [the] particular sort of . . . seizure." *Tennessee v. Garner*, 471 U.S. 1, 8-9, 105 S. Ct. 1694, 85 L. Ed. 2d 1 (1985).

The court also stated that shooting a person's dog should be considered a severe intrusion since there is an emotional attachment between a dog and an owner. Thus, as for the nature of the intrusion, the court will consider it a significant intrusion into a person's rights.

The court, however, went on to state that: "[A]t least in some circumstances, it is reasonable for an officer to shoot a dog that he believes poses a threat to his safety or the safety of the community. See, e.g., *Altman*, 330 F.3d at 205-06; *Brown*, 269 F.3d at 210-11."

With the precedent established in this case, the court then set out to apply the rules to the facts of this case. The Second Circuit stated that, based upon the evidence of this case, the plaintiff failed to prove that any pre-planning for the dog or less-lethal means such as pepper spray, TASER or a dog pole would have changed the result in

this case since the officer encountered the dog as he was making entry and was in the “fatal funnel” of the doorway. In other words, the court found that even if there was a contingency plan to deal with the dog with less-lethal means, the deputy may have still needed to shoot the dog under the facts of this case.

The Second Circuit affirmed the denial of the plaintiff’s motion and refused to set aside the verdict or grant a new trial. However, the Court did advise that: “As a cautionary note, however, we do not mean to endorse the defendants’ apparent position that the failure to plan for the known presence of a dog is always acceptable when the police are executing a “no-knock” warrant. We merely decide that under the particular facts of this case, especially given the high burden that a party must meet to successfully challenge a jury verdict, the jury was not unreasonable to conclude that the plaintiff did not meet her burden of proof. There may very well be circumstances under which a plaintiff could prove that lack of an adequate plan rendered the shooting of his or her dog unreasonable even during execution of a “no-knock warrant”, and we urge the defendants to consider whether more comprehensive training and planning would better serve the public, as well as its officers, in the future.”<sup>4</sup>

In a footnote, the court also noted that the particular deputy who shot the dog in this case had shot two other dogs while executing search warrants and stated that this: “... indicates that officers in the County encounter these situations more frequently than they would probably prefer and that planning and training—while not always constitutionally required—may be advisable to avoid future tragedies and future litigation.”

As most parole and probation agencies make home contacts, and many jurisdictions are conducting searches, it may be advisable for agencies to implement training on dealing with aggressive dogs, not only from an officer safety standpoint, but also from a liability standpoint.

## NOTE:

*Court rulings can vary significantly by jurisdiction. It is advisable to seek the advice of a local prosecutor or legal adviser regarding questions on specific cases. This article is not intended to constitute legal advice.* »»»

## REFERENCES

Jed Blankenship, “OPPS Releases SIRS Safety Report Data for Calendar Year 2012,” *News and Views*, Vol. XXXVIII, No. 6 (March 18, 2013): 2-4

Jean Gabriel and James Gallagher, “Safety-Related Incident Data: What SIRS Tells Us So Far,” *News and Views*, Vol. XXXV, No. 6 (March 15, 2010): 1-3

Community Corrections Institute, *Safety in Community-Based Supervision Program*, 2013

Community Corrections Institute, *Safety in Search and Seizure Program*, 2013

## ENDNOTES

1 2013 U.S. App. (2nd Cir. March 12, 2013)( <http://law.justia.com/cases/federal/appellate-courts/ca2/12-975/12-975-2013-03-12.html>)

2 Id. at 2-4

3 Id. at 5 (See, e.g., *Altman v. City of High Point*, 330 F.3d 194, 204-05 (4th Cir. 2003); *Brown. Muhlenberg Twp.*, 269 F.3d 205, 211(3d Cir. 2001); *Fuller v. Vines*, 36 F.3d 65, 68 (9th Cir. 1994), overruled on [\*6] other grounds by *Robinson v. Solano Cnty.*, 278 F.3d 1007 (9th Cir. 2002); *Leshner v. Reed*, 12 F.3d 148, 151 (8th Cir. 1994)

4 Id. at 11-12

---

**ROBERT THORNTON** is the Director of the Community Corrections Institute, Springdale, Washington.

# Call for Papers

*Perspectives* is currently accepting article submissions.

Your story could be shared among APPA Members and constituents.

Readers of *Perspectives* are some of the most expert practitioners in community corrections today. Let others know about innovative programs in your agency, how you are implementing EBP or what changes you have made to survive budget cuts. Your story is important—share it with fellow readers of your premier community corrections journal, *Perspectives*.

## Article Submission Guidelines:

*Perspectives* disseminates information to the American Probation & Parole Association's members on relevant policy and program issues and provides updates on activities of the Association. Articles submitted for publication are screened by an Editorial Committee comprised of eight members. The committee determines acceptability based on relevance of the field of criminal or juvenile justice, clarity of presentation or research methodology. *Perspectives* does not reflect unsupported personal opinions.

Articles should be written in Microsoft Word™ format and mailed to Karen Mucci, Production Coordinator, *Perspectives* Magazine, P.O. Box 11910, Lexington, KY 40578 or can be emailed to [kmucci@csg.org](mailto:kmucci@csg.org) in accordance with the following deadlines:

Spring 2014 Issue: November 12, 2013  
Summer 2014 Issue: February 17, 2014  
Fall 2014 Issue: May 21, 2014  
Winter 2015 Issue: August 23, 2014

For more information, [click here](#) to go to page 13 of this publication for submission details and guidelines.



## THE IMPORTANCE OF ELECTRONIC MONITORING PROGRAM INTEGRITY

**E**lectronic monitoring has been in the news quite a bit in recent months and the news has been predominately negative. A number of high profile incidents have occurred in which monitored offenders are accused of committing violent crimes. For the most part the issues have been related to program management and how agencies respond to alerts as opposed to the technology itself. That said, the challenges posed by the high number of alerts that agencies need to manage and respond to is relevant. It is almost cliché at this point but it bears repeating that the technology is only a tool in the overall supervision strategy and an imperfect tool at that. To optimize the value of the tool it is imperative that agencies understand what they hope to accomplish through its electronic monitoring program, choose the appropriate technology, understand the technology's capabilities and limitations, develop policies and procedures to support the program, properly train its staff and dedicate the necessary resources to ensure the integrity of the program.

A review of a few key points from recent cases can help demonstrate the importance of some of the element listed above.

The murder of Tom Clements, Director of the Colorado Department of Corrections was a shocking tragedy and the case itself involved many unfortunate twists and turns. As the story unfolded it was learned that the

parolee suspected of killing Mr. Clements and another man was monitored via an RF bracelet and on home confinement. The parolee tampered with and removed his bracelet. An investigation revealed that five days passed before officers visited the parolee's home and six days passed before an arrest warrant was issued. The murders occurred during the intervening days. In this case the technology appears to have worked properly – an alert was generated at the time of the tamper. What contributed to the delay in response? According to news reports, at the time of the incident, the Department of Corrections did not have a fixed response policy in the event of tampers, relying instead on parole officer discretion. There have also been reports that staffing issues were partly responsible combined with the sheer number of alerts to which officers have to respond. Following internal deliberations, the agency has since implemented new guidelines which require parole officers to respond within two hours of receiving an alert and if the parolee is believed to have violated parole and cannot be located, a warrant shall be requested within 24 hours.

Of course we will never know if a quicker response time by parole officers would have changed the outcome but this case clearly demonstrates the need for agencies to establish clear response protocols and, more importantly, to dedicate the resources

necessary for staff to address alerts in a timely manner. Without these fundamental elements the integrity of the electronic monitoring program can be undermined.

The Orange County Corrections Department in Orlando, Florida has also been under intense scrutiny. A defendant monitored via an RF bracelet and on home confinement is accused of killing a witness who was scheduled to testify against him in a home-invasion trial. The murder allegedly occurred during a curfew violation. A subsequent internal investigation revealed that the defendant had over 100 curfew violations that were not properly documented or acted upon. This program was suspended by the jurisdiction's chief judge pending a review and reorganization. In this case a number of policies were in place but were simply not followed. Offenders will naturally test the boundaries of their supervision and if they observe that they can violate program rules without any consequences, they will continue to push the envelope. The old adage goes "don't make a rule you can't enforce". Agencies need to consider the message they are sending to offenders when they are not addressing violations in some manner. Program integrity depends on rigorous, regular audits to make sure that officers are acting in accordance with established policies.

The investigation also noted that officers in the home confinement unit were tasked with an enormous amount of responsibility in light of the ongoing obstacles that they encountered on a daily basis. The obstacles identified included continuous equipment malfunctions, nuisance alerts and need for additional staff. Again, the issue of workload comes up. Adequate resources are critical to program integrity.

continued on page 28

## Training By Storm

online evidence-based  
continuing education  
for the  
criminal justice system



Efficient, Effective,  
Affordable,  
Flexible and Interactive

Visit: [trainingbystorm.net](http://trainingbystorm.net)  
Call: 808-212-8210

# technology update

A GPS tracked defendant supervised by the U.S. Office of Probation and Pretrial Services in Syracuse, New York allegedly killed a woman and kidnapped and raped a young girl. After the defendant was arrested for the crimes a search of his home was conducted. The defendant's GPS bracelet was found crudely reassembled with duct tape and a screw so that it continued to send a signal, as if still attached to the defendant. An investigation revealed that the defendant had tampered with his device on a number of previous occasions. A total of 46 events, mostly tampers, were recorded in the nine weeks the defendant was being tracked. As with the Colorado case, the technology appears to have functioned as intended. The probation office's treatment of tamper events, however, was found to be inconsistent with federal judiciary guidelines. Specifically, after consulting with their vendor, the probation office decided to try to reduce the number of nuisance alerts by electing to not receive proactive notification of tamper events unless they lasted more than 5 minutes. This eventually proved to be more than enough time for the defendant to remove the bracelet and reassemble it without setting off an alert (although records of the tamper events were documented in the vendor's software). This occurred on the evening of the crimes and it is speculated that a similar scenario was repeated in the month prior to the crime when a number of tamper alerts and "no motion" alerts were generated indicating that the defendant may have been testing the technology and the agency's response.

Agencies should take great care when considering whether to adjust alert notifications. In this case the local probation office did not follow the federal guidelines but even where no over-riding guidelines exist, agencies should be aware that modifying alert notification thresholds comes with a risk. Similar to a metal detector, adjusting sensitivity can either increase or decrease the number of alerts. Airport or court security personnel may adjust a metal detector based on the risk they are trying to mitigate balanced with the number of people who need to be scanned in a given time period. When an agency in effect lowers electronic monitoring system sensitivity for the purpose of reducing the number of nuisance alerts, the opportunities for undetected tampers or circumvention increase. This balancing act should not be taken lightly. Agencies need to fully understand the implications of any decisions made regarding notification of serious events such as tampers.

The Syracuse investigation also revealed that the required monthly community contacts did not occur and therefore physical inspection of monitoring equipment was not accomplished. Again, protocols were established but not followed. Most if not all electronic monitoring equipment is designed with tamper evident features. If an offender tampers with his device an alert should be generated. Visual inspection of the device allows agencies to identify unreported tampering attempts and/or confirm an automated tamper alert. Failure to perform visual inspections undermines the integrity of the program.

The investigation also documents that when alerts were generated the probation office's response was limited to an admonishment to "stop messing with the transmitter" and to "stop playing loud music around the equipment" under the mistaken belief that the music could interfere with the operation of the GPS device. This is pointed out not to deride the officer's technical deficiency but to illustrate the importance of trained and knowledgeable staff. This knowledge is important at all levels but particularly at the line officer level. Because offender tracking systems can be highly technical, agencies may find benefit in a specialized caseload approach.

This recent rash of painful, high profile cases provides an opportunity for all agencies that use electronic monitoring technology to take stock of their programs. Clearly, electronic monitoring technology is not perfect – no technology is. Malfunctions occur, offenders attempt to circumvent monitoring in a variety of ways, GPS signals are easily blocked either intentionally or naturally through environmental factors, large numbers of alerts must be analyzed and cleared, and so on. These are the very well known limitations of the technology. Of course, we need to remember (or remind the public) that our clientele are either convicted or accused criminals. Some will continue to commit more crimes, and as noted in these recent examples, very violent crimes. While these cases are heinous and while electronic monitoring will not prevent a determined offender from committing a crime, recent research has demonstrated that overall it

can be an effective tool in the supervision of offenders in the community. National Institute of Justice funded studies conducted in Florida and California both report reductions in recidivism rates among offenders who are subject to monitoring as compared to those who are not. In addition, there have been dozens of news items from across the country reporting the success of crime scene correlation to solve crimes committed by tracked offenders.

The technology limitations are what they are. That said, agencies should continue to work with their vendor partners to identify methods of more effectively managing the vast amount of alerts generated in a way that doesn't compromise the integrity of the program. More importantly, as each of these cases reflect, agencies need to periodically evaluate their programs to ensure that they are operating in complete alignment with the agency mission and goals and that they are administered in such a way that maximum value is gained from the use of electronic monitoring tools. The time for reflection and assessment is now.

For further information on the APPA Technology Committee please feel free to contact Joe Russo at 800-416-8086 or [jrusso@du.edu](mailto:jrusso@du.edu). >>>

---

**JOE RUSSO** is Director of the NLECTC – Corrections Technology Center of Excellence in Denver, Colorado and is chair of the APPA Technology Committee.

## THE CURRENT STATE OF SPECIALIZED SUPERVISION: WHAT DO WE KNOW AND WHERE CAN WE GO?

**A**t year-end 2011, there were nearly five million individuals under some form of community supervision in the United States, including probation and parole (Maruschak & Parks, 2012). For the probation and parole officers tasked with monitoring these offenders, it is important to consider the best available practices for probation or parole supervision to be most effective for the officers as well as the offenders. For example, depending on the risk level of the offender (i.e., high, moderate, or low), supervision will vary (Lowenkamp, Latessa, & Holsinger, 2006). Often, probation and parole officers handle specialized caseloads compared to general supervision probation and parole officers. In the following paper, we will discuss: 1) the evolution of specialized supervision; 2) the empirical evidence surrounding specialized supervision; and 3) recommendations for the future use of specialized supervision.

### WHAT IS SPECIALIZED SUPERVISION?

Specialized supervision emerged during the 1980s as a result of the number of offenders being placed on probation and parole with special needs (Hamblin & Rhyne, 2010). As Burrell (2005) states:

Staff assigned to these caseloads then began to develop experience and gained specialized expertise through training. As the knowledge about these cases grew, the nature and type of supervision

changed. Caseloads were limited in size and supervision was targeted to the special needs of the population. Officers began to consult with specialists and treatment providers from other agencies, providing more comprehensive services. Lastly, parole and probation agencies began to enter into formal partnerships with other agencies to provide more comprehensive supervision for these offenders (pp. 2-3).

Ultimately, by providing more comprehensive services, combined with smaller caseloads, specialized supervision is designed to provide intensive supervision to offenders thus minimizing their likelihood to reoffend (Skeem & Petrila, 2004). The American Probation and Parole Association (APPA) has developed a caseload standard for probation/parole officers. For example, APPA suggests for adult, intensive, supervision caseloads, no more than 20 adult offenders should be supervised by a probation/parole officer. Table 1 demonstrates a breakdown of APPA's caseload standards.

The question then arises as to whether smaller caseloads are effective in producing positive outcomes for probationers and parolees in terms of reducing recidivism. The empirical evidence on specialized supervision is limited with most studies focused on mental health (Skeem & Louden, 2006); domestic violence (Klein, Wilson, Crowe, & DeMichele, 2008); and intensive probation/parole supervision caseloads (Petersilia &

continued on page 32

# NOT ALL GPS TECHNOLOGIES ARE CREATED EQUAL

*Superior strap technology is just one way that Omnilink® delivers*  
**10X FEWER ALERTS**

## Standard Straps

Straps generate a high volume of false tamper alerts.



