

PERSPECTIVES

the journal of the American Probation and Parole Association



w w w . a p p a - n e t . o r g
Volume 39 Number 1 Winter 2015

INTERNATIONAL SPOTLIGHT







REGISTER ONLINE NOW AT

WWW.APPA-NET.ORG

OR CALL KRIS CHAPPELL AT
(859)244-8204 OR EMAIL AT
KCHAPPELL@CSG.ORG.

president's message

A Word From *Carmen*



CARMEN RODRIGUEZ

President

American Probation and Parole Association

"Leadership and learning are indispensable to each other." These are the words of one of my favorite U.S. Presidents, John F. Kennedy, whose creation of the Peace Corps has inspired generations of global citizens dedicated to building solutions to some of our world's greatest challenges.

Some of my proudest moments serving as APPA President these past two years have been contributing to a growing movement of shared learning among international community corrections leaders — a direct result of this movement will be the Second World Congress on Community Corrections in Los Angeles this July 14-16.

In every corner of the globe, nations struggle with systemic issues of crime, poverty and recidivism. While different cultures, politics, laws and even practices vary, my experiences meeting and sharing with our international colleagues have reaffirmed that the greatest leaders all share the common goals of building safe, sustainable communities – and, in the spirit of President Kennedy's words, they are all willing to reach out and learn from each other.

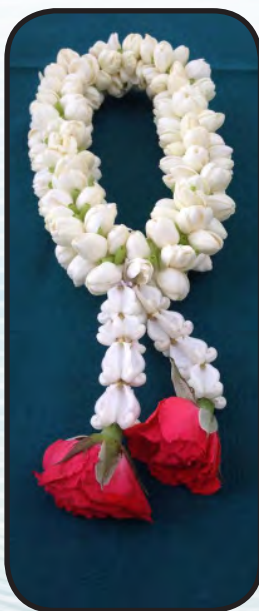
In so many ways, the opportunities to meet and share with these leaders as APPA President has been life changing and deeply inspiring for me on a personal, as well as professional level. Through the very first World Congress in London in 2013, doors were opened to the type of learning and collaboration that will help change our community corrections systems. The camaraderie and lasting friendships developed at the First World Congress impacted me profoundly. I am extremely grateful to have had experiences such as speaking with our colleagues from Germany about the benefits

of specialized caseloads, Thailand about Electronic Monitoring and London about the conversation regarding the privatization of probation or discussing the use of risk assessment/classification tools with our colleagues in Spain. It was an honor to share with others on an international platform what we know works in our field and, of course, caution against strategies we know cause harm.

One of the most unforgettable experiences I shared was when colleagues from Thailand graciously opened their homes, their hearts and their culture to me last year. During a vacation with my Australian friends, I had the honor of visiting with Director General Ruenvadee Suwanmongkol of the Thailand Department of Probation and Ministry of Justice, who was recently promoted to the position of Director-General of the Department of Legal Execution. A special thank you to Senior Probation Officer Saengduen Sangbuarngamlom for her

assistance in translating when needed and making sure our conversations went smoothly and Yossawan Boriboonthana, Director of Research and Development Institute for making all the arrangements for this gathering with Director Suwanmongkol. I also met with Phuket Probation Regional Director Narissara. Halfway across the world, it was an absolute pleasure to discuss common success stories and to discover the similar challenges we all face while providing supervision. What was even more remarkable was witnessing that the very passion and dedication that drives the community corrections professional as change agents defies any boundary: this passion and dedication exists in our nation, as it does in Thailand, Germany, Spain; it exists because our field, regardless of language, culture or geographical location, is committed to saving lives.

In the spirit of leadership, learning, and collaboration, as we near the Second World Congress here in our own backyard, it is



Phuang Ma Lai, a Thai form of floral garland. Often given as offerings or kept for good luck.



A Thai Cuisine feast at Kan Eang 2 Restaurant in Phuket.



Probation Office of Phuket- Regional Director Narissara

president's message

my great honor to present to you this special issue of *Perspectives* that is entirely dedicated to providing our international colleagues with a platform for sharing trends, best practices and ideas that are changing lives, improving public safety and advancing community corrections across the world. APPA's commitment to ensuring continued dialogue across cultures and countries is promoted by our International Relations Committee. I thank Committee Chair Rosa Lara and her group of hard working committee members for making this edition of *Perspectives* possible and for their assistance in realizing our commitment to bringing the Second World Congress to the States.

It is my hope that the thoughtful articles in this special 2015 edition of *Perspectives* will not only be of interest and benefit to all of our members, but inspire a meaningful and productive dialogue this July, when the American Probation and Parole Association and the International Community Corrections Association (ICCA), together with a host of

partners, prepare to "welcome the world" in Los Angeles, California.

There, we will hear change agents from across the globe speak on advancing practices; we will learn about international innovations in administrative interests, policy and juvenile and family justice. We will learn about restorative justice practices in other countries, as well as responses to behavioral health concerns among the court-involved population worldwide; we will discuss what desistance looks like in other places and explore the shift from mass incarceration to mass supervision, a phenomenon that continues to impact not only our nation, but others as well.

Indeed, this is a movement of shared learning across international boundaries; one that APPA envisioned many, many years ago. I hope that you are able to join us as we make history. >>>

Carmen Rodriguez

Director General Ruenvadee Suwanmongkol of the Thailand Department of Probation and the southern regions directors.



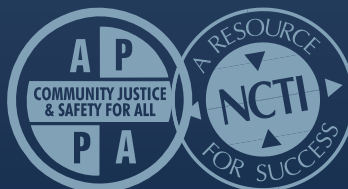
With More than Curricula Alone...



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 | 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

editor's notes

This issue of *Perspectives* is in honor of William Burrell. He assembled this collection of articles to honor the Second World Congress on Community Corrections (to be held on July 14-16, 2015 or immediately after the 40th Annual Training Institute for APPA). We honor Bill for his endless dedication to the field and his commitment to the American Probation and Parole Association. His contributions to the field are countless and certainly we cannot list them in this brief overview.



FAYE S. TAXMAN

Editorial Chair for *Perspectives*
American Probation and Parole Association

The World Congress on Community Corrections is designed to bring together an international perspective on the practice of community supervision—it is the opportunity to learn about various practices around the world. Essentially, the World Congress brings together the best minds in the field of community supervision to allow for the growth of an international approach to community corrections. In this edition we have four articles that describe global efforts regarding community supervision. The first article by Adrian Smith describes community supervision in London, England in a state of changing practice. The second article by Nikhil Roy focuses on community corrections in Africa. The third article by Paul McDowell and Neal Hazel addresses the changes in the sector network in England and Wales. Lastly, the Fergus McNeill and Ioan Durnescu article concentrates on the efforts to research community supervision in Western European countries. We owe each of these authors a gratitude for contributing to this edition.

This issue also has a number of important contributions to supervision practices. The research update is on graduated sanction schedules, the technology update is on HIPAA and CFR 42, the safety spotlight is on departmental identities, and the community policing features on warrantless searches. We are also fortunate to have a book review of Roger Statham's *The Golden Age of Probation: Mission v Market*.

The new editors of *Perspectives* are Faye S. Taxman and Brian Lovins. Here is a little about us:

Faye is a University Professor at George Mason University and directs (with Danielle Rudes) the Center for Advancing Correctional Excellence (ACE!).

Brian is the Assistant Director for Harris County Community Supervision and Corrections Department (CSCD).

In taking on *Perspectives*, we plan to build upon the reputation that Bill Burrell has nurtured over the past decade by making *Perspectives* the major source of information for community corrections agencies. We envision *Perspectives* as "go-to" resource for the field to help sort out the major issues facing community corrections. And, we hope that the articles will be used in staff meetings, "water cooler talk", etc. We hope that community corrections agencies will use *Perspectives* to advance knowledge about key topic areas. We want to feature the good work that individual agencies are engaged in, and how they implement or administer supervision practices.

Below is the schedule for article submissions. Please note the corresponding themes associated with each issue. We would like to feature the available research, agency practices in a given area, and implementation issues.