Staff struggle to determine which alerts are real quickly enough to respond effectively.



Vendors create complex logic and system-imposed grace periods to try to determine which alerts are real.



Offenders can quickly remove and reassemble their monitors without detection and/or abscond for days without intervention.



Offenders commit crimes unimpeded by law enforcement.

## Omnalink Patented Strap

Strap virtually eliminates intermittent disruptions that cause a high volume of false alerts.



In an independent test, one million pulls on Omnilink's strap assembly failed to produce a single false strap tamper alert.



Staff can trust that strap tamper alerts are real and respond swiftly.



Offenders that tamper or abscond can be apprehended before crimes are committed.



Public safety remains intact.

Seeing is believing. Contact [judicial.sales@omnilink.com](mailto:judicial.sales@omnilink.com) for a risk-free test drive.



**TABLE 1. APPA'S CASELOAD STANDARDS FOR PROBATION AND PAROLE SUPERVISION**

Case Type	Cases to Staff Ratio
	Adult
Intensive	20:1
Moderate to High Risk	50:1
Low Risk	200:1
Administrative	No limit? 1,000?

Source: Burrell (2007)

Turner, 1993). Studies on caseload size have generally found that the ratio of officers to offenders does impact recidivism (see Taxman, 2002), but these studies were conducted with small caseloads of 50 or less.

## WHAT THE EVIDENCE SUGGESTS ABOUT SPECIALIZED SUPERVISION

The existing evidence on specialized supervision is somewhat confounding. For example, some studies indicate specialized supervision is effective in reducing the number of rearrests for offenders (Skeem and Loudon, 2006) while others demonstrate it increases the chances for probation violations (Petersilia & Turner, 1993; Klein et al., 2008). Specifically, Skeem and Loudon (2006), in a study of mental health supervision caseloads, found that mental health specialized units were described as having: 1) clients with mental health related issues; 2) smaller caseloads; 3) officers trained in mental health disorders and behavioral management; 4) a combination of probation and mental health resources in the community; and 5) problem-solving strategies to help when offenders where noncompliant. Although Skeem and

Louden (2006) found a reduction in technical violations and rearrests, some scholars contend this was due to their less rigorous research design and measurement of their variables (Epperson, 2009).

In a study on domestic violence, Klein et al. (2008) discovered that increased contacts with offenders led to increased violations of probation. In this study, much emphasis was placed on the control and monitoring of offenders rather than treatment. This is similar to the study conducted by Petersilia and Turner (1993) on intensive supervision. In their study, Petersilia and Turner (1993) found that offenders on smaller caseloads (i.e., 25—30) did not have fewer arrests and were more likely to have their probation and parole status revoked as a result of technical violations. Of particular interest to this study is how offenders often had more positive outcomes when monitoring was combined with counseling.

In light of the above mentioned findings from studies on specialized caseloads, the question remains as to what can be done to

continued on page 34

## LEARNING MADE SIMPLE.

Corrections Online Training Collaborative

### The Leader in Online Training Solutions for the Corrections Community

**CORRECTIONS**  
Online Training Collaborative



The **Corrections Online Training Collaborative** (COTC) is powered by Relias Learning, a leading online training solution, and in partnership with the ACA, APPA, and AJA. Through our user-friendly Learning Management System, organizational administrators can report and deliver mandatory training to their staff 24/7.



#### APPA Approved Online Staff Training

- Increase opportunities for professional development and meet training requirements—providing instant access to hundreds of accredited CE courses
- Cut travel related training expenses
- Track and manage compliance and regulatory requirements
- **APPA members:** Eligible for preferred pricing!

Visit our new website to learn more about how the COTC can help deliver high quality online training for your staff.

LEARN MORE

SOLUTIONS@RELIASLEARNING.COM  
1-800-729-9198 Ext. 201

RELIAS || LEARNING

increase its effectiveness. As demonstrated, supervision alone does not appear to be beneficial in promoting effective specialized supervision. However, one could argue the principles of evidence-based supervision appear applicable to specialized supervision. For example, in a recent meta-analysis, Drake (2011) discovered the risk, need, responsivity (RNR) model of supervision produced the greatest impact on recidivism compared to other styles of supervision, including contact only and contact with drug testing. The importance of the RNR model of supervision is that it focuses on tailoring supervision to the style of the offender rather than a “one size fits all” approach.

## **THE FUTURE OF SPECIALIZED SUPERVISION (USING RNR PRINCIPLES)**

For supervision to be effective, especially the future of specialized supervision, the principles of evidence-based supervision need apply. For example, scholars such as Taxman (2008b) and Taxman, Sherphardson, and Byrne (2004) discuss the following principles that are important in order for supervision to be effective in reducing recidivism.

*Manage risk levels:* Since many offenders on specialized supervision are higher risk, providing more control coupled with treatment services can lead to reductions in recidivism (Andrews & Bonta, 2000). This approach can be beneficial not only to the offender but to the probation/parole officer as well since resources can be used more appropriately.

*Treat dynamic criminogenic needs:* Since offenders often differ in their criminal behavior, targeting those factors that influence their criminal behavior is necessary. For example, this can include substance use and criminal thinking. Since many offenders on specialized caseloads have issues related to substance use and criminal thinking, more positive outcomes can be reached by tailoring treatment initiatives to these factors.

*Manage compliance:* Instead of strictly monitoring offenders, compliance strategies focused on offenders completing short term goals can lead to more long term goals (i.e., reduced substance use). As a result, offenders can achieve positive outcomes through the use of graduated responses to their behavior.

*Create an environment for offender change:* The role of the probation/parole officer is critical with this principle. In order to produce offender change in a positive way, probation/parole officers mandated with specialized caseloads can help to create an environment supporting offender change. For example, a strong working alliance between the offender and probation/parole officer can produce positive outcomes (Taxman & Ainsworth, 2009).

This behavioral management model of supervision has shown to be effective (Taxman, 2008b; Drake, 2011). In her study on the Maryland Proactive Community Supervision (PCS) experiment, Taxman (2008a), using an experimental research design, discovered offenders placed under the PCS model were less likely to be

**TABLE 2. COMPONENTS OF THE PCS MODEL**

Components of the PCS Model	Theoretical Framework
Risk and Need Assessment; Prioritize Moderate and High Risk Offenders in Treatment Programs	Risk Assessment Treatment Matching (Responsivity)
Case Planning and Typologies for Major Criminogenic Needs (Specifying Needs)	Treatment Matching (Responsivity)
Offender Input into Case Plans	Motivational Enhancement; Cognitive Restructuring
Deportment (working alliance between officer and offender)	Motivational Enhancement
Compliance Management including sanctions and rewards	Enforcement; Boundary Setting; Behavioral Modification
Cognitive Restructuring for Offenders	Cognitive Behavioral Interventions
Officers As Role Models	Motivational Enhancement

Source: Taxman (2008a)

rearrested (30 percent for the PCS and 42 percent for the non-PCS sample) and less likely to have technical violations (34.7 percent for the PCS and 40 percent for the non-PCS sample). Table 2 demonstrates components of the PCS model used by Taxman (2008a) and the theoretical frameworks they were derived from.

## RESEARCH TOPICS TO ADVANCE OUR KNOWLEDGE ABOUT SPECIALIZED SUPERVISION

Although the findings discussed in this review of specialized supervision appear mixed, using the principles of evidence-based supervision appears promising. The principles do not, specifically, discuss being applied to specialized supervision but, conceptually, appear applicable. Future

studies should apply these principles to specialized supervision as well as apply the behavioral management model tested by Taxman (2008a) on a sample of specialized offenders. For example, research topics such as mental health, domestic violence, and intensive supervision would benefit from examining the supervision principles of managing risk, treating dynamic criminogenic needs, managing compliance, and creating an environment for offender change. »»»

## REFERENCES

- Andrews, D. A., & Bonta, J. (2000). *The level of service inventory-revised*. Multi-Health Systems.
- Burrell, W. D. (2005). *Trends in probation and parole in the states*. Council of State Governments The Book of the States 595-600. [http://www.appanet.org/eweb/DynamicPage.aspx?WebCode=VC\\_FreePubsReports](http://www.appanet.org/eweb/DynamicPage.aspx?WebCode=VC_FreePubsReports).

Burrell, W. D. (2007). *Caseload standards for probation and parole*. American Probation and Parole Association. Lexington, KY.

Drake, E. K. (2011). "What works" in community supervision: *Interim report* (Document No. 11-12-1201). Olympia: Washington State Institute for Public Policy.

Epperson, M. W. (2009). *Criminal justice involvement and sexual HIV risk among drug-involved men and their primary female sexual partners: Individual and couple-level effects* (Dissertation). Columbia University.

Hamblin, L., & Rhyne, C. (2010). What makes a specialized caseload special? Multnomah County Department of Community Justice. [http://web.multco.us/sites/default/files/dcj/documents/rr\\_specialized\\_caseloads102710.pdf](http://web.multco.us/sites/default/files/dcj/documents/rr_specialized_caseloads102710.pdf)

Klein, A., Wilson, D., Crowe, A. H., & DeMichele, M. (2008). *Evaluation of the Rhode Island Probation Specialized Domestic Violence Supervision Unit*. Rockville, MD: National Criminal Justice Reference Services, Item 222912.

Lowenkamp, C. T., Latessa, E. J., & Holsinger, A. M. (2006). The risk principle in action: what have we learned from 13,676 offenders and 97 correctional programs?. *Crime & Delinquency*, 52(1), 77-93.

Maruschak, L. M., & Parks, E. (2012). *Probation and parole in the United States, 2011*. Bureau of Justice Statistics.

Petersilia, J., & Turner, S. (1993). Intensive probation and parole. *Crime and Justice*, 17, 281-335.

Skeem, J. L., & Petrila, J. (2004). Introduction to the special issue on juvenile psychopathy, volume 2: juvenile psychopathy: informing the debate. *Behavioral Sciences & the Law*, 22(1), 1-4.

Skeem, J. L., & Louden, J. E. (2006). Toward evidence-based practice for probationers and parolees mandated to mental health treatment. *Psychiatric Services*, 57(3), 333-342.

Taxman, F.S., Shepardson, E., & Byrne, J.M. (2004). *Tools of the Trade: A guide to implementing science into practice*. Washington, DC: National Institute of Corrections, 2004.

Taxman, F.S. (2002). Supervision—Exploring the dimensions of effectiveness. *Federal Probation*, 66(2): 14-27.

Taxman, F. S. (2008a). No illusion, offender and organizational change in Maryland's proactive community supervision model. *Criminology and Public Policy*, 7(2): 275-302.

Taxman, F. S. (2008b). To be or not to be: Community supervision déjà vu. *Journal of Offender Rehabilitation*, 47(3): 250-260.

Taxman, F. S., & Ainsworth, S. (2009). Correctional milieu: The key to quality outcomes. *Victims & Offenders*, 4(4), 334-340.

---

**LINCOLN B. SLOAS** is a doctoral student in the Department of Criminology, Law and Society at George Mason University. He is interested in evidence-based practices, offender reentry and offender rehabilitation.

## *In Memoriam*

Rudolph "Rudy" Szollar

APPA mourns the death of Rudy Szollar on July 7, 2013. Rudy was a charter member of APPA joining on August 25, 1975 and remained a member in good standing for the last 38 years. Rudy kept in contact with APPA staff on a semi-regular basis. He provided a Charter Member table at past APPA Training Institutes (particularly when an institute was held near his home in Toms River, NJ). Rudy's wife Ellen wrote, "He was always proud to be a member of APPA and enjoyed reading your journal articles and loved to attend your institutes." Rudy recently renewed his membership as a life time member. APPA staff will miss our conversations with Rudy. APPA will miss a pioneer in the field and a valued member.





# LS/CMI™

**Gender-Informed. Strength Focused.**

The Level of Service/Case Management Inventory is the best risk/need instrument in the corrections and criminal justice community. It is a gender-informed tool that is reliable and able to accurately classify, and effectively predict re-offending within male and female populations.

- Assessment items that address gender-informed responsivity factors—such as mothering concerns and adult victimization
- Guidelines that instruct users to consider gender-specific factors, as well as, the importance of minor risk/need factors and non-criminogenic needs
- Evaluates positive offender attributes so that offender strengths may be highlighted and built upon in service delivery

[mhs.com/LSCMI](http://mhs.com/LSCMI)

## Hare **P-SCAN**™ RV

by Robert D. Hare, Ph.D., & Hughes F. Hervé, M.A.

### **Hare Psychopathy-Scan Research Version**



World-renowned expert, Dr. Robert Hare, has developed an assessment to screen for psychopathic traits that can be used by front-line agents.

The Hare P-Scan can be used as an early warning system which evaluates psychopathic behaviors and traits in nonclinical situations.



**Multi-Health Systems Inc.**  
USA Tel: 1.800.456.3003 / CAN Tel: 1.800.268.6011  
[www.mhs.com](http://www.mhs.com) • [customerservice@mhs.com](mailto:customerservice@mhs.com)

### SCOTIA KNOUFF LINE OFFICER OF THE YEAR



**Valerie Kemp**  
Probation/Parole Officer  
6th Judicial District  
Department of Corrections  
Cedar Rapids, IA

One of the barriers offenders in Johnson County, Iowa faced in meeting conditions of probation was that the correction's office was located at the west end of Coralville (which is considered "on the other end of the world" for offenders living in the Broadway neighborhood in Johnson County). With no personal transportation and a limited and complex bus service, offenders frequently missed appointments. To overcome this barrier, Valerie lobbied for placing a Probation Officer at the Broadway Neighborhood Center which is located in the heart of a high risk neighborhood with a concentration of offenders. The neighborhood is considered high risk because of the population demographics (high poverty, high crime).

Valerie helped work through this resistance, and was able to not only calm those fears, but also convince residents that it would ultimately help strengthen the neighborhood. She threw her name into the hat to staff this neighborhood-based office because she believed in the idea. As a result, Valerie was outplaced at the Broadway Neighborhood Center in 2001. On a day to day basis, she meets with people in the neighborhood who are on probation or parole.

Valerie Kemp has been recognized many times in her career: in 1999 with the Kueny Award, a prestigious award given by the 6th Judicial District Department of Correctional Services; in 2001 with the Governor's Volunteer Award, for her involvement in the Johnson County Restorative Justice Task Force, particularly, the Broadway Site; and with the Human Rights Award, given by the Iowa City Human Rights Commission, Iowa City, Iowa, for extensive efforts on behalf of disadvantaged populations.

### WALTER DUNBAR MEMORIAL AWARD



**Dee K. Bell**  
Program Coordinator  
Georgia Department of  
Juvenile Justice  
Dalton, GA

Dr. Dee Bell is a well-known name in community corrections. Starting with her work in the early years of the Balanced and Restorative Justice (BARJ) initiative, she has traveled the country extensively to promote and teach evidence-based practices. She is recognized as a great facilitator and her people skills have created a national network of community corrections practitioners. She is a dedicated professional and a long-time activist at the national level.

Educated at Clemson University in South Carolina and Emory University in Atlanta, Georgia, Dr. Bell received her BS degree from Clemson University in 1975 and followed with her MA and Ph.D. in Clinical Psychology both from Emory University. Dr. Bell has provided training in both state and national venues for many years and has authored and co-authored a number of articles on justice system issues and juvenile justice curricula.

Dr. Bell has made significant contributions to the American Probation and Parole Association (APPA). Her involvement began in 1991 around the time that the Georgia Department of Corrections hosted the Annual Institute in Atlanta, Georgia for the first time. She has been an APPA member since 1993 and has chaired the Program Committee and served as a Track Coordinator on multiple occasions. Dr. Bell has served on the Board of Directors as chair of the Prevention Committee, the Community Justice Committee, and the Leadership Institute Committee. In 2001, Dr. Bell was honored with the APPA Member of the Year Award for her continuous dedication and volunteer spirit. She currently serves on the following committees: Community Justice/Prevention, Gender Issues, Juvenile Justice, Leadership Institute, Nominations, and Victim Issues.

### APPA MEMBER OF THE YEAR



**Paula Keating**  
APPA Affiliate Representative  
New England Council on  
Crime and Delinquency  
(NECCD)  
N. Andover, MA

For over two decades, Paula Keating has exemplified the true spirit of membership in the American Probation and Parole Association. As an active, individual supporter of APPA, Paula has worked on countless committees and has shared her extensive expertise in an effort to ensure the Association's growth.

Once Paula was named Executive Director of NECCD in 2002, she furthered her commitment by serving as the Council's Affiliate Representative on APPA's Board of Directors. In this capacity, she personally encouraged over 15 members of the NECCD to join forces with APPA in support of our mission. Paula also enthusiastically served as Treasurer for APPA's Executive Committee for two years, from 2003-2005.

In the midst of managing all of these commitments, Paula still makes time to share her experience and wealth of knowledge with others. In doing so she has motivated many through the years toward individual membership in APPA and has served as an impressive example to follow.

Paula embodies the definition of APPA Membership and, moreover, Member of the Year.

## UNIVERSITY OF CINCINNATI AWARD



**Jennifer Skeem**  
Associate Professor  
Department of Psychology  
& Social Behavior  
Univ. of California, Irvine  
Irvine, CA

A number of themes can be found throughout Dr. Skeem's research that focus on questions relevant to the field of probation and parole. The first area of significance is risk assessment. Dr. Skeem has authored or coauthored numerous articles on the topic of risk assessment, and violence risk assessment, specifically. One of the more recent articles published highlights her understanding of key issues surrounding risk assessment in the field and the challenges of selecting an assessment instrument and using the information to guide decisions. Dr. Skeem acknowledges that one of the debates that exists is whether risk should be assessed separately from needs, which is presented as a debate about risk prediction or risk reduction. Her perspective, along with her co-author, John Monahan, highlights her recognition that the answer needs to be tied to the goal of the assessment and how people will actually use the information.

Finally, throughout all of Dr. Skeem's research is attention to evidence-based practices (EBP). Dr. Skeem recognizes that the goal of EBP is to apply the best research to inform practice that improves outcomes. Her research has focused on helping the field of community corrections (probation and parole) identify what those practices are. This perspective can be seen through her most recent keynote address at the 2013 Winter Training Institute of the American Probation and Parole Association held in Phoenix, AZ. The title of the presentation was "Evidence Based Practice for Probationers/Parolees with Mental Illness." This presentation highlighted many of the contributions that Dr. Skeem has made to the field.

## APPA PRESIDENT'S AWARD

Maricopa County Adult  
Probation Department  
Adult Education Program  
Phoenix, AZ

The Adult Education Program (AEP) of the Maricopa County Adult Probation Department operates out of three adult education centers co-located in regional probation offices. Each center has a computer lab and classroom space, is staffed with state-certified adult education instructors, and provides educational services that are responsive to the needs of adult learners. Students of the AEP are probationers and other adults from the community. In FY 2012, the program served 1,964 students.

As part of the Adult Probation Department, AEP teachers are trained in evidence-based correctional practices and are committed to working in concert with other probation staff to accomplish positive probationer outcomes and reduced recidivism. The Adult Education Program:

- Targets criminogenic needs of education/employment
- Provides a structured, prosocial activity
- Provides positive and supportive role models
- Advances students' educational levels, employability, and employment status
- Contributes to the Adult Probation Department's goal of reducing crime

Co-locating the program within probation offices made it more accessible to probationers and allowed for greater communication between teachers and probation officers. This engendered a collaborative environment whereby teachers are another set of eyes monitoring offenders in the community and alerting probation officers to potential issues as well as informing them of progress toward educational goals. The Adult Education Program has surpassed the state performance goals in all of the State and Federal Department of Education Core Goals for the last 10 years. Based on the program's FY 2012 performance, the Arizona Department of Education ranked the program as the #1 adult education program in the state.

San Francisco Adult Probation  
Department - Evidence  
Based Practices Initiative  
San Francisco, CA

A great deal of research now provides guidance to community corrections agencies on the policies, activities, training, and skills required to achieve public safety outcomes. The difficulty for agencies is not in understanding what is required but how to implement the changes. The San Francisco Adult Probation Department (SFAPD) has created a model that can be replicated by other agencies as demonstrated by the changes in services and programs over the past three years.

Applying EBP in community corrections is a major objective of SFAPD in furtherance of SFAPD's goals. Whether the goal is to improve the victim experience, reduce recidivism, or become a more efficient operation, evidence is to be applied. This is a challenging objective especially since eighty-three percent of post-release community supervision (PRCS) clients and 77 percent of those on Mandatory Supervision have been assessed as high risk for recidivating, per the actuarial based risk assessment. Those on PRCS have an average of eight prior felony convictions, and 85 individuals (23 percent of those on PRCS) have over 11 prior felony convictions.

The SFAPD's evidence-based supervision model emphasizes supervising clients where they live in the community, checking on compliance with probation conditions, cooperating closely with community groups and services providers, and implementing investigative and case management practices that address client needs related to criminal behavior.

## **NATIONAL PRISONS SERVICE SOUTH SUDAN: EMPHASIS ON COLLABORATIVE STAFF TRAINING & THE RE-INTRODUCTION OF PROBATION**

Inherent in the American Probation and Parole Association's mission is the development and delivery of training programs to enhance its constituents' knowledge and skills for providing more effective community-based corrections services. <sup>1</sup>

Consistent with this APPA reference and the intent of the "International Update" let us look at training through an international lens, through the lens of Africa's newest nation, South Sudan. A historical perspective is critical.

Prior to becoming Africa's 54th state on July 9, 2011, South Sudan was referred to as Southern Sudan, a geographical entity within Sudan. From 1955 to 2005 two devastating civil wars took place in Sudan between the north and south - 1955 to 1972 (Anyanya I) and 1983 to 2004 (Anyanya II). During this period, the prisons in the government controlled areas of the north were administered from Khartoum. In the rebel controlled areas in the south they were administered by the Sudan People's Liberation Movement.

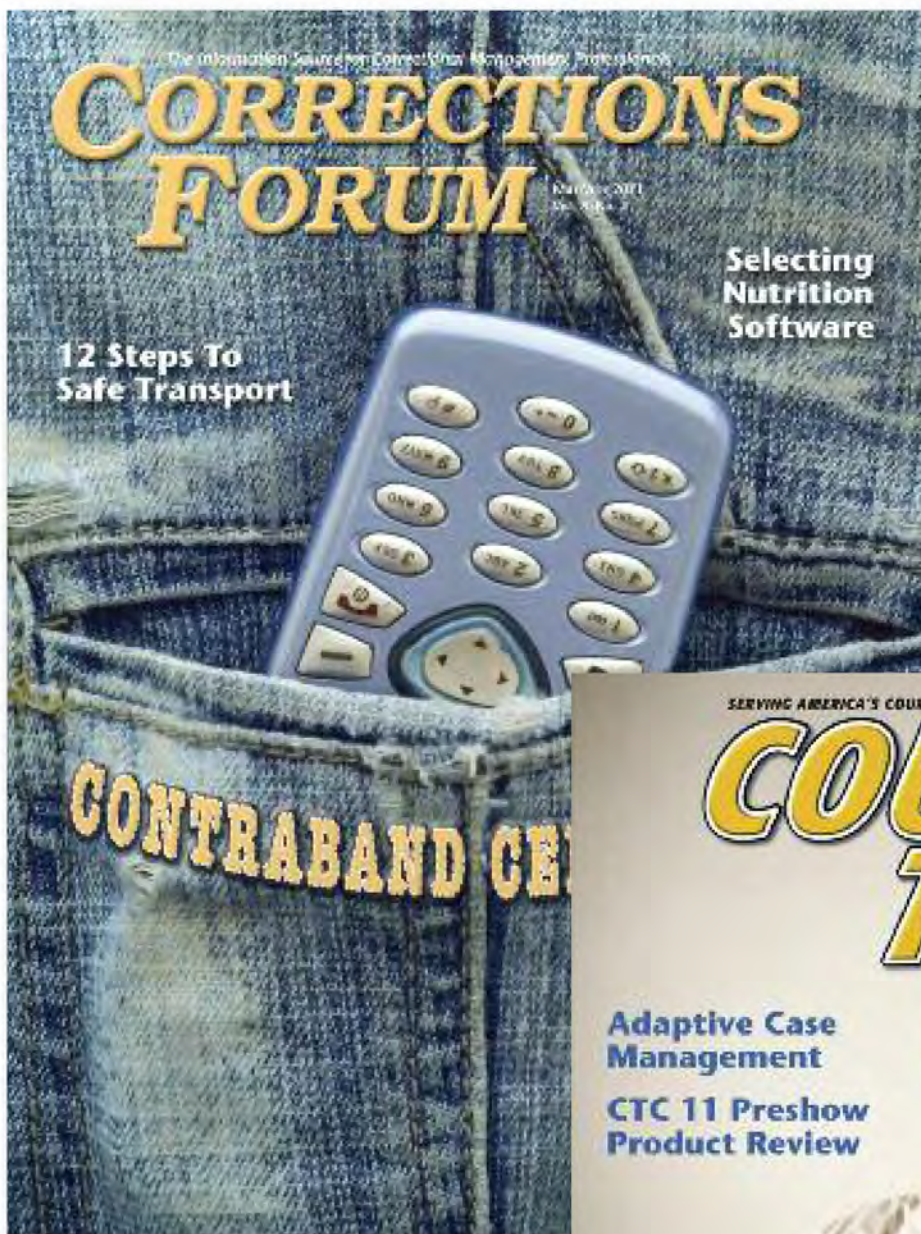
Politics and the long war in Sudan have had far reaching effects on the people of South Sudan. This period saw the development of a military culture and the demise of the rule of law and its institutions. This had significant impact on the management, administration and operation of prisons and corrections in the south.

The National Prisons Service South Sudan (NPSSS) evolved from the Government of Sudan Prisons Service which was operational before the civil wars. The conflicts, however, and the subsequent state of insecurity limited the operations of the judiciary, police and prisons due to a lack of capacity, infrastructure, training, equipment and maintenance. The rule of law institutions did not function effectively, even at a minimal level. Many personnel who were trained as judges, police and prison and probation officers, etc. were drafted into the war as soldiers.

The signing of the Comprehensive Peace Agreement (CPA) on January 9, 2005 integrated the government of Sudan prisons staff in the garrison towns of the south and eventually became the NPSSS. A significant challenge awaited the post conflict period.

The CPA created the semi-autonomous Government of Southern Sudan in the south and led to the establishment by the United Nations Security Council on March 24, 2005 of the

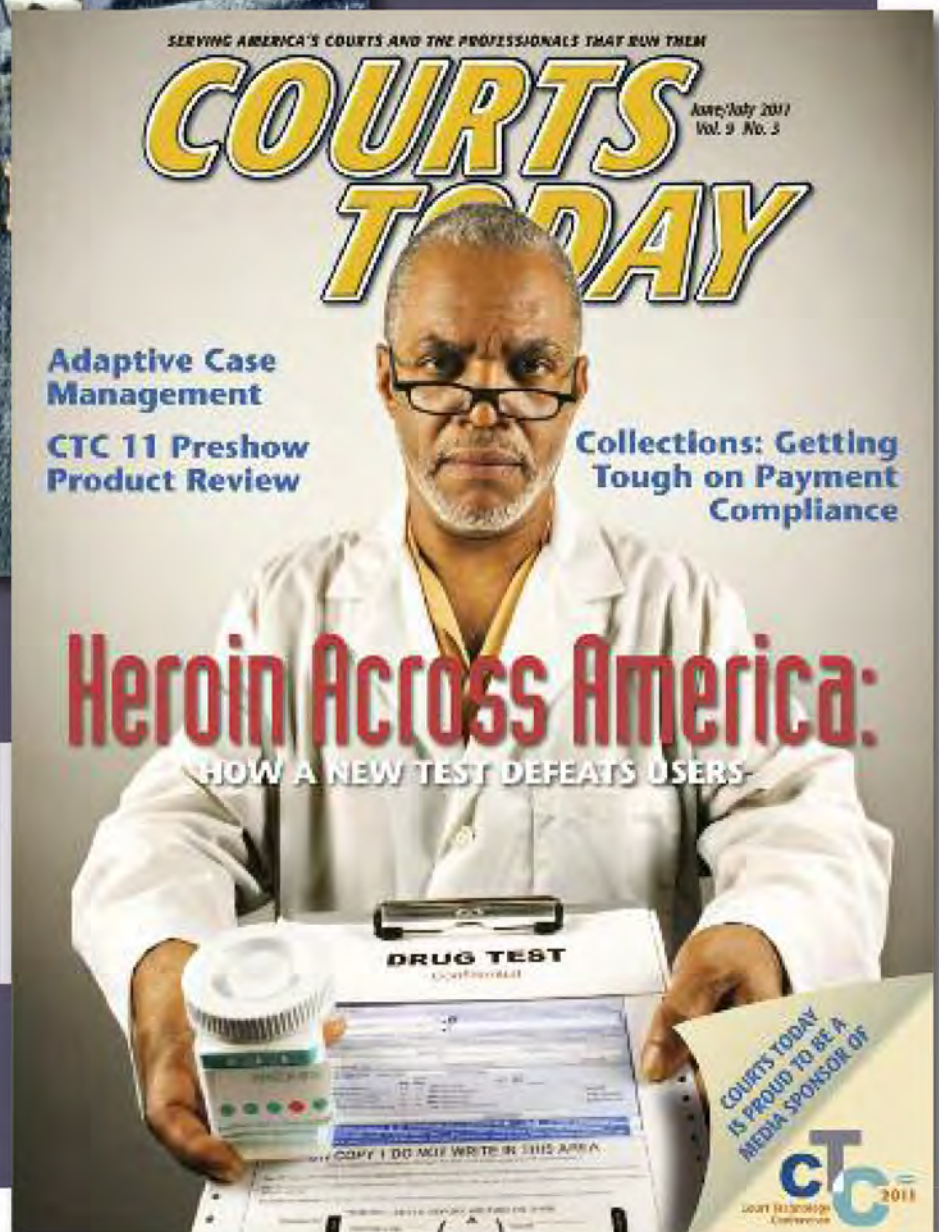
continued on page 42



All APPA Members are Eligible to Receive These Two Fine Publications Free-of-Charge

Visit

Courtstoday.com to start receiving your FREE SUBSCRIPTION



United Nations Mission in Sudan<sup>2</sup> (UNMIS), with a corrections advisory component to assist in prison reform.

A collaborative partnership quickly evolved between NPSSS and UNMIS which led to the development and implementation of the “Post Conflict Training Initiative”. The initiative contained curricula and training based on the various UN Minimum Standards documents and internationally recognized good practices.

The partnered implementation plan developed by the UNMIS Corrections Advisory Unit and the NPSSS the “Post Conflict Training Initiative” enhanced both the capacity and the capability of the Prisons Service. The direct beneficiaries of the “Initiative” were the NPSSS staff. The indirect beneficiaries were: the prison populations; offenders’ families; the civil society of South Sudan and, with the revitalization of the Probation Unit, offenders subject to non custodial sanctions.

Although the collaborative NPSSS and UNMIS effort involved a number of international partners for the period September 1, 2006 to August 2, 2010, NPSSS and UNMIS were directly responsible for 77.5 percent of the training days provided. A “sustainable bridge” was built with the United Nations Office on Drugs and Crime (UNODC) and the International Centre for Criminal Law Reform (ICCLR) based in Vancouver, Canada. This duo, supported by UNMIS provided 12.75 percent of the training days and the bordering country of Kenya provided 4.25 percent. It is this later

combined 17 percent that contained the vast majority of community corrections focused training.