TOPIC	ISSUE	SUBMIT ARTICLES BY
Trauma	Summer 2015	May 19, 2015
Affordable Healthcare	Fall 2015	August 1, 2015
Juvenile Justice	Winter 2016	October 1, 2015
Decarceration	Spring 2016	December 1, 2015

Brian and I look forward to serving the field of community corrections. Please contact us if you have any suggestions to improve *Perspectives* or join our Editorial Meeting in Los Angeles. More information will be provided as we approach the team. ▷▷▲



EDITORIAL COMMITTEE

Faye S. Taxman, Ph.D.
Editorial Chair
 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

Brian Lovins
Editorial Vice Chair
 1201 Franklin St, 12th Floor, #12140
 Houston, TX 77002
 Phone: (713) 755-2134
 Brian.Lovins@csc.hctx.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

Jason D. Stauffer
 Division Director
 Bureau of Offender Reentry
 Coordination
 PA Board of Probation and Parole
 1101 South Front Street, Suite 5500
 Harrisburg, PA 17104
 Phone: (717) 787-5699
 jastauffer@state.pa.us

Susan V. Burke
 Director
 Division of Juvenile Justice Services
 195 North 1950 West
 Salt Lake City, UT 84116
 Phone: (801) 538-8224
 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.
 heartfeltnagy@austinrr.com

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

table of contents

features

70 AN ESSENTIAL CONTRIBUTION: HOW OFFENDERS IN LONDON ARE FINDING THEIR VOICE

by Adrian Smith

80 THE CHALLENGES OF DEVELOPING COMMUNITY CORRECTIONS IN AFRICA

by Nikhil Roy

92 INSPECTING PROBATION SERVICES IN ENGLAND & WALES – THE ASSESSMENT OF EFFECTIVENESS IN A MIXED SECTOR CONTRACT ENVIRONMENT

by Paul McDowell and Neal Hazel

104 OFFENDER SUPERVISION IN EUROPE: NEW DIRECTIONS IN COMPARATIVE RESEARCH

Fergus McNeill and Ioan Durnescu



departments

- 22 Technology Update
- 28 Spotlight on Safety
- 42 PSN Update
- 48 Book Review
- 52 International Update
- 62 Research Update
- 110 Calendar of Events

plus!

- 14 APPA Corporate Members
- 16 APPA Specialized Training
- 18 APPA Specialized Training Spotlight
- 21 Thank You Sponsors - APPA 2015 Winter Training Institute
- 39 APPA Call for Articles: *Perspectives* Articles
- 40 APPA Call for Articles: SPECIAL ISSUE ON TRAUMA
- 47 Pretrial, Probation and Parole Supervision Week

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 can be emailed to kmucci@csg.org in accordance with the following deadlines:

Summer 2015 Issue: May 19, 2015

Fall 2015 Issue: August 1, 2015

Winter 2016 Issue: October 1, 2015

Spring 2016 Issue: December 1, 2015

Unless previously discussed with the editors, submissions should not exceed 12 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
Chief Probation Officers of CA
Confederation of European 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
IJIS Institute
IN Association of Community Act Counties
International Community Corrections Association
Interstate Commission for Adult Offender Supervision
KS Association of Court Services Officers
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
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 Juvenile Dept. Director's Association
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 Wielkopolska
SC Probation & Parole Association
TX Probation Association
UT Correctional Association
VA Community Criminal Justice Association
VA Probation and Parole Association
Western Correctional Association

Executive Committee

Carmen Rodriguez	President
Susan Burke	President-Elect
Mack Jenkins	Vice President
Paula Keating	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
 Website: 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.



© 2015
 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.

APPA WILL HOST THE WORLD IN 2015.



SECOND

World Congress

ON COMMUNITY CORRECTIONS
WESTIN BONAVENTURE HOTEL

JULY 14-16, 2015
LOS ANGELES, CA



APPA 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



Capita Technologies, Inc.

Jim Newman
VP of Sales
4000 Westerly Place, Ste 110
Newport Beach, CA 92660
Phone: (949)260-3002
Email: jnewman@capita.com
Website: www.capita.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



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



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



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



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



CISCO

Daniel Stewart
Sr. Justice Advisor, Connected Justice
170 West Tasman Drive
San Jose, CA 95134
Phone: (347)443-7432
Email: danieste@cisco.com
Website: www.cisco.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



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



CorrectTech

Eric Tumperi
CEO
1450 East 62nd Avenue
Denver, CO, 80216
Phone: (303) 586-6551
Email: etumperi@correcttech.com
Website: www.correcttech.com



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@newdawntech.com
 Website: www.justware.com



Northpointe, Inc.

Dave Wells
 General Manager
 1764 Forest Ridge Drive, Suite A
 Traverse City, MI 49686
 231.938.5959 – Phone
 231.938.5995 – Fax
 Email: Dave.Wells@northpointeinc.com
 Website: www.northpointeinc.com



Omnilink

Maggie Williams Dryden
 Marketing Manager
 3330 Cumberland Blvd. - Suite 700
 Atlanta, Georgia 30339
 Phone: 770-485-2593
 Email: mdryden@numerex.com
 Website: www.omnilink.com



SCRAM Systems

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



SuperCom

Galit Mendelson
 Director of Communications
 200 Park Avenue South, 9th Floor
 New York, NY 10003
 Phone: (212)675-4606
 Email: galitm@supercom.com
 Website: www.supercom.com



Track Group

Steve Hamilton
 Chief Marketing Officer
 1215 N. Lakeview Court
 Romeoville, IL 60446
 Phone: (877)260-2010
 Email: steve.hamilton@trackgrp.com
 Website: www.trackgrp.com



Smart Start, Inc.

Jacquie Sheehy
 Director of Eastern Operations
 500 East Dallas Road
 Grapevine, TX 76051
 Phone (919) 604-2513
 Email: jsheehy@smartstartinc.com
 Website: www.smartstartinc.com



APPA ASSOCIATE MEMBERS

Corporations with an interest in the field of probation, parole and community corrections are invited to become APPA Associate Members.

Adventfs

Josh Hartlage
 President
 2927 Ring Road
 Elizabethtown, KY, 42701
 Phone: (270)209-0422
 Email: jjhartlage@adventfs.com

Buddi Limited

Jennie Lewis
 Executive Assistant
 Talbot House,
 17 Church Street
 Rickmansworth,
 Hertfordshire WD3 1DE
 Phone: 07765 892218
 Email: jennie@buddi.co.uk
 skype: jennielew15

For more information on
 Associate 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

BE SPECIAL.

NEED A GREAT TRAINING BUT CANNOT TRAVEL TO INSTITUTES OR CONFERENCES? LET APPA BRING THE TRAINING TO YOU!

With APPA's Specialized Training Series, we are your one-stop shop for top-notch trainers throughout the country. Agencies can choose from over 20 topics. Below is just a glimpse of what APPA can provide your agency. For more information, contact Karen Mucci at kmucci@csg.org or call (859) 244-8205.

The best part, you do not even have to leave the office—the trainers come to you! Check out all of the great Specialized trainings that APPA has waiting for you! You show up and we will take care of the rest!

MANAGEMENT TRAINING COURSES MAY INCLUDE:

- Communication Skills Workshop
- Doing Evidence Based Management (EBM) Ain't for Sissies
- Emergency Planning for Community Corrections Professionals
- Evidence-Based Practices for Corrections: An Overview
- Implications of Terrorism on Community Corrections Emergency Planning
- Measures that Work
- Planning to Comply with New Laws and Regulations
- Survival Skills for Managers and Supervisors (NCTI)
- The Wisdom of Truths
- Working with Unions
- Occupational Languages
- Occupational Spanish for Probation and Parole Officers

OFFICER SAFETY

- Dealing with Aggressive Behavior
- Strategies for Officer Safety
- The Tactical PO

MOTIVATIONAL INTERVIEWING

- Motivation and Human Behavior Change: Increasing the Readiness to Change
- Motivational Interviewing- Advanced Session: Elicit, Amplify and Reinforcing Change Talk
- Agency Implementation and Fidelity to Approach: Continued Technical Assistance and Quality Assurance

SOME ADDITIONAL COURSES THAT MIGHT BE OF INTEREST TO YOU:

- Effectively Managing a Multi-generational Work Force
- Investigative Techniques for Community Corrections Officers
- Public Safety Implications of Teenage Suicide: Recognizing the signs and developing a strategy.
- Can We See it Coming? The Role of Community Corrections Professionals in Preventing School Violence.

TECHNICAL ASSISTANCE EXAMPLES:

- Enhancing Agency Policies and Practices
- Victims Issues
- Improving Restitution Management in Community Corrections





APPA SPECIALIZED TRAINING SPOTLIGHT

ISSUES IN SUPERVISING MENTAL HEALTH OFFENDERS

Each year the number of offenders under supervision with mental health conditions increases. While many of these offenders successfully completed supervision, a significant number of offenders who have been involved with the killing of probation and parole officers and mental health and social workers have a documented history of mental health issues. This two day specialized training will examine those incidents and provide specific steps officers can take to increase their safety while still providing effective supervision and recruitment services.

TRAINING OBJECTIVES

Upon completion of this training, participants will be able to:

- Identify and understand the classic diagnostic categories of psychiatric disorders.
- Recognize the “red flag” indicators of dangerous behaviors associated with mentally disordered offenders.
- Apply the color code of safety awareness along with the indicators of aggressive behavior.
- Describe and practice supervision techniques that calm aggressive behaviors and reduce the risk of attack.
- Plan and practice defensive strategies to defend against aggression.

For more information on how to bring this training to your agency contact Karen Mucci at kmucci@csg.org or call (859)244-8205.

IDENTIFYING AND TREATING JUVENILE OFFENDERS WITH MENTAL DISORDERS

Effective Identification of juvenile offenders with mental health disorders is vitally important. Your role as an observer is critical to the treatment process, ensuring the health and safety of not just these individuals but that of other youth and staff as well.

TRAINING OBJECTIVES

In this course, justice professionals who work with youth in residential/institutional settings will learn about the reasons treatment is provided to youths with mental disorders, common types of treatment and the responsibilities that come along with treatment. Specifically, practitioners will be able to:

- Identify the common signs of mental health disorders in juveniles.
- Describe counseling and medical treatment strategies for providing mental health care in a juvenile correctional setting.
- Explain strategies and the importance of your role observing and documenting youth behavior.
- Participate in interactive exercises and real-world examples provided throughout the course that will help you apply the new information in your everyday work environment.

<http://appa.academy.reliaslearning.com/juvenile-services.aspx>

Brought to you by the partnership



FOR MORE INFORMATION ON ONLINE TRAININGS, PLEASE CONTACT:

Tracy Mullins, APPA
c/o The Council of State Governments
P.O. Box 11910, Lexington, KY 40578-1910
Phone (859) 244-8215, Fax (859) 244-8001
Email: tmullins@csg.org



APPA UPCOMING SPECIALIZED TRAININGS FOR WINTER 2015



CROSSROADS COGNITIVE FACILITATOR CERTIFICATION TRAINING

The Crossroads Certification Program is a fast-paced interactive course that teaches Criminal Justice professionals how to effectively facilitate the Crossroads criminogenic specific curricula for adult and juvenile offenders within their own organization.

Harrisburg, PA
March 23-27, 2015

West Valley, UT
April 13-17, 2015

White Plains, NY
June 8-12, 2015

NCTI'S PREA- PREVENTING SEXUAL MISCONDUCT AGAINST OFFENDERS FACILITATOR CERTIFICATION TRAINING

NCTI's PREA-Preventing Sexual Misconduct Against Offenders Certification Training addresses the staff training requirements in the NPREC's standards and provides agencies with prevention and identification strategies to reduce incidences of staff/offender sexual misconduct. This Certification Training is a fast-paced interactive course that teaches criminal justice professionals how to effectively facilitate NCTI's 8-hour Preventing Sexual Misconduct Against Offenders Workshop. The training uses reality-based scenarios and group interaction to provide the necessary tools to effectively recognize and prevent staff and offender victimization.

Visalia, CA
May 19-21, 2015

Morgan Hill, CA
June 3-5, 2015

**FOR MORE INFORMATION, CONTACT JEFF KOENIG AT
JKOENIG@NCTI.ORG OR CALL 1-800-622-1644 EXT. 5236**



APPA 2015 WINTER TRAINING INSTITUTE
JANUARY 11-14, 2015

DIAMOND SPONSOR



GOLD SPONSOR



*Thank you
Sponsors!*



A NOTE ON HIPAA AND 42 CFR PART 2 DISPELLING THE MYTHS ABOUT JUSTICE-HEALTH INFORMATION SHARING

On June 17, 2014 the National Governor's Association (NGA), with funding from the Bureau of Justice Assistance (BJA), hosted a two-day policy academy for three state pilot project sites (Illinois, Iowa, and Kansas) concerning the exchange of information between justice and health entities. The goal of the meeting was to break down misperceptions concerning the sharing of information between health/service providers and justice agencies as well as to begin the strategic planning process for each respective site. HIPAA (Health Insurance Portability and Accountability Act of 1996) and 42 CFR Part 2 (Title 42: Public Health, Part 2—Confidentiality of Substance Abuse Patient Records) are two of the most commonly cited barriers to cross-domain information sharing (Abernathy, 2014; Matz, 2013; Treatment Research Institute [TRI], 2011).¹ However, it is much less an issue than many may believe and it is also only one of many other more pressing issues including executive buy-in and frontline acceptance. This

This project is supported by Cooperative Agreement No. 2010-DB-BX-K021 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 necessarily represent the official position or policies of the U.S. Department of Justice.

brief dispels the myths of these federal regulations, demonstrates the palatable potential of justice-health exchanges and references the many tools available from the Global Justice Information Sharing Initiative (a.k.a., GLOBAL) to aid these information exchange prospects.

HIPAA, 42 CFR PART 2, ACA

To be clear, the privacy provisions of HIPAA and 42 CFR Part 2 are of utmost concern to institutional corrections (i.e., jail, prison) because they are required to offer health and medical services within their facility, an obvious consequence of maintaining custody and confinement. Institutions may contract out for medical services which reduces their culpability under these federal regulations. Regardless, HIPAA's Lawful Custody Exception² explicitly allows correctional institutions to access inmates' health information without consent if the information is necessary to provide health care to the individual or to ensure the safety and security of the inmate and others housed or working in the facility.³ Note, service providers are not always aware of, or exercise, this exception (Williams, 2014). This exception also applies to any emergency in which staff of a service provider agency are at risk (within the institution or the community), relevant to law enforcement and probation/parole agents as well.

HIPAA liability is contingent largely on whether the institution in question is

deemed a "covered entity." A covered entity is an institution in which there exists; 1) documentation of session information for the purpose of reporting health care, 2) requests for the review of health care records to perform services, or 3) payment of health care claims (Williams, 2014). Probation/parole agencies are *not* classified as "covered entities" and are *not* subjected to the provisions of HIPAA or subsequent liabilities. Further, 42 CFR Part 2 only applies to service providers that publically identify themselves as a substance abuse/mental health treatment provider and are federally conducted or receive federal funds in any form, whether or not the funds directly pay for substance abuse services.⁴ Providers that do not meet these parameters are not held by these confidentiality regulations. As such, probation/parole departments are not held to the standards or liabilities of 42 CFR Part 2, though it will have an impact on service providers' capacity and willingness to share information with community supervision agencies as it pertains to substance abuse and mental health treatment.⁵

That said, *protected health information* (PHI) probation/parole officers receive through interviews with clients can be utilized and re-disclosed to others so long as its use is for official capacity in regards to the client's release and supervision (Abernathy, 2014).⁶ Probation/parole officers cannot receive PHI from service provider programs without the consent of the probationer/parolee. Courts

can, and do, however require a waiver of confidentiality for substance abuse and mental health information as a condition of release from jail to probation or prison to parole. Failure to furnish required information (e.g., confirmation of treatment completion) could result in revocation of their conditional supervision. Note, legally speaking, compared to free citizens the expectation of privacy is practically non-existent for inmates and parolees and greatly reduced for probationers (see Adelman, 2007; 2002). In effect, there are four circumstances in which probation or parole officers may gain access to a client's PHI; 1) the client voluntarily provides the information to the officer, 2) the client voluntarily completes a legally compliant consent form permitting the service provider to release the desired information, 3) as a condition of supervision the client forfeits their ability to refuse consent and is compelled to permit the service provider(s) to release the desired information, or 4) a court order authorizes the disclosure and is combined with a subpoena to compel the service provider to relinquish said information (Abernathy, 2014).⁷

Finally, the Affordable Care Act (ACA) of 2010 concerns the eligibility of incarcerated individuals and those under probation/parole supervision to receive Medicaid assistance (Abernathy, 2014). Probation/parole agencies, regardless of the law, will wish to enhance their clients' reintegration (a.k.a., reentry, continuity of care) potential by supporting and

encouraging probationers/parolees to utilize Medicaid for assistance acquiring medical, behavioral and substance abuse services. Like HIPAA, the new eligibility requirements of ACA will have a decidedly more complex impact on institutional corrections than community corrections agencies.

MYTHS ABOUT INFORMATION SHARING

As should be clear, the apprehension surrounding HIPAA and 42 CFR Part 2 is largely exaggerated and misguided. These federal regulations do not prohibit the sharing of information between justice and health organizations. Clearly, the intent of these regulations is to protect the privacy of free citizens. It also, perhaps inadvertently, supports the sensible sharing of information on inmates, probationers and parolees; who legally have a reduced expectation of privacy (Adelman, 2007; 2002). Becki Goggins of SEARCH, with former experience in information sharing from the Alabama Department of Corrections, at the NGA Policy Academy highlighted ten myths about justice-health information sharing (Goggins, 2014). These myths are presented in Table 1 and contrasted with the reality of justice-information sharing.