As noted above and in Table 1 the UNMIS/UNMISS, NPSSS and UNODC have worked collaboratively since 2008 to introduce realistic non custodial concepts and possibilities. Fast forward to 2013, a total of 19 officers have been trained and are active in all South Sudan’s ten states. Several subsequent Training of Trainer courses have also been conducted to enhance the competency and efficiency of probation officers. In collaboration with the Judiciary, the UNMISS Justice Advisory Section and the U.S. International Narcotics and Law Enforcement agency (INL), a Juvenile Justice Remand Review Board was established at the Juba Prison. The Board meets every two weeks at the prison to review warrants and follow up cases of juveniles in custody. This has contributed to a reduction in the detention period for many pre-trial juvenile detainees. Based on this initial success, a similar Board was established in Malakal Prison in the Upper Nile State. It is planned to expand Boards to all states and to other categories of pre-trial detainees, particularly females.

**TABLE 1: SOME KEY EVENTS**

January 9, 2005	CPA signed between Government of the Republic of the Sudan and the Sudan People's Liberation Movement/Sudan's Peoples Liberation Army ending Sudan's 2nd and Africa's longest civil war.
June 2009	High Level Meeting on Alternatives to Imprisonment held in Juba – this meeting endorsed the reactivation of probation functions within the Prisons Service. ❖
May 29, 2010	Director General Abel Makoi Wol presented with 27 APPA publications at NPSSS Headquarters.
October 27, 2010	NPSSS and UNMIS received the International Corrections and Prisons Association (ICPA) 2010 Management & Training Award in Ghent, Belgium for the “Post Conflict Training Initiative”.
July 9, 2011	The Republic of South Sudan declares independence and becomes Africa's 54th state and the continent's first new country since Eritrea split from Ethiopia in 1993. ♦
February 7, 2013	Shipment of 6 boxes, containing 317 criminal justice books and journals left Victoria, Canada destined for Juba, South Sudan.
June 2013	The six boxes arrive safely in Juba.

❖ Collaborative effort involving NPSSS, UNMIS, UNODC and ICCLR – funded by the governments of Canada and the United States

♦ Following independence UNMIS evolved to the UN Mission in South Sudan (UNMISS)

In Ghent, Belgium NPSSS and UNMIS were awarded ICPA's 2010 Management & Training Award for their “Post Conflict Training Initiative”. In supporting this nomination Jerim Oloo, Director of the Kenyan Probation and Aftercare Service shared “many African countries which have been stable are yet to embrace non custodial programs the way Southern Sudan has done”. Yvon Dandurand, a Senior ICCLR Associate also endorsed the nomination. “The initiative was able to make optimum use of expertise available from other parts of the African continent and to develop tools and training materials which were most relevant to the African context. This was and will continue to be a very successful post-conflict reconstruction

**TABLE 2: COLLABORATIVE TRAINING HELD PRIMARILY IN JUBA**

February 2007	Thirty-six NPSSS Senior Managers - alternatives to imprisonment addressed. ○
November 2007	Four NPSSS staff participated in the 2.5 day Nairobi, Kenya Probation, Parole and Community Corrections Workshop. ●
December 2007	Two NPSSS staff and two UNMIS staff from Khartoum participated in the 2.5 day Kampala, Uganda Probation, Parole and Community Corrections Workshop. ●
May 2008	Management Training Program - included a key module on teamwork, team building/linkages & inter-agency cooperation. ○
June 2008	Inter-agency Workshop - 36 participants - two thirds were inter-agency representatives - conditional release was addressed - key Senior personnel from the Kenya Probation Services presented. ○
April 2009	Alternatives to Imprisonment Workshop – over 50 inter-agency participants - key recommendations included: creating a criminal justice linkage committee; reestablishing the Probation Service; reviewing the practice of imprisoning for default of compensation orders; improving services for mentally ill persons in prison; and, further reviewing legislation. ○
May 2010	Probation Workshop involving 15 NPSSS Officers – modules included: probation process; social inquiry and pre-sentence reports; probation supervision, reporting; and the activities and report content related to a breach of probation. All of the modules included references to the various UN Minimum Rules and applicable African Declarations. ○
July 2010	Further practical training took place in Kenya with the assistance and support of the Kenya Probation Service. Shortly thereafter the sixteen participant prison officers were reassigned as probation officers.
November 2012	National Workshop on Alternatives to Imprisonment - issues related to probation, community service and the use of paralegals, with best practice presentations made by Kenyan Probation and Malawi Prison Services.

- Collaborative effort in South Sudan involving NPSSS, UNMIS, UNODC and ICCLR – funded by the governments of Canada and the United States
- Collaborative effort involving the host Prison Services, NPSSS, ICCLR, the United Nations African Institute for the Prevention of Crime and Treatment of Offenders (UNAFRI), National Parole Board of Canada (NPB), Correctional Service of Canada (CSC), Kenya Probation and Aftercare Service, and the Canadian Training Institute. Trainers participation funded by NPB and CSC via an agreement with ICCLR and by UNAFRI.




# SIMPLIFIND

Tap into the incredible network of the American Probation and Parole Association with the Community Corrections Buyers Guide. Powered by MultiView, the Guide gives industry professionals a faster and easier way to find great vendors.

**Simplifind your search today at**  
[communitycorrectionsbuyersguide.com](http://communitycorrectionsbuyersguide.com).



A Force for Positive   
CHANGE.



MULTIVIEW

intervention and it is already serving as an example for other similar interventions in post-conflict or transition countries". When informing the recipients, Ed Wozniak, ICPA's former Executive Director highlighted "can I be the first to congratulate you for the award, which represents the recognition of professional colleagues in the Association. It is richly, richly deserved".

While in Juba in May 2010 and with the support of Robert Leggat, UNMIS I presented Director General NPSSS General Abel Makoi Wol a box containing 27 APPA publications for their Library. The support of APPA Executive Director, Carl Wicklund was key to this successful international initiative. While in attendance at the APPA 2011 Winter Training Institute held in Orlando a follow up initiative was concocted with Terry Marshall the now former Executive Director of ATTIC Correctional Services, based in Wisconsin. With Terry's support, the cooperation of a number of donors in Canada and the agreement of Douglas Funk, Executive Director of the Solon Foundation, a container of books for Africa left Victoria, BC in February 2013, arrived in Zimbabwe in May and in Juba in June 2013. The shipment contained 317 criminal justice books and journals in six boxes for the NPSSS Training Academy Library.

Upon review of the above and reflecting upon a portion of *raison d'être* for the Association's International Committee (IC) it would appear that a challenge to the APPA leadership and to the Association's International Committee would be to dedicate some energy into assisting our

community corrections colleagues in developing and post conflict countries.

The purpose of the International Committee is to reach out to probation and parole services in other countries in order to learn about their issues and programs and to see what application this information might have for probation in the United States. The committee is made up of members who have a desire to learn about probation in a broader context and who want to share their interests in a particular probation service with others.<sup>3</sup>

This update also extends an invitation to all APPA members to get involved in the committee and when participating in an Association Training Institute, attend committee meetings. Hope to see you there! >>>

## ENDNOTES

1 [http://www.appa-net.org/eweb/DynamicPage.aspx?WebCode=IIIC\\_ProjectBased](http://www.appa-net.org/eweb/DynamicPage.aspx?WebCode=IIIC_ProjectBased)

2 Post Independence, July 9, 2011 referred to as the United Nations Mission in South Sudan (UNMISS)

3 [http://www.appa-net.org/eweb/docs/APPA/bod/Committee\\_List.pdf](http://www.appa-net.org/eweb/docs/APPA/bod/Committee_List.pdf) (APPA Members)

---

**R.E. "BOB" BROWN** is an independent criminal justice consultant based in Victoria, British Columbia and working internationally in Africa and China. He is the former Director of the Corrections Programme at the International Centre for Criminal Law Reform and Criminal Justice Policy and a former District Director of the Vancouver Island Parole District. **ROBERT LEGGAT** is currently the Manager Prison Programmes, Corrections Advisory Section, Rule of Law and Security Institutions Support Office United Nations Mission in South Sudan (UNMISS), UN House, Juba South Sudan. **RODENTO VICTORIO** is a Colonel in the National Prison Service South Sudan Headquarterd in Juba.



**DISCOVER  
CORRECTIONS**

EXTRAORDINARY CHOICES. EXTRAORDINARY REWARDS.



**HELP US  
HELP YOU.**

We've created a powerful, **FREE** recruitment tool for corrections professionals.

Recruiting and retaining qualified talent is one of the toughest challenges facing the corrections field today. DiscoverCorrections.com is here to help. As the first hiring website dedicated to promoting corrections careers, DiscoverCorrections.com puts powerful tools in your hands. Post your jobs. Search resumes. Reach a local and national audience of informed, interested and qualified candidates. And do it all, absolutely **FREE**.

To learn more and get started, visit us today at **[www.DiscoverCorrections.com](http://www.DiscoverCorrections.com)**.



The Council of State Governments/American Probation and Parole Association (CSG/APPA) in partnership with the American Correctional Association (ACA), American Jail Association (AJA) and the Center for Innovative Public Policies (CIPP), with funds from the Bureau of Justice Assistance (BJA) manages the Discover Corrections website.

This project was supported by Grant Nos. 2009-D2-BX-K004 and 2010-DJ-BX-K054 awarded by the Bureau of Justice Assistance. The Bureau of Justice Assistance is a component of the Office of Justice Programs, which also includes the Bureau of Justice Statistics, the National Institute of Justice, the Office of Juvenile Justice and Delinquency Prevention, the SMART Office, and the Office for Victims of Crime. Points of view or opinions in this document are those of the author and do not represent the official position or policies of the United States Department of Justice.



# **HOW TO GET THE MOST OUT OF RISK ASSESSMENT IN JUVENILE JUSTICE**

by Gina M. Vincent & Laura S. Guy



**T**he adoption of risk assessment instruments to aid in structured decision-making has become a popular practice in juvenile justice, particularly since it was strongly recommended by Congress ten years ago in the Juvenile Justice Delinquency Prevention Act (JJDP). Many state and county juvenile justice agencies have adopted risk assessments in the past decade, however, research suggests that few may be using these instruments appropriately in their decision-making (Shook & Saari, 2007). If implemented well, a risk assessment instrument can improve allocation of resources and lead to fewer youths being removed from the home or incarcerated, while still protecting public safety. This article briefly describes how to effectively implement a risk assessment instrument in a juvenile justice system and presents research findings on the changes that can result. But first it is important to define risk assessment and what it does. For more information about any of the topics in this article, readers are encouraged to download the *Risk Assessment in Juvenile Justice: A Guidebook for Implementation* guide (Vincent, Guy, & Grisso, 2012; <http://www.nysap.us/Products.html#RiskAssessment>).

# RISK ASSESSMENT

## IN JUVENILE JUSTICE

### DEFINING RISK ASSESSMENT

A risk assessment is an instrument designed to estimate the likelihood that delinquent behaviors will continue for a youth if nothing is done to intervene. Most risk assessment instruments will categorize individuals according to risk levels, such as relatively low, moderate, or high risk for re-offending. Comprehensive risk assessment instruments (sometimes referred to as *risk/needs assessment instruments*) will also try to assess what is likely to be causing the youth to offend.

Risk assessments can be informative for decisions made at several stages of processing within the juvenile justice system, including probation or juvenile court intake (where case screening takes place), pretrial detention, disposition or juvenile corrections. The reasons for completing a risk assessment can vary depending on the stage at which it occurs. For example, a risk assessment conducted at the intake or pretrial stage may assist with deciding whether to place a youth in detention. A risk assessment conducted after adjudication should be helpful for informing the disposition, deciding whether to allow a youth to reside in the community and for identifying the best type of interventions or services expected to reduce the youth's risk of reoffending.

A substantial amount of research has been conducted during the past three decades to learn about the types of problems that increase youths' risk for engaging in

criminal activity. These problems – or *risk factors* – can be related to “internal” factors of the youth or “external” factors related to the youth's circumstances or situation. Examples of some risk factors that research has shown to be related to juvenile delinquency include associating with a deviant peer group; abusing alcohol or drugs; having callous, impulsive or other types of problematic personality traits and attitudes; having poor engagement with or achievement in school; having caregivers who are poor role models or fail to provide structured and fair discipline; and having a history of engaging in delinquent activity. As may be apparent from this brief (and incomplete) list, risk factors may or may not be capable of being changed. For example, once a youth has engaged in a serious delinquent behavior, he will always have that history. But a youth who has difficulty controlling her anger may be taught ways to reduce or otherwise manage that anger such that it ceases to increase her risk for engaging in delinquent activity. Risk factors that cannot change are referred to as “static” risk factors. Those that are capable of being changed are known as “dynamic” risk factors. Another term used to describe risk factors that are changeable and, if changed, can reduce the probability of future offending is “criminogenic needs.” Criminogenic needs are essentially the dynamic risk factors that are most strongly related to elevating the risk of a particular youth.

In addition to studying risk factors, research has been conducted on protective

factors. A protective factor is something in the youth's life that can decrease the potential harmful effect of the risk factor. A protective factor can be seen as a buffer that reduces the strength of the link between a risk factor and subsequent delinquency. Protective factors sometimes are thought of as strengths of a youth or his or her situation that help the youth deal with challenges more effectively, such as having a strong social support system, being engaged in sports, or having high academic achievement. Some, but not all, comprehensive risk assessment instruments assess protective factors or strengths.

### **HOW ARE RISK ASSESSMENTS COMPLETED?**

Research has shown that informal evaluations of risk for delinquent or antisocial behavior that are not guided by a valid risk assessment instrument generally are no more accurate than chance. Optimally, a trained professional should conduct a risk assessment using a structured instrument that research has shown to be accurate or valid for assessing risk. In this case, "valid" means that research has demonstrated a good degree of correspondence between scores on the instrument and subsequent delinquent activity. In research terms, this is referred to as the instrument's ability to "predict" a future outcome. An instrument with excellent predictive validity is one where most of the youth in a sample who scored high on the instrument and received no intervention or poor interventions reoffended in a relatively short period of time (usually one year). Typically, before researchers undertake examinations of an instrument's predictive validity, they should demonstrate that the instrument has adequate inter-rater reliability or agreement. That is, when independent evaluators rate the instrument using the same information, they should generate similar scores.

Several valid measures of risk have been developed and tested. However, a risk assessment instrument is only as good as the information used to score it. Therefore, it is critical for the probation officer to obtain information about the youth

**Interviews  
always  
should be  
conducted  
with the  
youth and  
his or her  
parent(s)  
both  
together and  
separately.**

# RISK ASSESSMENT

## IN JUVENILE JUSTICE

and his or her living circumstances from multiple sources. Interviews always should be conducted with the youth and his or her parent(s) both together and separately. School records and interviews with teachers can be helpful for learning about how a youth behaves in that environment, the types of friends she or he has, and how she or he is performing academically. Mental health records also could offer important information about a youth. Speaking with the youth's former probation officer and reviewing juvenile court records would also be a critical component of a risk assessment.

Several risk assessment instruments for youth exist that have good data from multiple studies to support their use. Two of the most researched instruments for assessing future offending among juveniles are the *Youth Level of Service/Case Management Inventory* (YLS/CMI; Hoge & Andrews, 2006) and the *Structured Assessment of Violence Risk in Youth* (SAVRY; Borum, Bartel, & Forth, 2006). Both instruments in essence are checklists of risk factors that have been shown by research and consultation with professionals to be related to reoffending among youth (the SAVRY also contains protective factors). The main difference between the instruments is the way in which the evaluator uses information about the risk factors. With the YLS/CMI, the evaluator sums the number of items that were rated as "yes, present" to compute a total score that corresponds with an estimated level of risk (Low, Medium, High, or Very High). Risk assessment

instruments that involve pre-determined rules about how to combine such information and leave no room for discretion are referred to as *actuarial* instruments. Although many people use the YLS/CMI in this way as an actuarial instrument, the manual encourages evaluators to subsequently consider whether any of several additional items related to the youth or his or her family are relevant for the case. After engaging in that step, evaluators then should decide whether the initial risk level associated with the total score should be adjusted upwards or downwards. This is known as an "over-ride" option.