CONCLUDING REMARKS

While there are certainly barriers to the sharing of information between justice and health agencies, they are not insurmountable. HIPAA and 42 CFR Part 2

TABLE 1: JUSTICE-HEALTH INFORMATION SHARING: MYTH VS. REALITY

Myth*	Reality
There is no need to share information.	<i>Continuity of care</i> is paramount to successful reintegration and reentry (Matz, 2013; Matz et al., 2012). Further, as reported by SAMSHA, the criminal justice system continues to be the largest referral to substance abuse treatment providers, comprising 36.9 percent of all referrals. Of the criminal justice referrals, 34.6 percent concerned probation/parole (Tipping, 2014). Finally, the IJIS Institute has produced a detailed report containing an extensive list of use case scenarios in regards to justice-health information sharing (Parker, Mallik-Kane, & Horvath, 2013).
There is no desire to share information.	The overlap in clientele is extensive (Matz, 2013; Matz et al., 2012; Tipping, 2014), both criminal justice professionals and the health community see value in improving cross-domain collaboration, as evidenced by the three pilots in attendance at the NGA meeting.
Federal law does not permit the sharing of information.	The parameters and exceptions discussed in this paper and many other reports demonstrate this is not the case (Abernathy, 2014; Matz, 2013; TRI, 2011).
Incompatible data formats prohibit the sharing of information.	Using different standards for Information sharing between justice and health does not have to be complicated or prohibit an exchange from occurring. Global tools such as NIEM ⁵ and GRA ⁶ allow distinct justice information systems to communicate via an independent intermediary by translating needed justice and health data elements into a common format, without the need to alter the original source of information. Note, Global has been considering ways to increase efficiency in sharing information between justice-health agencies (Global Standards Council Justice-to-Health Services Task Team, 2014; Global Strategies Solutions Working Group, 2014). Global is working on building interoperable justice extensions within the Health Standards and Interoperability (S&I) Continuity of Care Document. This cooperative approach between justice and health will provide for a larger national presence of electronic records and data quality (Despite Federal investments in Health IT, data exchange lags, 2014).
The issuance of credentials and management of external users is unmanageable.	A MOU (Memorandum of Understanding) with the partner agency can be used to outline rules of information use. The partner agency, however, can be responsible for management of user access and rights. GFIPM ⁷ is available from Global.
Information cannot be transferred safely through the internet.	Information can be securely transmitted via web services using encryption and certificates.
Data cannot be restricted or limited by user credential.	See #5. GFIPM is available from Global.
Executive leadership is not interested in sharing information.	Executives from the three pilots at the NGA policy academy displayed considerable interest. A business case is available from SEARCH to help garner support (Matz et al., 2012).
People will not use the information even if it is shared.	Inconclusive. There are few formal evaluations of information exchange projects. Projects need to be assessed in terms of their efficiency, effectiveness and enabling benefits (McEwen & Groff, 2013; Matz, Hageman, Brewer, & Chawla, 2014).
It's expensive.	Benefits need to be weighed by the costs associated with the exchange, which Global has worked diligently to reduce by focusing on interoperability and reuse. However, further research is needed to assess the long-term cost/benefit of the exchanges.

* Myths column adapted from Becki Goggins' (2014) presentation at the National Governors' Association (NGA) Policy Training Academy in Washington D.C. on June 17, 2014.

clearly do not preclude probation/parole agencies from engaging in information sharing projects with health organizations. They do, however, require agencies to be sensible and deliberate in how, when and with whom they allow to access potentially sensitive PHI. Technical limitations such as differing data elements, user restrictions and distinct data definitions do present complications, but can be overcome using Global tools such as the National Information Exchange Model (NIEM), Global Reference Architecture (GRA), and Global Federated Identity and Privilege Management (GFIPM). These interoperable tools also help reduce costs and implementation time. Finally, given the overlap in clientele between justice and health populations (Matz, 2013; Matz, Wicklund, Douglas, & May, 2012), and the support demonstrated by the NGA Policy Academy pilot states, there is a clear desire to engage in information sharing and enhance continuity of care, reentry and reintegration. >>>

REFERENCES

- Abernathy, C. (2014). *Corrections and reentry: Protected health information privacy framework for information sharing*. Lexington, KY: Council of State Governments, American Probation and Parole Association.
- Adelman, S. E. (2002). U.S. v. Knights: Supreme Court rules on searches of probationers by police. *The Journal of the American Probation and Parole Association: Perspectives*, 26(3), 39-43.
- Adelman, S. E. (2007). Some further reflections on *Samson v. California*: Standing Morrissey v. Brewer on its head? *The Journal of the American Probation and Parole Association: Perspectives*, 31(4), 43-45.
- Despite Federal investments in Health IT, data exchange lags (2014, August 13). Retrieved August 22, 2014, from iHealthBeat: Reporting Technology's Impact on Health Care: <http://www.ihealthbeat.org/articles/2014/8/13/despite-federal-investments-in-health-it-data-exchange-lags>
- Global Standards Council Justice-to-Health Services Task Team (2014). *Aligning justice-to-health priority exchanges task team: Final report*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Global Justice Information Sharing Initiative. Retrieved August 22, 2014, from <http://it.ojp.gov/gist/171/Aligning-Justice-to-Health-Priority-Exchanges-Task-Team-Final-Report>
- Global Strategies Solutions Working Group (2014). *Prioritizing Justice-to-Health Exchanges Task Team Final report*. Washington, D.C.: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, Global Justice Information Sharing Initiative. Retrieved August 22, 2014, from <http://it.ojp.gov/j2hreport>
- Goggins, B. (2014, June 17). *Privacy issues for justice and health exchanges: Separating fact from fiction*. Washington, D.C.: Presentation at the Policy Training Academy hosted by the National Governors' Association (NGA).
- Matz, A. K. (2013). Leveraging technology to enhance corrections-health/human service information sharing and offender reentry. In E. Waltermaurer, & T. A. Akers (Eds.), *Epidemiological criminology: Theory to practice* (pp. 187-196). New York: Routledge.
- Matz, A. K., Hageman, H. E., Brewer, G., & Chawla, Y. (2014). *A new source of intelligence information for law enforcement: The ICAOS' Offender Transfer Notification Service (OTNS)*. Manuscript submitted for publication.
- Matz, A. K., Wicklund, C., Douglas, J., & May, R. (2012). *Justice-health collaboration: Improving information exchange between corrections and health/human service organizations: Making the case for improved reentry and epidemiological criminology*. Sacramento, CA: SEARCH. Retrieved August 22, 2014, from <http://www.search.org/files/pdf/Justice-HealthCollabBusinessCase.pdf>

McEwen, T., & Groff, E. R. (2013). Performance measures for information technologies. *The Criminologist*, 38(2), 1-6.

Parker, S., Mallik-Kane, K., & Horvath, A. (2013). *Opportunities for information sharing to enhance health and public safety outcomes*. Washington, D.C.: IJIS Institute. Retrieved August 22, 2014, from http://www.ijis.org/docs/Opportunities_for_Information_Sharing_to_Enhance_Health_and_Public_Safety_Outcomes_20130403.pdf

Tipping, K. (2014, June 17). *Privacy issues for justice and health exchanges: Separating fact from fiction*. Washington, D.C.: Presentation at the Policy Training Academy hosted by the National Governors' Association (NGA).

Treatment Research Institute (2011). *Increasing effective communication between criminal justice and treatment settings using health information technology*. Philadelphia, PA.

Trestman, R. L., & Aseltine, Jr., R. H. (2014). Justice-involved health information: Policy and practice advances in connecticut. *Perspectives in Health Information Management*, 1-11. Retrieved August 22, 2014, from http://perspectives.ahima.org/justice-involved-health-information-policy-and-practice-advances-in-connecticut/#.U_elCk0g-Uk

Williams, A. (2014, June 17). *Improving health outcomes for the justice-involved population: How does HIPAA and the Meaningful Use Program apply in correctional health settings?* Washington, D.C.: Presentation at the Policy Training Academy sponsored by the National Governors' Association (NGA).

ENDNOTES

¹ These regulations were implemented to a) reduce negative attitudes, b) foster trust, c) preserve privacy, d) encourage help-seeking behavior, and e) balance personal liberties and public health/safety (Tipping, 2014). Specifically, the purpose of 42 CFR Part 2 is to encourage patients to seek substance abuse treatment without fear that by doing so their privacy will be compromised.

² See 45 CFR 164.512(i)(1)(ii)(B)

³ For more on health information sharing needs

concerning intake into jail or prison see Trestman and Aseltine (2014).

⁴ 42 CFR Part 2 applies to federally funded entities that provide alcohol drug abuse diagnosis, treatment or treatment referral. Such entities require patient consent prior to releasing personal information. Further, the mere acknowledgement that an individual is (or was) a patient at a Part 2 facility is a breach of the regulations (Tipping, 2014).

⁵ Note, HIPAA and 42 CFR Part 2 establish minimum standards for protecting PHI. State laws possessing less stringent protections are overridden by the federal regulations, while states with more stringent guidelines take precedent (Abernathy, 2014). As such, agencies should be aware that their state law could be more restrictive and, if so, must abide by those laws accordingly.

⁶ Re-disclosure must only be for use in an official capacity and necessary to carry out the duty of community supervision. Note, special circumstances exist in which a service provider is permitted to share information without patient consent including: 1) medical emergencies, 2) child abuse reporting, 3) crimes on program premises or against program personnel, 4) evaluations and research (de-identified data), and 5) under authority of a court order (Tipping, 2014).

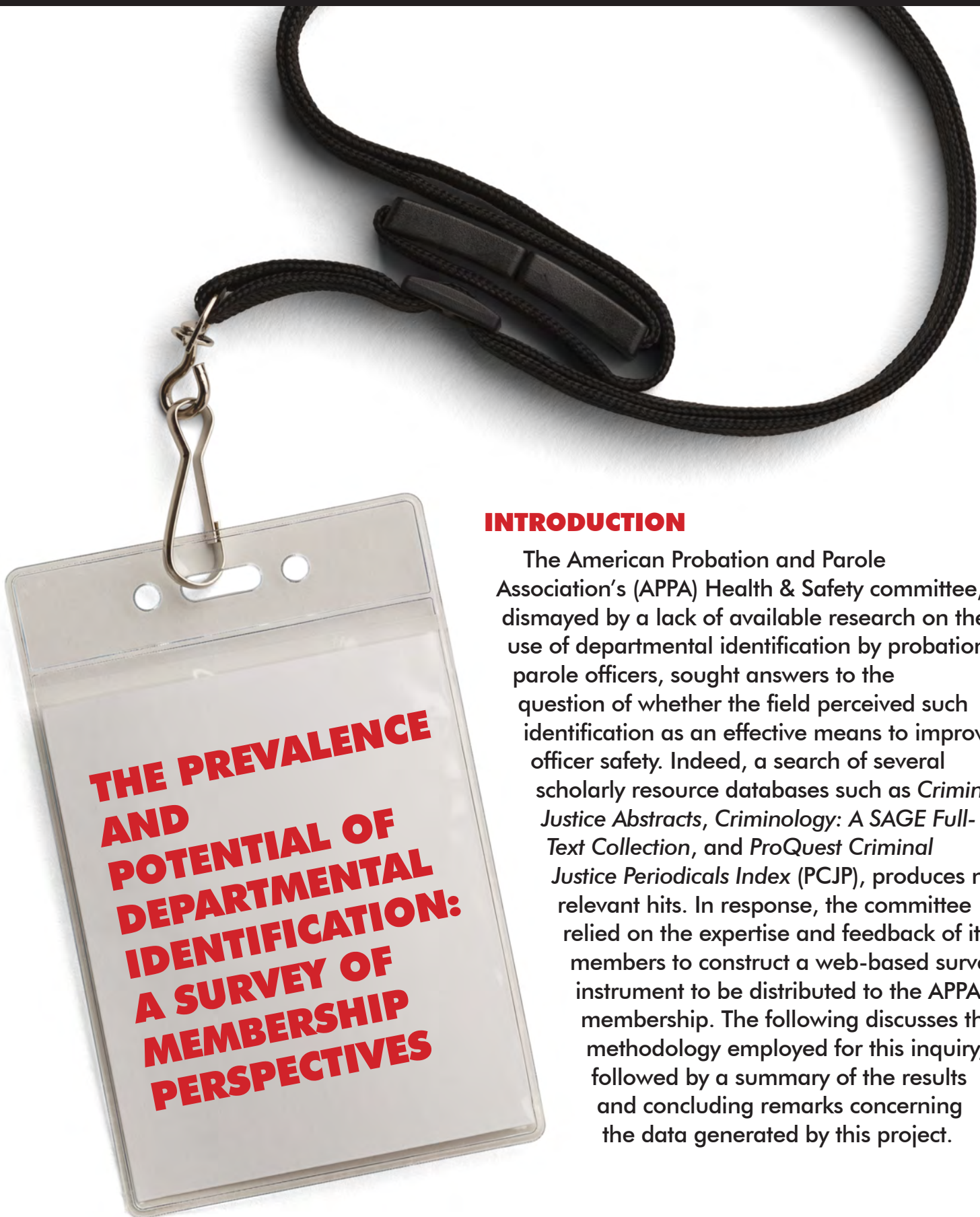
⁷ A sample consent form is available from Abernathy (2014), along with guidance on required elements per HIPAA and 42 CFR Part 2.

⁸ For more information on the National Information Exchange Model (NIEM) please visit www.niem.gov.

⁹ For more information on the Global Reference Architecture (GRA) please visit <https://it.ojp.gov/default.aspx?area=nationalInitiatives&page=1015>.

¹⁰ For more information on Global Federated Identity and Privilege Management (GFIPM) please visit <http://www.gfipm.net/>.

ADAM K. MATZ serves as Staff Liason for the APPA Health and Safety Committee and is Research Associate for the American Probation and Parole Association.



INTRODUCTION

The American Probation and Parole Association's (APPA) Health & Safety committee, dismayed by a lack of available research on the use of departmental identification by probation/parole officers, sought answers to the question of whether the field perceived such identification as an effective means to improve officer safety. Indeed, a search of several scholarly resource databases such as *Criminal Justice Abstracts*, *Criminology: A SAGE Full-Text Collection*, and *ProQuest Criminal Justice Periodicals Index (PCJP)*, produces no relevant hits. In response, the committee relied on the expertise and feedback of its members to construct a web-based survey instrument to be distributed to the APPA membership. The following discusses the methodology employed for this inquiry, followed by a summary of the results and concluding remarks concerning the data generated by this project.

The primary research question of interest to the committee was, “does the wearing of identifying emblems or wording enhance officer safety?” In addition to perceptions about safety, the committee was also interested in the most common practices of the field in terms of providing officers with equipment and vehicles that possess departmental identification.

METHODOLOGY

Though they possess distinct limitations, web-based surveys are an inexpensive alternative to more rigorous paper- and mail-based designs (Dillman, Smyth, & Christian, 2009; Leeuw, Hox, & Dillman, 2008). As such, they are an attractive means to obtain a preliminary pulse on the APPA membership’s views concerning many topics, in this case the viability of departmental identification as a means to protect probation/parole officers in the field. First mentioned and discussed at the APPA 38th Annual Training Institute in Baltimore, Maryland, a draft survey instrument was constructed and provided to the committee for review at the APPA 2014 Winter Training Institute in Houston, Texas. Feedback from the meeting was incorporated into several later iterations before being finalized and officially disseminated on June 4, 2014. Initially, the web-based survey was marketed on the APPA webpage and APPA’s e-newsletter *CC Headlines*. A mass email distribution to over 6,000 recipients was conducted on June 16, 2014. The survey was officially closed on July 7, 2014.

Consistent with the limitations discussed with the APPA Technology Committee’s survey on social media (Russo & Matz, 2013), it is impossible to report an accurate response rate. Results are based on a convenient, perhaps purposive, sample of the APPA membership, though the link could have easily been forwarded or picked up by non-APPA members as well. As such, these results should be interpreted with caution and broad generalizations may be inappropriate.

Nonetheless, the survey garnered a sizeable response with 809 total respondents. A majority of respondents worked in county government (68

**The primary
research
question of
interest to the
committee
was, “does
the wearing
of identifying
emblems
or wording
enhance officer
safety?”**

spotlight on safety

TABLE 1: DEMOGRAPHIC INFORMATION

Item	Response Set	N	%
1-1. How would you describe the jurisdiction of your current job? (N=809)	Federal	32	4
	State	202	25
	County	548	68
	City	22	3
	Tribal	3	<1
	Regional	2	<1
1-2. Which of the following best reflects the primary work area in your current job? (Mark all that apply) (N=809)	Assessment and investigation	136	17
	Parole supervision	158	20
	Probation supervision	701	87
	Pretrial services supervision	68	8
	Other	88	11
1-3. Does your work primarily deal with adults or juveniles? (Mark all that apply) (N=797)	Adult parole	188	24
	Adult probation	600	75
	Juvenile parole	26	3
	Juvenile probation	227	29
1-4. How would you categorize your current job position? (N=806)	Probation officer	398	49
	Parole officer	45	6
	Chief/ Director	98	12
	Management	81	10
	Supervisor	125	16
	Full-time trainer	13	2
	Other	46	6
1-5. Do you have a specialized caseload or specialized duties? (N=443) 1-5a. What types of individuals comprises your specialized caseload or duties? (N=285)	Yes	289	65
	No	154	35
	Gangs	44	15
	High risk	124	44
	Intensive probation supervision	101	35
	Domestic violence	63	22
	DWI/DUI	38	13
	Sex offenders	81	28
	Mentally ill	55	19
	Drug court	31	11
	Warrants	34	12
	Re-entry	17	6
	Veterans court	6	2
	Other	72	25