In contrast, evaluators using the SAVRY consider not only whether any of the risk items are present, but also how relevant each item is for the given case. Considering all of this information, as well as any relevant case-specific information, evaluators are encouraged to engage in "case formulation" techniques that involve developing theories about how the particular risk and protective factors work together to drive the youth's risk for delinquency. Typically, evaluators using the SAVRY make a judgment about whether the youth is at relatively low, moderate, or high risk for engaging in violence or general delinquency. The model of decision-making that the SAVRY follows is termed *Structured Professional Judgment*.

### **HOW CAN A RISK ASSESSMENT BE USED TO REDUCE RISK FOR FUTURE DELINQUENT ACTIVITY?**

A comprehensive risk assessment lays the foundation needed to develop an

effective plan to reduce and manage a youth's risk for future delinquent activity. Risk assessment instruments that comprise only static risk factors – factors that cannot ever be changed, such as age at first violent act or number of contacts with law enforcement – are essentially useless for developing risk reduction and case plans. Only risk assessment instruments that contain dynamic risk factors/criminogenic needs (again, we refer to these as comprehensive risk assessment instruments or risk/needs assessment instruments) can identify the particular factors that are contributing to a specific youth's delinquent behavior. Different youth engage in delinquent behaviors for different reasons. Once the probation officer or other juvenile justice personnel understands which risk factors are most relevant to a particular youth, she or he will be in a solid position to make recommendations about the strategies that should be followed to reduce or manage that risk. For example, if the risk assessment shows that dysfunctional parenting is the primary factor driving a youth's delinquent behaviors, this should be the target of intervention.

Although the rehabilitative focus of the juvenile justice system is widely accepted for moral reasons, it also is supported by financial and public safety objectives. Research has shown that rehabilitative strategies that address the specific criminogenic needs of youth are less expensive and more effective in preventing reoffending compared with punitive sanctions

such as incarceration (Drake, Aos, & Miller, 2009; Lipsey, 2009).

Along these lines, one of the most effective approaches to case management is the risk-need-responsivity (RNR) approach (Andrews & Bonta, 2010; Hoge & Andrews, 2010). Basically, this means that the highest risk offenders should receive the most intensive monitoring and services to reduce their risk of reoffending. Low risk youth have a lower chance of reoffending even in the absence of services and, therefore, should be able to function well with minimal attention. This concept is known as the *risk principle*. The *need principle* suggests that only those factors associated with reductions in reoffending should be targeted for services. Merely piling on services as usual for each youth is unlikely to have an effect on reoffending and can, in fact, make youths worse, especially low risk youth. The *responsivity principle* suggests services should address the youths' specific characteristics that may affect their response to treatment. The last principle suggests there should be room for *professional discretion* that can deviate from recommendations in certain circumstances. Including an override option on a risk assessment instrument is an example of the professional discretion principle.

The importance of developing an individualized risk management plan cannot be overstated; even though two youth may have the same criminogenic needs, one youth may be better or less suited for a

# RISK ASSESSMENT

IN  
JUVENILE  
JUSTICE

particular intervention compared to another youth. For example, in general, counseling or programs that use cognitive-behavioral principles are most effective at reducing reoffending. However, a youth struggling with intellectual impairments may not benefit from this type of intervention.

In order for the practice of risk assessment to help reduce risk of reoffending in a given youth over time, it is critical that the risk assessment remain “up to date.” Risk factors change over time in terms of how they are exhibited by a particular youth. For example, substance use could be a risk factor for a youth at the beginning of probation because she is using marijuana, but her substance use could expand over time to include cocaine use, which could have implications for how this risk factor is targeted with a service. Also, the degree to which a particular risk factor is relevant for a youth can change over time. Continuing with the previous example, suppose that the youth used marijuana at home alone and that her use never led to violence or otherwise antisocial behavior. But then she begins to use cocaine and decides that she needs to engage in theft to fund her drug habit. Because of the inherently dynamic nature of risk assessment – that is, the presence and relevance of risk factors can change over time for a given youth – risk assessment works best if it is updated over time. Typically, it is recommended that risk assessments be updated every six months or when a major event occurs in a youth’s life, such as a re-offense, change in living circumstances, or loss of a strong social support.

## HOW WELL DO THESE RISK ASSESSMENT INSTRUMENTS WORK?

Typically, when people ask this question, they want to know how well an instrument “predicts” future delinquency. The best kind of research studies that answer this question are ones in which large groups of youth are rated using the instrument and then followed-up several years later to see which youth engaged in delinquent behaviors (which can be defined in different ways – physical violence? any type of offending? – and using different sources – arrest records? convictions? – across researchers). Researchers then examine whether there was an association between a youth’s ratings on the risk assessment instrument and whether she or he reoffended (see the discussion above about “predictive validity”).

A useful statistical approach that can help make sense of all the research that has been conducted on an instrument is called meta-analysis. Meta-analysis is a way of combining the results of independent research studies to generate an overall estimate of the results of all the studies on a particular risk assessment instrument. Results of one meta-analysis that examined both the YLS/CMI and SAVRY (Olver, Stockdale, & Wormith, 2009) indicated that there was a moderate association between ratings on each of the instruments and subsequent delinquency. As such, the scientific literature tells us that the most well researched risk assessment instruments perform significantly better than chance, but that they do not have perfect

accuracy. Generally, the research shows that there is an approximately 70 percent chance that a youth who actually was delinquent would score above the instrument's cut-off for delinquency and a youth who actually was not delinquent would score below the cut-off.

Given the extremely complex nature of risk assessment and the dynamic contexts in which it occurs, it is not surprising that exceedingly high levels of predictive accuracy have not been reached. However, one factor that research to date has not investigated thoroughly is the impact of taking steps to prevent reoffending after a youth has been identified via risk assessment as being at elevated risk. Ideally, research on the "predictive accuracy" of risk assessment instruments would show these instruments to have low levels of accuracy. This is because, in a perfect world, youth identified as being at high risk would receive monitoring and treatment to target their specific criminogenic needs, thereby reducing their risk for reoffending (and proving the risk "prediction" to be wrong). For example, a youth whose delinquency was related to deviant peer associations and substance use could be referred to treatments to target those risk factors. Or a youth whose parents were having difficulties providing appropriate discipline could be taught some better strategies.

## **IMPLEMENTING RISK ASSESSMENT IN A JUVENILE JUSTICE SYSTEM**

The importance of thoughtful and structured implementation of a risk assessment instrument cannot be emphasized enough. Simply selecting and adopting a risk assessment instrument will not accomplish the desired result, it must be implemented properly. One reason that appropriate implementation efforts are so important is that people in the juvenile justice system need to know how to use it. One of the most effective uses of a risk assessment instrument is to apply the principles of the RNR approach for managing risk, allocating resources and reducing the chances of reoffending. Another reason that appropriate implementation is so important is because one of the key steps in the process involves gaining buy-in from the essential stakeholders. Risk assessment is unlikely to effectuate change if players in the system, such as judges, attorneys and probation officers, have not bought into its use.

*The Risk Assessment in Juvenile Justice: A Guidebook for Effective Implementation* guide outlines eight steps of implementation. These steps were derived from research and the experiences of many practitioners in the field. In the descriptors below, we assume that a risk assessment instrument is being implemented in a probation or probation intake setting. Some modifications would be necessary for correctional settings.

# RISK ASSESSMENT

## IN JUVENILE JUSTICE

### STEP 1: GETTING READY

This step refers to getting the right team of people together and creating an optimal environment to allow the instrument to operate effectively. It starts with establishing a *steering committee*, which includes at least one representative from each stakeholder group (e.g., judges, defense attorneys, prosecutors, probation administrators) before a risk assessment instrument is selected for use in the jurisdiction. The group will eventually identify an objective risk assessment expert to advise them and a local university partner to help conduct an evaluation once the instrument is in place.

### STEP 2: ESTABLISHING STAKEHOLDER AND STAFF BUY-IN

This step involves activities that can be used to obtain buy-in from the essential stakeholders (e.g., judges, defense attorneys, prosecutors, service agencies) and staff members. One strategy is to provide short orientation trainings about the value and expected outcomes of implementing risk assessment to judges, attorneys and probation officers. Such trainings would permit these groups to voice any concerns or ideas about the way they think the assessment should be used. Stakeholders also should consider potential barriers to adopting a risk assessment, such as the multiple assessments many youth could be subject to from other agencies to discuss the overlap across instruments and how to minimize over-assessing youth and families.

### STEP 3: SELECT AND PREPARE THE RISK ASSESSMENT INSTRUMENT

What is the 'best' risk assessment instrument depends on the quantity and quality of its research evidence, the resources of the agency and, most importantly, the point in the system where the instrument will be used and for what purpose. Different decision-points in the juvenile justice system (e.g., detention, probation, or in a correctional facility) have different questions to answer about youth processing and, therefore, require different types of assessment instruments. With respect to research evidence, we recommend an instrument have at least two studies demonstrating inter-rater reliability and at least two studies demonstrating validity. Ideally, a few studies should have been conducted by independent parties who do not have a vested interest in the instrument. Further, the instrument must have been validated for the setting in which it is being used in order to have confidence that it will accurately categorize youth according to their risk. Some agencies decide to create and validate their own risk assessment instrument, which can be labor intensive and difficult to do well. The Guide discusses an alternative approach, which involves adopting an existing risk assessment instrument that has already been well researched for the specific purpose.

## **STEP 4: PREPARING POLICIES AND ESSENTIAL DOCUMENTS**

Implementation of a risk assessment instrument does not stop once an agency has selected the instrument and trained probation staff on how to complete it. Instead, it involves implementing an assessment system, which includes a structured process regarding how the instrument will be used in various decisions. Therefore, Step 4 involves developing the appropriate policies and essential documents to integrate risk assessment routinely into decisions. Some of the policies to consider include how risk level will be used to guide the youths' supervision level, who will complete the risk assessment instrument, the required level of staff training for conducting these assessments, how the risk assessment will be used in various case processing decisions and how often youth will be reassessed.

If an objective of the steering committee is for the risk assessment to be used in disposition decisions, there should be a policy about how this information will be communicated to the court. At a minimum, a pre-disposition report should include the youth's risk level and primary need areas to target for intervention. Ideally, judges and attorneys would be involved in the development of this policy to ensure they receive the information they need to inform their decisions while protecting the rights of the youth.

If an objective of the risk assessment instrument is to guide case planning, then it is important to construct policies about how to match youths' risk level and criminogenic needs to services. The case plan will be easier to use if it is structured according to the need areas that the risk assessment is designed to identify. Another document that can be helpful is a *service matrix* for each jurisdiction. A service matrix categorizes the services available in the community according to the criminogenic needs the service addresses and the risk level for which it is appropriate. Intensive services are most appropriate for high risk youth. Probation officers will require training on the art of developing a case plan that will maximize the possibility of reducing youths' risk.

**Other trainings that will maximize the effectiveness of the whole implementation process include training judges and attorneys in the jurisdiction about the instrument and how it works, including the available research evidence.**

# RISK ASSESSMENT

## IN JUVENILE JUSTICE

### STEP 5: TRAINING

Once the policies and new documents are drafted, it is time to conduct training. Training should be planned at many levels. Probation officers or whoever will be conducting the risk assessment, should receive rigorous training on how to complete the instrument, ideally using a train-the-trainer model whereby probation officers are trained by master trainers who are also probation officers. Individuals tend to learn better from their peers than from an expert in risk assessment from a different state. The second training to provide for probation officers is training on how to use the risk assessment instrument to provide disposition recommendations (if applicable) and in case planning. It is wise to provide booster training on the risk assessment instrument and subsequent decision-making for probation officers every six months.

Other trainings that will maximize the effectiveness of the whole implementation process include training judges and attorneys in the jurisdiction about the instrument and how it works, including the available research evidence. Finally, training the supervisors of probation officers on how to check the quality of the risk assessments conducted and the case plan is essential for quality control.

### STEP 6: IMPLEMENT PILOT TEST

It is always a good idea to pilot test the risk assessment instrument in a couple of jurisdictions (for statewide initiatives) or with a few stakeholders and probation officers

(for county-level initiatives) before it is fully implemented. As such, Step 6 pertains to pilot testing the instrument and the policies. A pilot test would involve sound data collection to determine whether the instrument is being completed properly and reliably and whether it is being used in decisions. The pilot test enables the steering committee to identify and work out any obstacles that prevent the process from running smoothly.

### STEP 7: FULL IMPLEMENTATION

Once the pilot test is complete, Step 7 is to roll out the instrument to the rest of a single probation office or the state. For statewide implementation in states with many counties, the implementation process will be easier to manage thorough training and quality control if the new counties are started in groups of ten or so.

### STEP 8: ON-GOING TASKS FOR SUSTAINABILITY

Maintaining the integrity of the risk assessment instrument and use of risk assessment results in decisions is an on-going process. The final step, Step 8, refers to how to sustain the benefits of this evidence-based practice. One strategy to ensure sustainability is to provide booster training for probation staff on the risk assessment system every six months. Another strategy is to conduct on-going data monitoring that is shared with stakeholders, administrators and all staff. Monitoring data is the best way to know when and where to make adjustments to improve the process. Moreover, staff will be

more engaged in the process if they can see tangible data on the outcomes of using risk assessment.

## **POTENTIAL OUTCOMES OF SOUND IMPLEMENTATION OF A VALID RISK ASSESSMENT**

The outcomes of the implementation process for risk assessment just described were examined in the Risk/Needs Assessment in Juvenile Probation: Implementation Study (Vincent, Paiva, Cook, Guy, & Perrault, 2012; Vincent, Guy, Gershenson, & McCabe, 2012). Risk/needs assessments were implemented in six juvenile probation offices in Louisiana and Pennsylvania. Louisiana used the SAVRY and Pennsylvania used the YLS/CMI. Both instruments measure risk level and dynamic risk factors, and both have considerable evidence of reliability and validity for predicting re-offending among young offenders. Standard methods of implementation and training on an assessment system were used at each site.

We examined two kinds of changes: changes in attitudes and decision-making by the juvenile probation officers, and changes in how cases were processed. Researchers interviewed probation officers at three time points: before implementation of the assessments, and at three and ten months after implementation. Our goals in these interviews were to understand how the officers used the instruments, to see if they made any changes in their practice and to determine whether there was sufficient *implementation integrity* to study other

impacts of adopting the assessment. We also wanted to see whether changes that resulted from the initial training (those we saw at three months post-training) were sustained over time (at the ten-month point). To determine whether implementation of the assessment instruments made a difference in the handling of young offenders, we compared groups of youths adjudicated consecutively for six to 12 months before implementation to those adjudicated after full implementation of the assessment instrument and policies for the instruments' use.

## **CAN PROBATION OFFICERS CONDUCT RISK/NEEDS ASSESSMENTS RELIABLY?**

As described earlier, an assessment instrument is reliable if different interviewers (in this case, probation officers) using that instrument to assess a given youth obtain the same results. Although many assessment instruments have been shown to be reliable when used by trained researchers, people have been skeptical as to whether juvenile probation officers can reliably conduct these assessments in the field. This study looked at the field assessments by two officers using the same instrument on 90 youths, and found good to excellent agreement between raters. Moreover, the consistency with the SAVRY assessment was actually better when officers were trained by a peer master trainer (another probation officer in their office) than by an outside expert on the SAVRY (Vincent, Guy, Fusco, & Gershenson, 2011). This means the costs of training can be low.