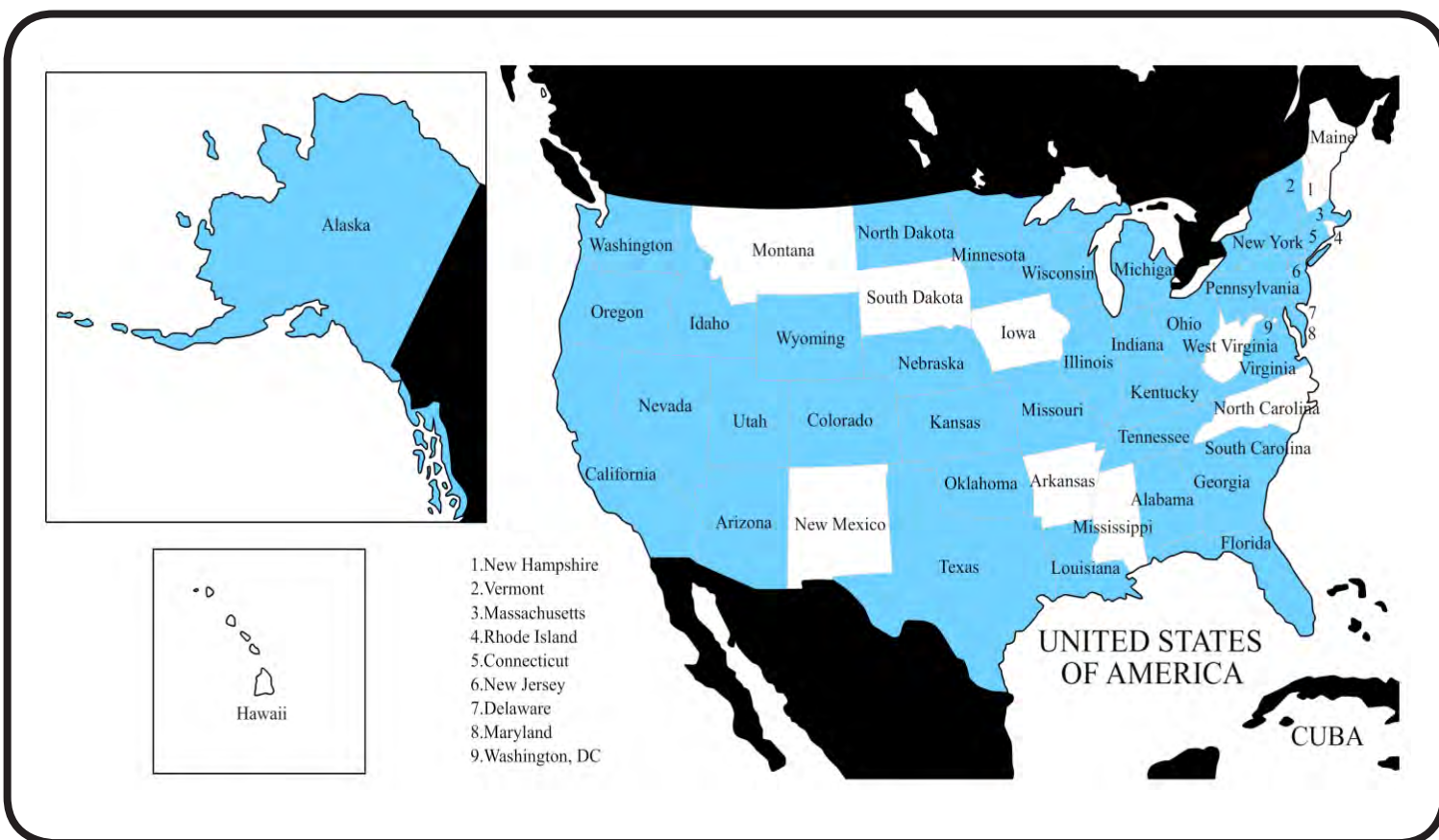
percent, N=548), were primarily tasked with providing probation services (87 percent, N=701) for adults (75 percent, N=600), and worked as probation officers (49 percent, N=398). In addition, more probation/parole officers reported possessing specialized caseloads (65 percent, N=289) with high-risk clients (44 percent, N=124) than any other alternative (For complete results see Table 1). Finally, as depicted in blue in Figure 1, most states possess some representation within the survey results.

RESULTS

The survey is divided into two parts, one for field officers and the other for leadership, management, supervisors and trainer perspectives. First, those items that overlap across both groups of constituents will be discussed together for comparison (see Table 2), followed by a discussion of items specific to a given population (see Table 3 and Table 4).

More than half of the respondents to item 2-1 indicated their department provides a belt badge (51 percent, N=212 and 63 percent, N=193, respectively). While 52 percent of officers indicated

FIGURE 1: KNOWN STATE REPRESENTATION OF RESPONDENTS



being supplied with unidentifiable body armor, a slightly smaller proportion of the leadership/management indicated such at 47 percent (N=144), an apparent arbitrary difference. Results are similar for officers and leadership/management in many other categories of equipment with exception to shirt and jackets with departmental identification. Here, about a quarter of the officers indicated being provided with clothing or a jacket that possessed the department name versus about 40-46 percent of leadership/management indicating such equipment

is provided. Such discrepancies may be due to disparities in the ratio of officers-to-leadership/management within agencies represented within the survey results. In other words, a particularly large probation/parole agency may contribute many frontline officers to the results but only a handful of leadership respondents, contributing to what appear to be contradictory outcomes. Other types of identifiable clothing mentioned by respondents not originally contained in the survey include shields for wallets and ID badges for building access. In terms

spotlight on safety

TABLE 2: PERCEPTIONS OF IDENTIFIABLE MARKINGS AND OFFICER SAFETY BY OFFICERS AND LEADERSHIP

Item	Response Set	Probation/ Parole Officers		Chief/ Directors/ Management/ Supervisors/ Trainers	
		N	%	N	%
2-1. Does your department provide you [field officers] with any of the following [equipment]? (Mark all that apply) (N=413/307)	Shirt with department name and/or badge	97	24	122	40
	Identifiable body armor	139	34	123	40
	Unidentifiable body armor	215	52	144	47
	Jacket with department name and/or badge	102	25	141	46
	Neck badge	163	40	120	39
	Belt badge	212	51	193	63
	Hat with department name and/or badge	31	8	64	21
	Other	29	7	55	18
2-2. Does your department require that you [your] officers wear any departmental identification? (Mark all that apply) (N=422/305)	No Requirement	149	35	92	30
	Shirt with department name and/or badge	38	9	46	16
	Identifiable body armor	53	13	56	18
	Unidentifiable body armor	86	20	56	18
	Jacket with department name and/or badge	23	6	42	14
	Neck badge	106	26	64	21
	Belt badge	129	31	111	36
	Hat with departmental name and/or badge	7	2	7	2
	Other	48	11	72	24
2-3. To what extent would you agree or disagree identifiable markings worn by an officer increase officer safety while conducting field work? (N=426/301)	Strongly Agree	174	41	100	33
	Agree	102	24	96	32
	Neither agree nor disagree	92	22	84	28
	Disagree	42	10	17	6
	Strongly Disagree	16	4	4	1
2-4. Which of the following best describes the vehicle you [your officers] usually use to do field work? (N=423/300)	Unidentifiable government vehicle	295	70	184	61
	Official use only government vehicle	37	9	29	10
	Departmentally identifiable government vehicle	35	8	60	20
	Department does not provide vehicle	56	13	27	9
2-5. To what extent would you agree or disagree that identifiable markings on a vehicle increase officer safety while conducting field work? (N=425/300)	Strongly agree	60	14	32	11
	Agree	72	17	63	21
	Neither agree nor disagree	168	40	138	46
	Disagree	111	26	46	15
	Strongly Disagree	14	3	21	7
2-6. Does your department provide you [field officers] any of the following equipment? (Mark all that apply) (N=428/306)	Oleoresin Capsicum (OC) spray	367	86	252	82
	Expandable Baton	203	47	138	45
	Conducted Electrical Weapon	46	11	46	15
	Other	45	11	46	15
	Not Applicable	65	15	26	9
2-6a. Does your department require any of this equipment be concealed? (N=383/258)	Yes	135	35	65	25
	No	248	65	193	75
2-7. As an officer in your jurisdiction do you [Do your officers] have some type of peace officer status? (N=428/301)	Yes	289	68	209	69
	No	139	32	92	31

DISCOVERCORRECTIONS.COM



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.



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.

spotlight on safety

of being required by the department to wear identifiable gear, detailed in item 2-2, there appears to be a general consensus that few agencies have specific requirements. The belt badge was the most common requirement at 31 percent (N=129) and 36 percent (N=111), respectively.

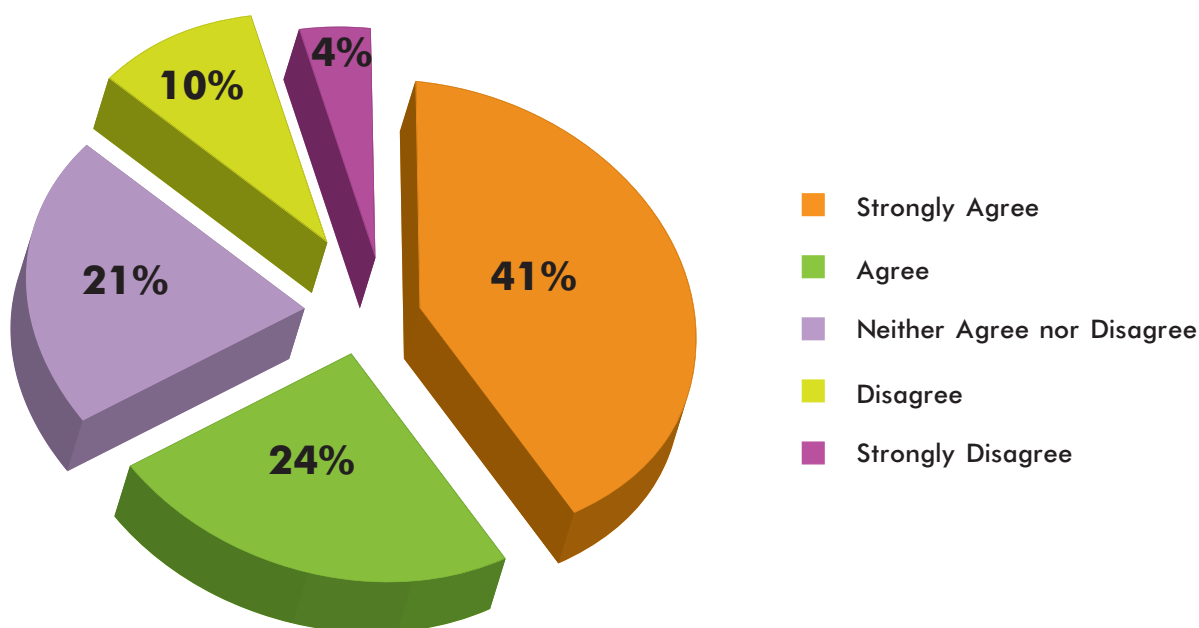
Perhaps not surprisingly a majority of respondents indicated they felt identifiable markings on the individual officer does contribute to officer safety (see item 2-3). More specifically 65 percent of field officers, and leadership/management as well, agreed or strongly agreed identifiable markings do increase safety in the field. About a quarter of both groups indicated they were indifferent to its potential impact, possessing no

strong opinion. Finally, less than 15 percent of both groups felt identifiable markings had no impact on safety. Figure 2 provides a more visual comparison of probation/parole officers and leadership/management perspectives. There is no discernable pattern between the two groups. Several notable comments from respondents are provided below;

"During search or arrest operations I wear body armor identifying my job. Any other time I dress in street clothing with my shield under my shirt."

"Our department only allows us to wear our tactical vest with 'probation' on it when we are doing searches and warrants..."

TO WHAT EXTENT WOULD YOU AGREE OR DISAGREE IDENTIFIABLE MARKINGS WORN BY AN OFFICER INCREASE PUBLIC SAFETY WITH CONDUCTING FIELD WORK? (PROBATION/PAROLE OFFICERS)



"I feel that I am a target with my gear on."

"I believe it is better to be identified. If I am attacked, I don't want the neighborhood to think it is just a domestic violence situation. I want them to know an officer is being attacked. If the police respond to assist, I want them to know who I am. But there are times when being incognito is helpful. So the option of how we dress should be up to us and what we think is most safe under the circumstances."

"I was involved in an incident when a person, not on probation, pulled a gun on both myself and a defendant. When officers arrived, they kept

yelling out 'who is the probation officer.' After I responded, the officer stated that he could not tell I was a probation officer because I had no visible identifying clothing. I was wearing my unidentifiable vest, a court issued badge and my probation ID card on my person. However, the incident happened outside an apartment complex after dark."

Switching focus now to the vehicle that officers use in the field, item 2-4 makes it clear the majority of respondents utilize a unidentifiable government vehicle (70 percent, N=295 and 61 percent, N=184, respectively). Further, there appears to be little support for the use of identifiable vehicles judging by the response to

TO WHAT EXTENT WOULD YOU AGREE OR DISAGREE IDENTIFIABLE MARKINGS WORN BY AN OFFICER INCREASE OFFICER SAFETY WHILE CONDUCTING FIELD WORK? (CHIEFS/MANAGERS/SUPERVISORS/TRAINERS)

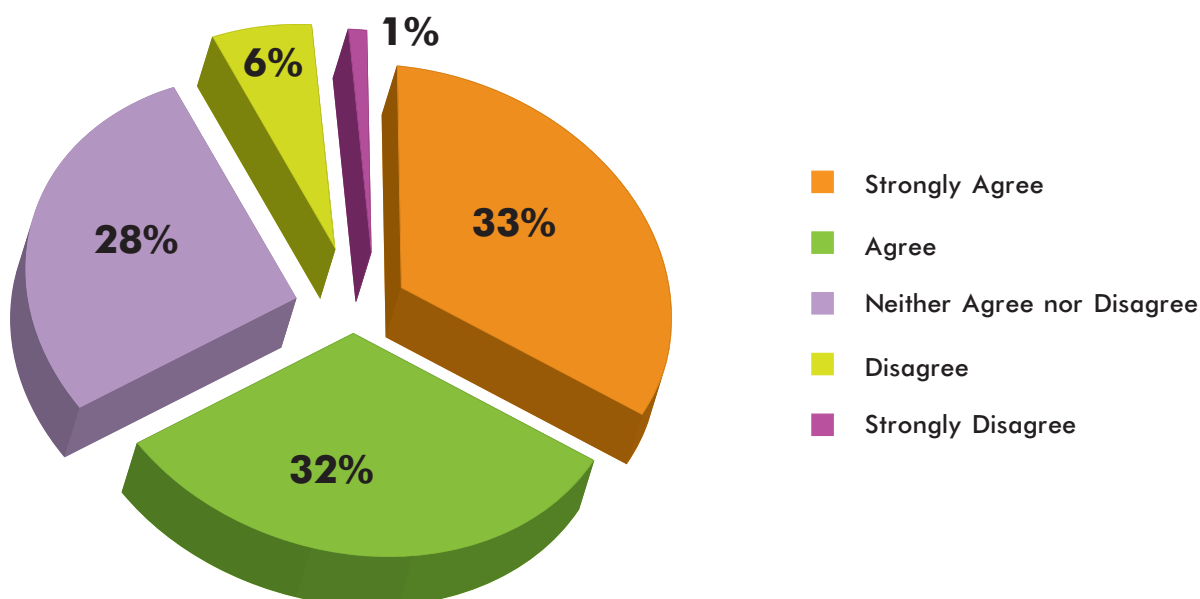


TABLE 3: OTHER CHARACTERISTICS OF PROBATION/PAROLE OFFICER RESPONDENTS

Item	Response Set	N	%
3-1. When you go in the field do you usually wear...? (Mark all that apply) (N=417)	Shirt with department name and/or badge	146	35
	Identifiable body armor	103	25
	Unidentifiable body armor	164	39
	Jacket with department name and/or badge	82	20
	Neck badge	159	38
	Belt badge	177	43
	Hat with department name and/or badge	23	6
	Other	63	15
3-2. When I am in the field I _____ wear some type of departmental identification. (Check the one answer that best reflects your situation) (N=426)	Always	277	55
	Usually	54	13
	Sometimes	38	9
	Rarely	29	7
	Never	28	7
3-3. Are you an armed officer? (N=429)	Yes	231	54
	No	198	46
3-3a Does your department require the firearm be concealed? (N=230)	Yes	140	61
	No	90	39
3-4. Which of the following practices best describes your typical day in the field? (N=428)	I always work with a partner	110	26
	I usually work with a partner	94	22
	I sometimes work with a partner	99	23
	I rarely work with a partner	90	21
	I never work with a partner	27	6
	Not Applicable	8	2
3-4a. My partner typically wears some type of identifiable markings? (N=393)	Yes	266	68
	No	127	32

item 2-5. Specifically, the results mirror that of a bell-curve or what statisticians know as a “normal” curve. There are roughly equal numbers of those in agreement and disagreement with a greater number of respondents uncertain, at the center as displayed in Figure 3. Several notable comments from respondents are provided below;

“I’ve used both marked and unmarked vehicles. I’ve not noticed any difference in officer safety with either. In fact, a marked vehicle was a hindrance in surveillance operations.”

“Most situations it is more beneficial to not have markings on vehicles for purposes of doing surveillance on fugitives. However, I could imagine situations, more so in other assignments, where having vehicle markings would be beneficial, such as transport vehicles, or possibly for officers doing regular field contacts and not so much surveillance.”

“Identifiable markings on a vehicle have the opposite effect of identifiable margins on an officer. While on the officer they provide an increase margin of safety marked vehicles can become targets.”

Other items of interest detailed in items 2-5 reveal that pepper spray (a.k.a., OC spray) is the most common nonlethal weapon provided to officers. In most cases these weapons are not required to be concealed. Finally, as described in 2-6, most of the respondents come from departments where officers possess peace officer status.