# RISK ASSESSMENT

## IN JUVENILE JUSTICE

### DOES THE USE OF RISK ASSESSMENT CHANGE JUVENILE PROBATION OFFICERS' PRACTICES AND PERCEPTIONS OF RISK?

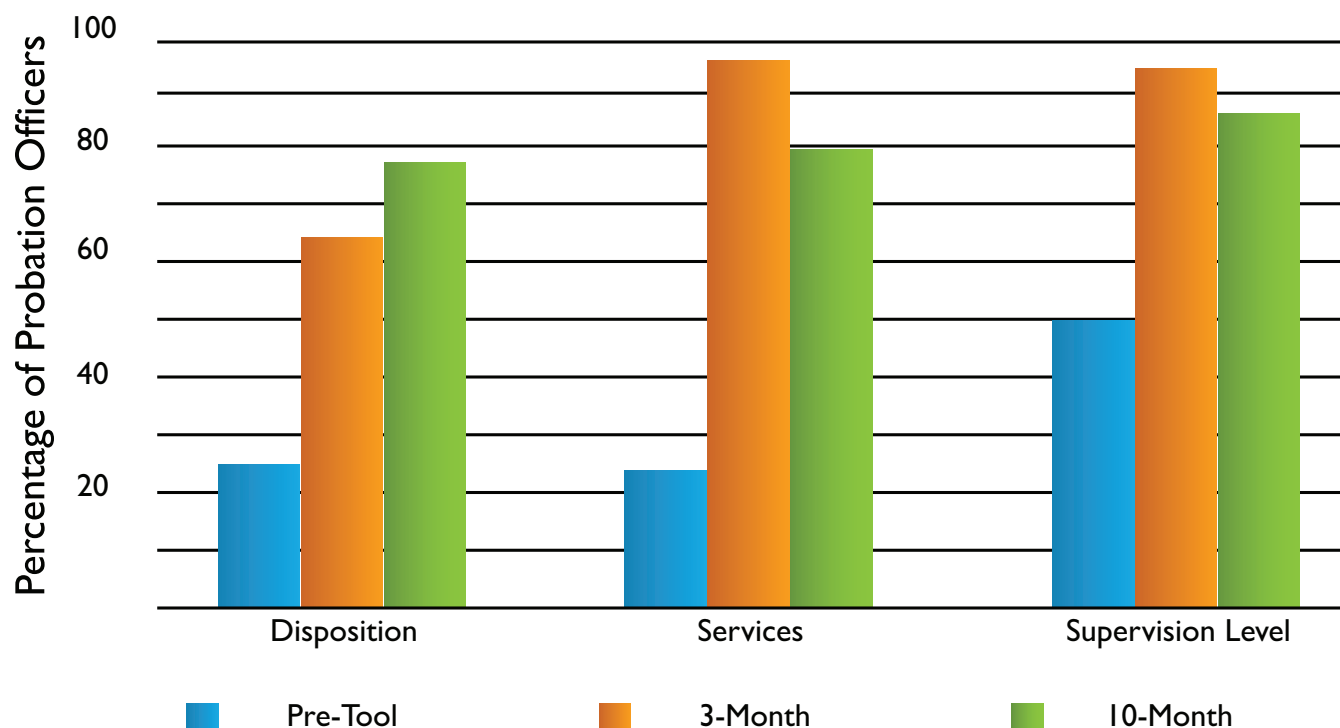
Training and use of either assessment instrument led to a significant reduction in the number of youths the probation officers perceived as likely to re-offend (based on their general perceptions when no risk assessment instrument is used). After taking into account the specific site and several characteristics of the officers (such as years of experience working in juvenile justice and authoritarian beliefs), we found that officers changed from perceiving 45 to 50 percent of

their youths as likely re-offenders to thinking that only 30 percent were likely to re-offend. A control sample of probation officers in an office that did *not* implement an assessment instrument did not significantly change their estimates of youths' recidivism.

Among officers using an assessment instrument, there was a significant increase in the number who considered evidence-based risk factors when they made their disposition recommendations. They also were significantly more likely to consider a youth's dynamic risk factors (criminogenic needs) when recommending services in

### FIGURE 1

Use of risk assessments in different areas of decision-making by juvenile probation officers from six jurisdictions before and after implementation (at 3-months and 10-months after) of the SAVRY or YLS/CMI.



the community. And supervision levels on probation were assigned according to an individual youth’s level of risk, rather than using a “one size fits all” approach. All of these changes, illustrated in Figure 1, were statistically large effects.

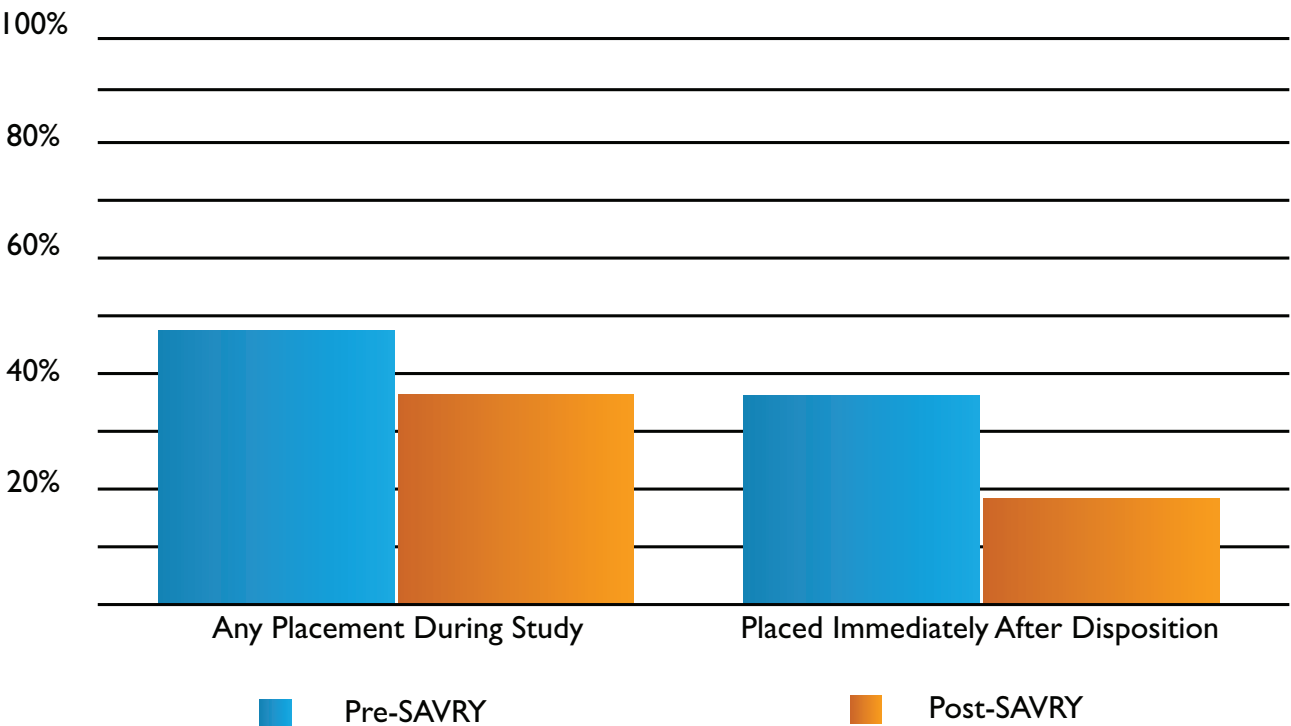
**DOES THE USE OF RISK ASSESSMENT IN JUVENILE PROBATION LEAD TO CHANGES IN THE WAY YOUTHS ARE HANDLED?**

The most important question of the study concerned post-adjudication placement

outside the home in secure correctional or residential centers, group homes, detention centers or wilderness camps. The study had a mix of sites with historically high placement rates (roughly 50 percent of adjudicated youths were being removed from the home at least once) and low placement rates (less than 20 percent of youth were removed from the home). Two of the three sites with historically high placement rates saw a substantial drop in the number of youths being placed out of the home up to 13 months after their adjudication. After

**FIGURE 2**

Change in post-adjudication, out-of-home placement rates in one site before and after implementation of the SAVRY using propensity-score matching. Before the SAVRY was put in place, youth were over 2.5 times more likely to be put in some form of placement immediately following their disposition and almost twice as likely to receive any placement at some point during their probation.



# RISK ASSESSMENT

## IN JUVENILE JUSTICE

conducting all of the appropriate statistical controls (propensity score adjustments to balance out the groups), the data showed that youths were about half as likely to be put in a placement after an assessment instrument was implemented (see Figure 2 for an example from one jurisdiction).

Conversely, in two of the three sites that historically placed very few youths, youths were more than twice as likely to be placed outside the home after an assessment instrument was used. Although this difference may appear dramatic, very few youths were removed from their homes before or after the risk assessment was put in place. For example, in one site, 25 youths (10 percent of the pre-assessment sample) were put in some sort of placement during their first eight months of probation before the instrument was used, compared to 22 youths (20 percent of the post-assessment sample) after the instrument was implemented. Put simply, there was a reduction in the number of youth placed; however, there was an increase in the percentage of youths placed due to the small number of youth who had been adjudicated after the risk instrument was adopted. Therefore, users should be aware that the outcomes of implementing risk assessment will differ depending on the way an agency is currently operating.

In five of the six sites, after implementation of the assessment instrument all placement decisions were significantly related to the youths' level of risk, and most high-risk

youths were still kept on probation rather than incarcerated or sent to some other out-of-home placement. Therefore, a label of "high-risk" was not used as a reason to automatically send youths to placement. Instead, probation officers sought the least restrictive but appropriate disposition for each youth. In four of the five sites where data on supervision levels was available, the use of medium and maximum levels of supervision for low-risk youths decreased substantially after assessments were implemented. In most sites, there was also a shift to provide more services to high-risk youths and fewer to low-risk youths.

### **DOES THE USE OF RISK ASSESSMENT CHANGE RECIDIVISM?**

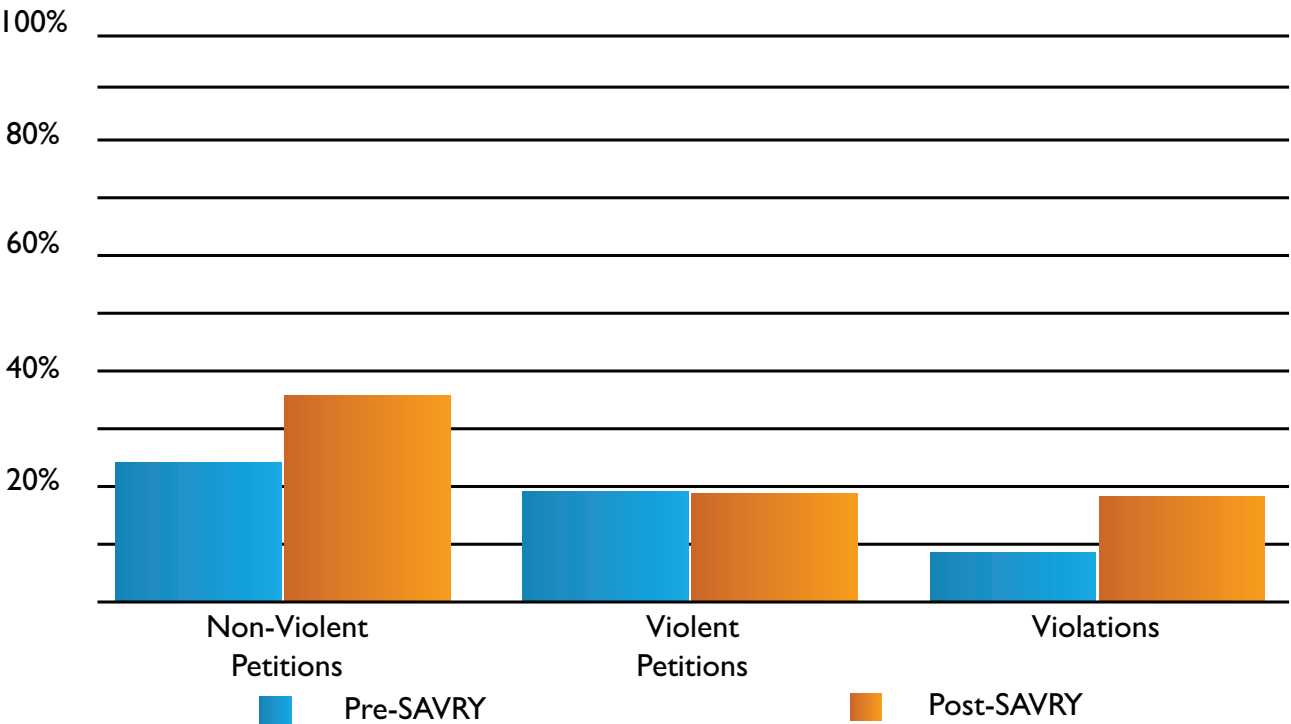
The answer to whether sound implementation of risk assessment has an impact on recidivism is "not necessarily." This study examined changes in rates of both petitions and adjudications for new offenses before and after risk assessment instruments were put in place for the samples of youths tracked over time. In most sites, there was no significant change in the rates of violent or non-violent offenses petitioned or adjudicated up to 18 months following the youths' initial adjudication (see Figure 3 for an example from one site). In one site, however, the rates of all types of reoffending were cut in half after the YLS/CMI was implemented. The rate of non-violent reoffending dropped from 20 percent to 10 percent and the rate of violent reoffending dropped from 10 percent to five percent.

**WHY IS GOOD IMPLEMENTATION OF RISK ASSESSMENT IMPORTANT?**

In one site, juvenile probation officers who were trained on the assessment instrument began to use the instrument before they were trained how to apply it in their decision-making—that is, before it was fully implemented. This allowed the researchers to investigate the relation between risk level and decision-making before and after full implementation of the risk assessment system while the risk assessment (the SAVRY) was

being conducted. Prior to full implementation of the decision-making policies and additional staff training, this site was placing almost 40 percent of both their moderate- and high-risk youths outside the home. After full implementation, however, placements were related to risk level: 39 percent of high-risk youths received placement compared with 21 percent of moderate-risk and 15 percent of low-risk youths. Moreover, before the probation officers were trained in how to use the SAVRY in their decision-making, they

**FIGURE 3: CHANGE IN RATES OF NEW PETITIONS (RECIDIVISM) AND PROBATION VIOLATIONS IN ONE SITE BEFORE AND AFTER IMPLEMENTING THE SAVRY. THE BAR GRAPH ILLUSTRATES THAT THERE WAS NOT A SIGNIFICANT CHANGE IN ANY TYPE OF REOFFENDING FOLLOWING PROPENSITY-SCORE MATCHING.**



# RISK ASSESSMENT

## IN JUVENILE JUSTICE

were giving low-risk youth more services than high-risk youth.

In one other site, sound implementation of the YLS/CMI was never achieved. Probation officers had been thoroughly trained on the assessment and some appropriate policies were put in place, such as a structured case plan and service matrix. However, probation officers were not permitted to use the YLS/CMI in their disposition recommendations or their assignments of supervision level due to a lack of buy-in from their judges. In this site, there was absolutely no change in types of dispositions, placement rates, service referrals or supervision levels. The lack of change was particularly unfortunate in this site because a significant proportion of youth were removed from the home.

### IMPLICATIONS FOR POLICY AND PRACTICE

Regardless of whether the SAVRY or YLS/CMI was used, implementation of these risk/needs assessment instruments led to many positive changes in juvenile probation practices. It changed the way probation officers perceived a youth's chances of re-offending, how they thought about dynamic risk factors, and how they made case-level decisions. In all but one of the sites, implementation of the assessment instruments resulted in improved use of resources, with higher-risk youths receiving more supervision and services and lower-risk youths getting minimal attention. In addition, among sites that implemented the

assessment instrument properly, there was decreased use of correctional dispositions and placements at offices that had previously been placing a relatively large percentage of their youths. Thus far, these changes in use of resources have occurred without any increase in re-offending rates.

On the whole, evidence suggests the use of risk/needs assessment in probation will lead to better intervention practices and will conserve resources. However, it is important to keep in mind four key points.

**Use a valid risk assessment instrument designed for the particular setting.** The importance of using an instrument that accurately categorizes youth cannot be understated. Use of an invalid risk assessment could cause more harm than good. Some agencies choose to create their own instruments, which can be labor intensive to do well. For probation-type decision-making, there are more commonalities than differences across youth who have been adjudicated with respect to the characteristics that relate to their future delinquency. Therefore, it is absolutely reasonable to adopt an existing assessment instrument that has been well-validated.

**Sound implementation and buy-in are key.** The benefits of risk assessment will not be realized without proper implementation of an integrated system that includes appropriate case planning and policies about how risk level should be used in

decision-making. Without buy-in from key stakeholders, such as judges and attorneys, assessment instruments are unlikely to make a difference. Moreover, designating a single project coordinator to oversee the implementation of risk assessment will be crucial.

**The impact of risk assessment will vary by site.** Jurisdictions that are over-servicing or over-placing youths will likely see a significant decline in service use and placement rates, whereas sites that under-place or under-service youths are likely to see some (but still relatively few) increases. Our interpretation of this is that the implementation of risk assessment leads to sounder, more evidence-based decision-making in line with risk/need/responsivity principles of case management.

**The potential for cost-savings is great.** Every probation office that had sound implementation achieved significant decreases in the use of costly, intensive levels of supervision. This conserved staff time by focusing more on youths in greater need and less on low-risk youths. Overall, there was a decline in unnecessary use of services in every site. Moreover, in sites where placement rates declined the decrease was fairly substantial. Although these procedural changes would surely reduce costs for a jurisdiction, the potential reduction should be balanced against the costs of the risk assessment adopted. Some are more expensive than others, particularly those that

charge more than a couple dollars per case (or administration).

In conclusion, there are many positive reasons for a juvenile justice agency to adopt and integrate a system for using risk assessment to promote well-informed decisions about youth processing. This article has outlined some important steps in the implementation process that should maximize a jurisdiction's success. As part of that implementation process, it is also important to consider some potential barriers, such as costs of the assessment instrument and staff trainings and the amount of staff time involved in completing assessments. Our research indicates that both of these barriers get better over time, since most costs are incurred upfront and staff get more efficient in completing these assessments as they gain more experience. Nonetheless, these barriers are very real and best addressed ahead of time. >>>

## REFERENCES

- Andrews, Don A. & James Bonta. (2010) "Rehabilitating Criminal Justice Policy and Practice". *Psychology, Public Policy, and Law*. 16(1) 39-55.
- Borum, Randy, Patrick Bartel & Adele Forth (2006) *Structured Assessment of Violence Risk in Youth (SAVRY)*. Lutz, FL: Psychological Assessment Resources, Inc.
- Drake, Elizabeth K, Steve Aos & Marna G. Miller. (2009) "Evidence-based Public Policy Options to Reduce Crime and Criminal Justice Costs: Implications in Washington State". *Victims and Offenders* 4(2), 170-196.
- Hoge, Robert D. & D. A. Andrews (2006) *Youth Level of Service/Case Management Inventory: User's Manual*. North Tonawanda, NY: Multi-Health Systems.

# RISK ASSESSMENT

## IN JUVENILE JUSTICE

Hoge, Robert D. & D. A. Andrews. (2010) *Evaluation of Risk for Violence in Juveniles*. New York: Oxford University Press.

*Juvenile Justice and Delinquency Prevention Act of 1974*, Pub. L. No. 93-415, 88 Stat. 1109 (codified as amended at 42 U.S.C. § 5601 et seq. (2002)) § 5653, Sec. 243.

Lipsey, Mark W. (2009) "The Primary Factors that Characterize Effective Interventions with Juvenile Offenders: A Meta-Analytic Overview." *Victims and Offenders*. 4(2), 124-147.

Olver, Mark E., Stockdale, Keira C. & J. Stephen Wormith. (2009) "Risk Assessment with Young Offenders: A Meta-Analysis of Three Assessment Measures." *Criminal Justice and Behavior*. 36(4) 329-353.

Jeffrey J. Shook & Rosemary C. Sarri (2007) "Structured Decision-Making in Juvenile Justice: Judges' and Probation Officers' Perceptions and Use." *Children and Youth Services Review*. 29(10) 1335-1351.

Vincent, Gina M., Laura S. Guy, Samantha L. Fusco & Bernice S. Gershenson. (2011). "Field Reliability of the SAVRY with Juvenile Probation Officers: Implications for Training." *Law and Human Behavior*. 36(3) 225-236.

Vincent, Gina M., Laura S. Guy, Bernice G. Gershenson & Patrick McCabe. (2012) "Does Risk Assessment Make a Difference? Results of Implementing the SAVRY in Juvenile Probation." *Behavioral Sciences and the Law* 30(4) 487-505.

Vincent, Gina M., Laura S. Guy & Thomas Grisso. (2012) "Risk Assessment in Juvenile Justice: A Guidebook for Implementation." John D. & Catherine T. MacArthur Foundation. Available online at: <http://www.nysap.us/Risk%20Guidebook.pdf>

Vincent, Gina M., Melissa L. Paiva-Salisbury, Nathan E. Cook, Laura S. Guy & Rachael T. Perrault (2012). "Impact of Risk/Needs Assessment on Juvenile Probation Officers' Decision-Making: Importance of Implementation." *Psychology, Public Policy, & the Law* 18(4) 549-576.

**GINA M. VINCENT, PH.D.** is an Associate Professor in the Center for Mental Health Services in the Department of Psychiatry at the University of Massachusetts Medical School, Worcester, MA. She is Co-Director of the National Youth Screening and Assessment Project (NYSAP), a technical assistance center for assisting juvenile justice agencies with the selection and implementation of mental health and risk assessments. Dr. Vincent has a young investigator's award from NIDA, and has received funding from NIMH and the MacArthur Foundation for studies relevant to risk for reoffending, mental health problems, and substance abuse among youth involved in the juvenile justice system. She has published, lectured, and presented research at over 100 international and national conferences and juvenile justice facilities in the areas of callous-unemotional traits, risk/needs assessment, and mental health symptoms in juvenile justice.

**LAURA S. GUY, PH.D.** is an Assistant Professor in the Center for Mental Health Services Research in the Department of Psychiatry at the University of Massachusetts Medical School (UMMS). She obtained her PhD in clinical (forensic) psychology at Simon Fraser University and completed a two-year postdoctoral fellowship at UMMS. Dr. Guy's primary research interests relate to the assessment and management of risk for crime and violence among juveniles and adults. She conducts research on different approaches to assessing risk for violence and variables that are related to risk, such as mental disorder, and the effectiveness of interventions for decreasing risk and preventing reoffending. She has obtained funding from the John D. & Catherine T. MacArthur Foundation, Office of Juvenile Justice and Delinquency Prevention, Department of Justice, and Social Sciences and Humanities Research Council of Canada. Dr. Guy has written or co-authored approximately 45 journal articles, book chapters, and technical reports, and more than 70 conference presentations on these topics.

facebook  
twitter

[www.facebook.com/APPAinfo](http://www.facebook.com/APPAinfo)

<http://twitter.com/APPAinfo>

Follow us.

thank you sponsors!

Diamond Sponsor ★★★★★



#### NCTI

For more than 25 years, NCTI has been working in the criminal justice field developing curricula proven to foster behavior change in offenders, as well as delivering staff development trainings for professionals across the country. NCTI provides a wide range of offense specific, cognitive-based curricula, designed to address the learning styles of the juvenile and adult offender populations.

Platinum Sponsor ★★★★★



Privately held Smart Start, Inc. is a leader in alcohol monitoring with its ignition interlock and IN-HOM® alcohol testing devices and its SmarTox drug testing products and services. It provides fully integrated services encompassing design, manufacturing, installation, customer service, monitoring and administrative support. Smart Start® saves lives by Separating Drinking From Driving.







## **THE SCHOOL DISCIPLINE CONSENSUS PROJECT: HELPING SCHOOLS IMPROVE STUDENTS' ENGAGEMENT AND JUVENILE JUSTICE OUTCOMES**

by Carl Reynolds

**M**illions of U.S. public school students in grades K–12 are suspended or expelled every year, particularly students in middle and high school. Research has revealed that when students are removed from the classroom as a disciplinary measure, the odds increase dramatically that they will repeat a grade, drop out or become involved in the juvenile justice system. There is a growing recognition that academic and personal success largely hinges on students staying engaged in school. And although there is also mounting consensus about the need to make schools safer, particularly given the increased focus following the tragedy in Newtown, there is less agreement about how to protect all children, teachers and staff in the school setting while keeping kids in class and providing a positive learning environment. Judges and other court professionals recognize that far too many children are being referred to them for minor school disciplinary violations that can result in long-term negative outcomes for these youth. Many of these referrals are clogging court dockets and making ineffective use of judicial and other juvenile justice resources.

In response, the Council of State of Governments (CSG) Justice Center has launched a national consensus-building project that convenes experts in school safety, behavioral health, education, juvenile justice (including courts, probation, and juvenile detention), social services, law enforcement and child welfare. Youth, parents and community partners also play a critical and active role in the project to develop creative solutions. The goal of the project is to provide consensus-based recommendations

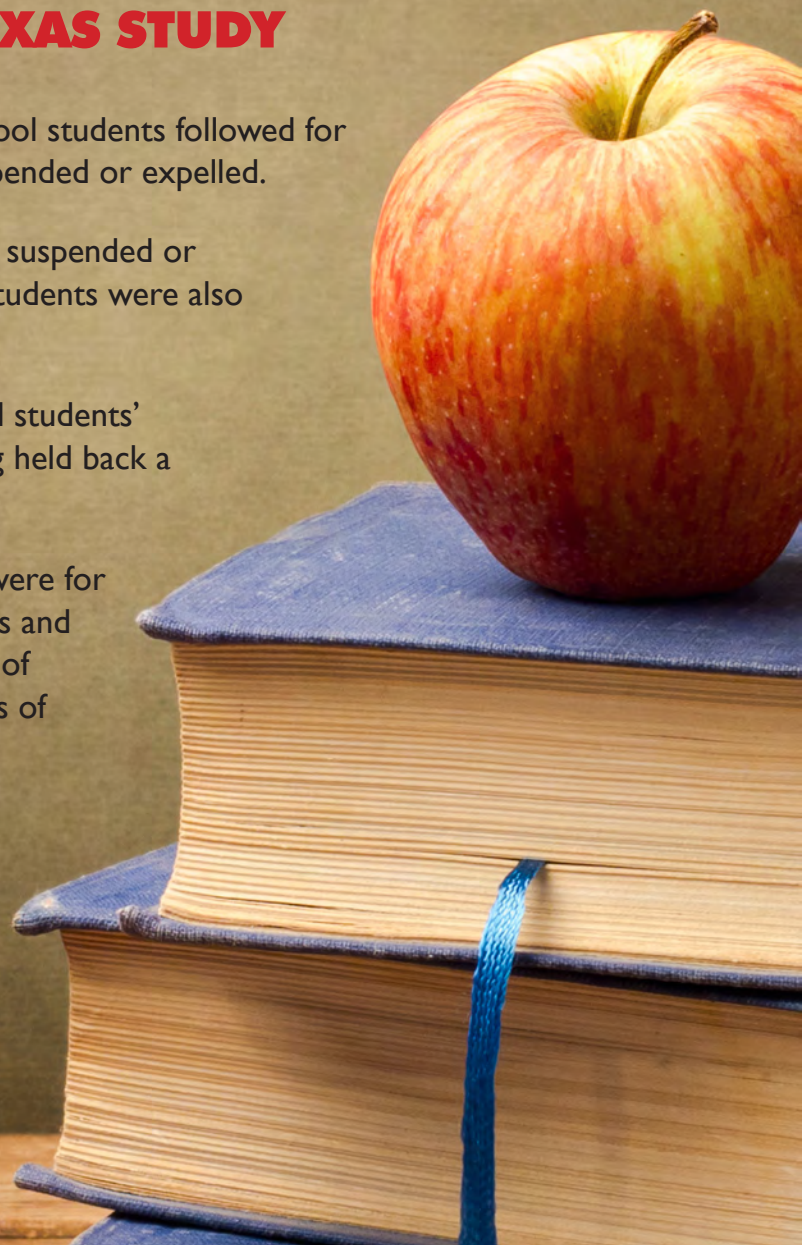
and implementation guidance to minimize dependence on suspension and expulsion to manage student behaviors; improve students' academic outcomes; reduce their involvement in the juvenile justice system (including alternative strategies to school-based arrests and direct court referrals when appropriate); and promote safe and productive learning environments.

Multidisciplinary advisory groups met in October 2012 to identify and discuss

## **BREAKING SCHOOLS' RULES: KEY FINDINGS FROM THE TEXAS STUDY**

- Of the nearly one million public secondary school students followed for more than six years, nearly 60 percent were suspended or expelled.
- About 15 percent of the students studied were suspended or expelled 11 times or more; nearly half of these students were also involved in the juvenile justice system.
- Repeated suspensions and expulsions predicted students' poor graduation rates and the likelihood of being held back a grade.
- Only three percent of the disciplinary actions were for conduct in which state law mandated suspensions and expulsions; the rest were made at the discretion of school officials primarily in response to violations of local schools' conduct codes.
- African-American students and those with particular educational disabilities were disproportionately disciplined for discretionary actions.

Readers can review Breaking Schools' Rules at:  
<http://justicecenter.csg.org/resources/juveniles>.



key issues. The Courts and Juvenile Justice Advisory Committee discussed such topics as pre-filing diversion programs, school/judicial partnerships, law enforcement's role in schools, alternative education programs for youth in detention facilities, and many other issues related to students' involvement in the courts, probation and detention systems. The project includes APPA President-Elect Susan Burke of Utah, who said, "school discipline is a cutting-edge issue for juvenile probation officials across the country as school case referrals mount, and I am very pleased to represent those officials on the consensus project." Project participants also include court leaders such as Texas Chief Justice Wallace B. Jefferson and Presiding Juvenile Judge Steve Teske of Clayton County, Georgia—both of whom have already taken a leadership role on these issues.

The advisory committee will continue its work to form recommendations on promising practices such as court leadership to support more effective school discipline policies, including the distinct role of judges as conveners and advocates; specialized training for juvenile justice professionals; and redirecting youth who commit low-level offenses to systems that can provide better student and safety outcomes.

The project is administered in coordination with the Supportive School Discipline Initiative launched by the U.S. Attorney General and the U.S. Secretary of Education in July 2011 and is supported by a public/private partnership that includes the Office of Juvenile Justice and Delinquency Prevention, NoVo Foundation, The California Endowment, and The Atlantic Philanthropies. The work will result in a report that recommends better approaches to matching

youth to appropriate interventions in ways that encourage greater academic successes and less frequent juvenile justice involvement.

This work builds on a two-year CSG Justice Center collaboration with the Public Policy Research Institute at Texas A&M University to study nearly one million public school students in Texas. The Breaking Schools' Rules report, released in 2011, describes how suspension and expulsion rates can vary dramatically, even among schools with similar student compositions. Although it is clear from the study that efforts in individual schools can make a difference, it is also evident that schools alone cannot make sweeping and lasting advancements without a commitment from law enforcement, courts, probation, treatment professionals and the many other parties who can affect students' success.

Additional background on the School Discipline Consensus Project is available at <http://justicecenter.csg.org/resources/juveniles>.

For additional assistance or to submit information about a school/juvenile justice program in your area, contact Carl Reynolds, Senior Legal and Policy Advisor for the CSG Justice Center, at [creynolds@csg.org](mailto:creynolds@csg.org).


---

**CARL REYNOLDS** is the Senior Legal and Policy Advisor, Research Division, CSG Justice Center in New York, NY.



# STRANGERS IN A STRANGE LAND

by Dan Cain

 ver the past 30 years, the amount of time served for criminal activity has risen dramatically. This is particularly true for those who have served time for serious crimes. At the same time, the world has changed dramatically. Freedom used to mean that, once released, the only people who had access to your status were those who you told, your parole officer and law enforcement. Now anyone with a computer and ten dollars can find out virtually anything about anyone. Land line telephones are on their way to becoming obsolete. Cars talk to their driver.

At the same time, a life sentence does not necessarily mean the offender will die in prison. Increased numbers of people being released to the community after decades of incarceration requires that we rethink some aspects of correctional practice.

## BACKGROUND

People sentenced to life imprisonment for 1<sup>st</sup> degree murder in Minnesota are required to serve a minimum of 30 years incarcerated. This was increased from a 17 year minimum in 1989. After the minimum term of incarceration, parole may be granted by the Commissioner of Corrections, upon recommendation from an internal review team with victim input. Prior to 2010, parole was rare. Since 2010 there have been a number of offenders serving life sentences who were paroled into the community.

In response to the reentry needs of long term offenders, in January 2013 I offered meeting space to a group of ex-offenders, all of whom had served a long period of incarceration for some type of homicide, for the purpose of mutual support. Participation in the group is totally voluntary with no contractual arrangement with the Department of Corrections for this service, although the department was involved in preliminary planning and helpful in identifying potential participants. While initial planning limited participation to those serving a life sentence, further consideration resulted in allowing those who served a sentence for 2<sup>nd</sup> degree murder, generally incarcerated for 16-24 years, to participate as well. My role as facilitator has been essentially to buy the pizza and get out of the way, allowing the group to take whatever direction the participants choose and offering limited input and direction.

A poll of likely participants determined that the last Friday evening of every month was the most convenient meeting time, despite the fact that they worked all week.

To date there have been 13 participants who have served anywhere from 16 years to 36 years incarcerated in a single block of time. They have been in the community for as long as six years, and as short as 60 days. At this point, all are men.

## INITIAL OBSERVATION

First and foremost, this group has reached a level of cohesiveness in a very short period of time. Even though they are extremely diverse in terms of their criminality and history, they are motivated and committed to each other. Having the shared experience of serving a long period of incarceration, many at the same time and in the same institution, they are reminiscent of people who have served together in combat situations, sharing camaraderie across personality types that is usually not seen in offenders. Some have been addicts, some career criminals, some whose crime was one of passion, some whose crime was precipitated by the belief that they were protecting themselves or their family and some whose crime was their one and only contact with the justice system.

In the course of serving their time in prison, they matured to where they avoided the people and behaviors that many engage in our correctional institutions. They came to the realization that they could spend the rest of their lives in prison and as such, found a way to do so with a minimal amount of conflict or involvement with prison gamesmanship. Some were active in gangs, drugs and violence early in their prison careers, even rising to a level of notoriety in the prison pecking order, but virtually all came to shun such things as they got further into their sentences. Most, but not

all, had at some point in their incarceration participated in some type of treatment or other Department of Corrections directed service or intervention.

Because they had adopted a resolute mindset that they may never get out of prison, when they were notified that release was an achievable goal, they developed a sense of anticipation and excitement over the prospect. Once released this was tempered by disappointment and frustration over the familial, social, housing and vocational situations and challenges they faced on the outside.

## **ISOLATION AND ALIENATION**

In listening to the participants, there was universal agreement that a feeling of isolation marks the biggest challenge. This relates back to the observed similarity to combat veterans. Their shared incarceration experiences, as well as their crimes, leave them feeling as though they are different and they only feel normal when they are with those who share those experiences. Like combat veterans they have things they do not want to talk about with anyone else. But it's important to note that those things do not necessarily relate to circumstances of their crimes or imprisonment, but more frustration of trying to fit in and the physical and emotional challenges they face. It would be easy to chalk this up to not wanting to appear weak or inadequate to others. But it appears to be more a reflection of the intimacy they have developed with each other and their belief that their uniqueness means that only those who share those experiences will empathize and understand.

The isolation extends to family as well. Most recognize the fact that their families love and support them and their homecoming was generally described as joyful. But after the initial exuberance wore off the feeling of isolation returned and there was a real or imagined separation, with some group members expressing that their families didn't know how to talk to them, treated them as though they were overly vulnerable and were overly cautious around them. This last reaction was not seen as an attempt to protect family members as much as a fear of the offender returning to potentially problematic behaviors. In addition, there is the obvious issue of changing family makeup. While the individual was incarcerated, some family members had died, some had been born, some who were children at the time the offender was incarcerated were now adults and had their own families, there were marriages and divorces and what may have been an intimate family unit now included people that were largely strangers to the returning family member.

Families and social groups can be intertwined and at times in conflict with each other. Several participants were familiar with an ex-offender who is currently in the news accused of murdering and dismembering his wife. One individual spoke of how he had had the accused over to his house for dinner. After the account in the newspaper, his family expressed concern and outrage over the fact that he had brought this person into their home. As stated earlier, group members had over time developed a familiarity and intimacy with each other that was missing once they were released. Several spoke about how their closest friends, if not their

only friends, were people with whom they served time. In retrospect, after living next to someone for as long as 30+ years, that's to be expected. The group provided feedback that, having affection and connectivity for other offenders was common, but that firm boundaries needed to be set and accepted; essentially acknowledging that they would always care about those they shared the experience with, but that actual contact needed to be limited to those who were serious, in both their attitude and behavior, about being pro-social and law abiding.

## **A JOB AND A PLACE TO LIVE**

The lack of options for jobs and housing for ex-offenders is well documented. With those who have been incarcerated for long periods of time, this is even more frustrating. Many of them undertook educational or vocational enhancements while in the institution, only to find that once they were released, opportunities to utilize their skills were extremely limited. Perhaps the best illustration of this is the individual who served the most time, who took advantage of educational opportunities to become certified as a computer programmer and software engineer. As a result of universal background checks and systematically imposed collateral sanctions he is unable to find employment in his chosen field. In addition, since work release requires him to be employed within 30 days or return to the institution he, like most others, is limited to sub-standard employment or temporary employment agencies. The difficulty with these types of employment is they usually require a substantial physical effort. And many of these individual having spent long periods in prison have aged to where the effort is beyond their ability.

Housing is also problematic, because of the wide use of background checks and lack of rental history, many move in with family. Even this is prohibited in some cases, such as where the family lives in public housing and their continued tenancy prohibits allowing the offender to live there. The family is forced to either move and likely lose subsidized housing or deny the ex-offender access to shared housing. In other cases landlords, faced with multiple applicants for rental housing and the potential liability, simply refuse to rent to any ex-felon, much less to one who took a life.

In addition to the obstacles to employment and housing, the mere technological and societal advances of the past two to three decades prove to be a challenge. Think about the world in 1983 and contrast it with today. Commodore computers, \$1.00 a gallon gasoline, land line telephones are all a thing of the past. The availability of background information, then limited to the judiciary and law enforcement, is now readily available to anyone. In addition to longer incarceration time, many states, including Minnesota, have instituted collateral multiple sanctions.

## **CHANGE CAN LEAD TO CRISIS**

Change does not come easy to anyone. Imagine yourself in a strange land, with strange customs and an unfamiliar language, faced with finding a way to blend in. At every stage of the release process there is a change, and for most, every change becomes a crisis, at least temporarily. For instance, most are released through a process that begins with minimum security in the institution, followed by a work crew, followed by release to a half-way house and work

release, followed by a less structured living environment while continuing on work release, followed by intensive community supervision.

- In the institution, many of these offenders have risen to a position of trust and familiarity with those who supervise them. They often have good institutional jobs and enjoy as comfortable an existence as is possible under the circumstances. When they move to minimum security they are supervised by new, unfamiliar people. They may also be on electronic monitoring. In one case, a participant was living outside the perimeter and the battery on their electronic bracelet went dead. Officers from inside the institution came out, in the middle of the night, and returned him to the secure part of the institution without explanation. Once the mechanical malfunction was identified he was returned to minimum security, but not until the next day. **Crisis.**
- While in minimum security, offenders often participate in work crews where work can be physically challenging. As mentioned earlier, many do not have the physical ability to do this type of work, but fear if they don't they will be placed inside the walls. **Crisis.**
- Once sent to the half-way house, they find themselves with the very offenders they have learned to avoid in the institution. Most do not interact well with young offenders, many of whom are involved with gangs, listen to loud music and exhibit less than pro-social attitudes. **Crisis.**
- The half-way houses have restrictions and rules that are often more restrictive than minimum security. For instances, when out job seeking or otherwise away from the facility, offenders are required to call in and acknowledge their whereabouts at scheduled intervals. Yet possession and use of cell phones is prohibited. With the advance of cell phone technology pay phones have become largely non-existent. So an offender seeking employment can find him or herself in a position where they need to ask their prospective employer to use a land line phone to call the half-way house, at a specific time, or risk being in violation of the rules and potentially their release. **Crisis.**
- Light rail and rapid bus transit were not part of the transportation menu until the last decade. Getting on a bus or train that does not stop at every corner can result in being late for your return to the half-way house, potentially resulting in a rule violation. When faced with this situation some offenders have relied on cabs, which severely affects their financial situation. **Crisis.**
- When the offender moves from the half-way house, he or she often does so while still on electronic monitoring. But in addition to being on GPS or RF monitoring, remote alcohol testing may be required resulting in a phone call being made at random intervals, and the offender being instructed to blow into a device that is connected to their telephone line. In the case of those who move in with family, this can result in calls during nighttime hours when the family is asleep. A sympathetic family member,

regularly awakened from a deep sleep by an early morning call, may reevaluate their hospitality. **Crisis.**

- Throughout the process outlined above, the offender is supervised by the Department of Corrections. In the half-way house, work release and community phase, this supervision is done by the same individual. Once they complete the second phase of work release, their supervision is usually transferred to a supervised release agent in their county of residence. Given differing supervision philosophies in different counties can influence where an individual chooses to live. For instance, one individual was offered a lucrative job in a rural county that would have required a move to that county. They feared the more aggressive supervision and surveillance policy of the new county so chose to turn down the job. **Crisis.**

As each of these experiences become more familiar, they become less stressful and over time evolve into the offender's "new normal". But until they do, they are often a source of anger, fear and trepidation. Most of the time in prison was marked by a certain level of consistency. Adapting to inconsistency and the unknown, until familiar, is a source of stress and frustration.

## **IF TO TELL, WHEN TO TELL, HOW TO TELL**

Whether or not to share one's criminal and correctional history with others became the topic of discussion on a number of occasions. The range of input went from don't tell unless you absolutely have to, to tell after you've developed a relationship with someone, to one person who felt they should throw it out simply for shock value. At this point, virtually all of the participants see themselves as different from "normal" people. Most expressed a desire to simply be normal. One of the most interesting examples of sharing came from an individual who had been out of the institution for about two years. He had worked next to an elderly man for nearly the entire time he was in the community and had a friendly relationship with him. One day there was a news story on the radio about an offender and the elderly man opined that, "those people should never get out". The group member said, "I'm one of those people". The elderly man asked him what he did, "steal something"? The group member responded, "no, I took someone's life". Instead of creating a barrier or separation, the familiarity previously established resulted in a change in the old man's attitude. Now he affectionately refers to the group member as "Killer". They have their own little secret.

The group seems to have an appreciation for honesty, but they still cautiously wrestle with openness.

## **COMMITMENT TO EACH OTHER, TO VICTIMS AND TO THE PROCESS**

There appears to be a sense of responsibility and commitment to each other that is often missing in offender groups. Support for each other is a given and taken for granted. This, despite the personality difference noted earlier.

Some group members have taken to providing care packages and critical information--bus routes, how to get a driver's license, where to seek help with housing--to others when they are released.

Some, usually those with connections who have been in the community for longer periods of time, have found gainful employment and housing. To the extent possible, they try to pass on to the others the opportunities they were given.

While reluctant to involve Department of Corrections staff in the group process, there is an appreciation for some of the people who have worked with them and recognition of the opportunity they have been given. They are particularly struck by the integrity of the current Commissioner and his willingness to take calculated risk.

One individual spoke of how, during a time of extreme loneliness and frustration, he considered doing something that would return him to prison. He reluctantly shared that what stopped him was not concern for his family, but concern over the debt he owed to his victim and their family, along with the fact that he would be letting those who are coming behind him down and possibly make it harder for them to win their release.

## CONCLUSION

It is too early in the process to draw any meaningful conclusions, but preliminary indications are positive. As a former offender and convict, I know that people can present one way and ultimately act a different way to please their service providers. But in this case it is difficult to see an incentive for doing so, unless they just like free pizza.

They are already in the community, they are all presently in good standing with their release plan and participation is voluntary. Furthermore, they give up time that is normally set aside for recreation and rest to participate.

Early indications are that they view participation the way an alcoholic might view participation in Alcoholics Anonymous. Participation provides fellowship with a group of people they share an accomplishment with; support, empathy; accountability and advice for how to continue; and a release valve from the stress and feelings of isolation they may experience outside the group. >>>

---

**DAN CAIN** is the Director of RS Eden in Minnesota. RS Eden provides recovery, accountability, and support services to facilitate individual, family and community movement from nonproductive behavior to responsible, self-sufficient lifestyles.

## SEPTEMBER 9-12, 2013

International Community Corrections Association Annual Research Conference  
Reno, NV. For more information, go to  
[www.iccalive.org/icca/](http://www.iccalive.org/icca/)

## SEPTEMBER 10-12, 2013

NAJIS 31st Annual Conference, Coronado, CA. For more information, go to:  
[www.najis.org](http://www.najis.org)

## SEPTEMBER 23-26, 2013

Strategies for Justice: Advanced Investigation and Prosecution of Child Abuse and Exploitation, Atlanta, GA. For more information, go to [www.ndaa.org/ncpca\\_national\\_conferences.html#sj](http://www.ndaa.org/ncpca_national_conferences.html#sj)

## SEPTEMBER 28- OCTOBER 4, 2013

National Safety Council Congress and Expo  
Chicago, IL. For more information, go to  
<http://congress.nsc.org/gppc>

## OCTOBER 8-10, 2013

World Congress on Probation  
London, UK. For more information, go to  
[www.worldcongressonprobation.org](http://www.worldcongressonprobation.org)

## OCTOBER 20-24, 2013

19th National Symposium on Juvenile Services, Louisville, KY. For more information, go to [www.npjs.org/symposium](http://www.npjs.org/symposium)

## NOVEMBER 4-8, 2013

GORSKI Relapse Prevention School  
Ft. Lauderdale, FL. For more information, go to  
[www.silvernailconsultantservices.com/rtp-certification.html](http://www.silvernailconsultantservices.com/rtp-certification.html)

## NOVEMBER 9-13, 2013

AATOD National Conference  
Philadelphia, PA  
For more information, go to  
[www.aatod.org/national-conference/](http://www.aatod.org/national-conference/)



January 12-15, 2014  
**HOUSTON**

## JANUARY 12-15, 2014

APPA 2014 Winter Training Institute  
Houston, TX. For more information, go to  
[www.appa-net.org](http://www.appa-net.org)



## AUGUST 3-6, 2014

APPA 39th Annual Training Institute  
New Orleans, LA. For more information, go to [www.appa-net.org](http://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  
Lexington, KY 40578  
phone (859) 244-8206  
fax (859) 244-8001  
email [dwebb@csg.org](mailto:dwebb@csg.org)