Table 3 lists additional items specific to probation/parole officers and generally show that officers do wear some form of identification (see item 3-1), most often a badge (on the belt) (see item 3-2). It is a near even split in terms of those who carry a

TABLE 4: OTHER CHARACTERISTICS OF DEPARTMENTS AS REPORTED BY LEADERSHIP

<i>Item</i>	<i>Response Set</i>	<i>N</i>	<i>%</i>
4-1. Does your department permit your officers to wear any departmental identification if purchased by the officer? (Mark all that apply) (N=286)	Officers are not permitted to wear any departmental identification	21	7
	Shirt with department name and/or badge	223	78
	Identifiable body armor	55	19
	Unidentifiable body armor	40	14
	Jacket with department name and/or badge	161	56
	Neck badge	81	28
	Belt badge	71	25
	Hat with department name and/or badge	119	42
	Other	34	12
4-2. Are field officers in your department armed? (N=306)	Required	61	20
	Not Permitted	101	33
	Optional	144	47
4-2a. Does your department require the firearm be concealed? (N=202)	Yes	82	41
	No	129	60

spotlight on safety

firearm (54 percent, N=231) and those that do not, with a majority of those carrying expected to conceal their weapon (61 percent, N=140). Finally, over 90 percent of officers indicate working with a partner at some point, even if rare and typically those partners also wear identifiable markings (68 percent, N=266).

Table 4 lists additional items specific to leadership/management. Per 4-1, many departments allow officers to equip identification that they have purchased including shirts (78 percent, N=223), jackets (56 percent, N=161), and hats (42 percent, N=119). In terms of arming, about 20 percent indicated their department requires it (N=61), 33 percent do not allow it (N=101), and 47 percent make it optional for the officers (N=47). Of those required or with the option to carry, most are not required to conceal it (60 percent, N=129).

CONCLUDING REMARKS

The most notable findings of the study include the recognition that identifiable markings for the individual field officer can, by their own account and that of leadership/management, promote greater officer safety. However, the use of identifiable vehicles is less supported by both groups. As the respondents noted, in both cases the use of identifiable markings depends greatly on the circumstances. During arrest they are essential. For standard home visits, however, opinions often vary with some officers preferring

not to be identified by anyone besides the probationer/parolee. Indeed, some lament that such markings do little more than paint a target on them and interfere with covert surveillance operations. Though more empirical research is needed, these results provide some support for the provision and promotion of individual identifiable markings, with considerably less support for identifiable vehicles. Further, *flexibility* is key and several notable qualitative comments make it clear that individual officer discretion is paramount to successfully adapting the use of such markings for a given situation appropriately. ▷▷▲

REFERENCES

Dillman, D. A., Smyth, J. D., & Christian, L. M. (2009). *Internet, mail, and mixed-mode surveys: The tailored design method* (3rd ed.). Hoboken, New Jersey: John Wiley & Sons, Inc.

Leeuw, E. D., Hox, J. J., & Dillman, D. A. (2008). *International handbook of survey methodology*. New York: Lawrence Erlbaum Associates.

Russo, J., & Matz, A. K. (2013). The use of social media for monitoring defendants, probationers, and parolees: Results of a survey of the APPA membership (Technology update). *The Journal of the American Probation and Parole Association: Perspectives*, 38(1), 22-33.

ADAM K. MATZ serves as Staff Liaison for the APPA Health & Safety Committee and is a Research Associate for the American Probation and Parole Association, Lexington, Kentucky. **KEVIN C. JEFFRIES** serves as Chair for the APPA Health & Safety Committee and is a Probation Safety Specialist for the Arizona Administrative Office of the Courts, Phoenix. **ROBERT THORNTON** is the Director of Community Corrections Institute, Springdale, Washington.

Special thanks to the APPA Health & Safety Committee members for feedback on the survey instrument and APPA staff (Diane Kincaid, Darlene Webb, Lisa Ginter) for their assistance in the administration of the survey.

Call for Articles

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 in accordance with the following deadlines:

Summer 2015 Issue: May 19, 2015

Fall 2015 Issue: August 1, 2015

Winter 2016 Issue: October 1, 2015

Spring 2016 Issue: December 1, 2015

*NOTE: No more than three (3) tables and/or graphs per submitted article.
Twelve (12) typed pages, double spaced

FOR MORE INFORMATION, CLICK HERE TO GO TO PAGE 11 OF THIS PUBLICATION FOR SUBMISSION DETAILS AND GUIDELINES.





CALL FOR ARTICLES- **TRAUMA INFORMED SPECIAL** **ISSUE- SUMMER 2015**

As President of the American Probation and Parole Association (APPA), I have been very pleased to make trauma-informed care a foundation of my two year presidency. As a childhood witness to and survivor of domestic violence, the need for trauma-informed practices for our clients and for us as corrections and public safety professionals is very clear and timely.

As such, APPA is planning to publish a Special Issue of Perspectives, our member journal, that focuses on trauma-informed care and practices across community and institutional corrections, victim/survivor assistance and public safety spectrums. It will be published online this summer. Dr. Joan Gillece, Director of the National Center for Trauma-Informed Care and Alternatives to Seclusion and Restraint (<http://www.samhsa.gov/ntic>) at the Substance Abuse and Mental Health Services Administration (SAMHSA), is helping us by serving as a special editor for this issue.

Because of your expertise and interest in this topic, I would like to invite you to contribute an article about trauma informed care.

All articles should be submitted by Tuesday, May 19, 2015 and emailed to Karen Mucci at kmucci@csg.org.

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 can be emailed to kmucci@csg.org.

Unless previously discussed with the editors, submissions should not exceed 12 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.



WHERE AND WHEN POLICE OFFICERS CAN CONDUCT WARRANTLESS SEARCHES OF PROBATIONERS/ PAROLEES: A LEGAL REVIEW

A recent study by the Justice Center (2013) concerning four California cities revealed that as many as one in five arrests (or 20 percent) involved an individual under probation or parole supervision. More specifically, one in six arrests for violent crimes and one in three substance abuse arrests involved an active probationer/parolee. Though some states have arguably shown some improvement in reducing recidivism, it continues to be a persistent and pervasive problem nationally (Justice Center, 2012; Pew, 2011). The recognition that police often come into contact with probationers and parolees is not a new phenomenon. Indeed, such a recognition led to the creation of the first formalized police-probation/

parole partnership, Boston's 'Operation Night Light' in 1992 (Corbett, 1998; Matz & Kim, 2013). Night Light would be replicated in various forms throughout the country during the 1990s and early 2000s. In addition to the need for greater research on such partnerships' crime reduction effectiveness, a more practical need concerning the legal implications of such partnerships has also been voiced by practitioners at previous APPA Training Institutes. In response to this need, the authors examined state statutes and case law as they pertain to law enforcement searches of probationers/parolees.

First, it should be recognized that, with few exceptions, probation and parole officers are generally granted free reign over the ability to conduct searches of clients (Turner, Hemmens & Matz, 2014). This comes, of course, through a common condition placed on probationers/parolees as a requirement of their conditional community supervision. Specifically, probationers/parolees waive their fourth amendment rights, negating the need for probation/parole officers to obtain a search warrant or establish probable cause. Further, the Supreme Court has recognized that to require probable cause or a warrant would interfere with the goals and aims of probation/parole supervision, which involves both compliance enforcement (i.e., public safety) and rehabilitation (see *Griffin v. Wisconsin*, 1987). In most cases, officers can initiate searches of the person or residence without reservation.

That said, some states such as Delaware require there at least be a *reasonable suspicion* of wrongdoing prior to the search. A reasonable suspicion is more than a hunch but less than what would be considered adequate for *probable cause*.

In *U.S. v. Knights* (2001), the Supreme Court reasoned that a police officer could conduct a search of a probationer's residence if there were reasonable grounds to assume a crime was or was about to be committed and the officer had prior knowledge that the individual was actively under community supervision. Further, in California probationers waive their fourth amendment rights to both supervision and police officers, unique from other states and jurisdictions. As depicted in Figure 1, state laws and statutes reveal that thirteen states provide police officers with the authority to search probationers/parolees without a warrant or probable cause, in many cases requiring only reasonable suspicion. These states include Arizona, Arkansas, California, Idaho, Iowa, Kansas, Minnesota, Nebraska, North Dakota, South Carolina, South Dakota, Tennessee and Virginia. In addition, North Carolina permits police officers to search the person or vehicle, but not the residence. Louisiana only permits police to search convicted sex offenders, with a minimum of reasonable suspicion. Several other states permit police officers to conduct a search while under the guidance and supervision of the probation/parole officer. These states include Alaska,

Florida, Indiana, Massachusetts, Michigan, Mississippi, Montana, New Hampshire, New York and Oregon. The remaining states either lack supporting case law or statutes to guide law enforcement searches of probationers/parolees or explicitly prohibit it. Referenced statutes and case law can be located in Table 1. It should be noted that this research examines case law, not agency policy. It is possible agency policies could be more restrictive than state statutes or court decisions.

For most states there is a clear advantage to having effective information-sharing partnerships between law enforcement and probation/parole

agencies. In addition to reducing probationers/parolees perceived anonymity, depending on the state, the mere knowledge of an individual's supervision status enables police officers to take actions in some instances without hesitation when a crime is suspected. That said, information-sharing and related partnerships between police and probation/parole agencies should be accompanied by agreements that clearly articulate the goals and objectives of each respective agency. For more on legal concerns as they relate to law enforcement searches of probationers and parolees see Turner et al. (2014), Adelman (2002, 2007), Colbridge (2003), and Jermstad (2002a, 2002b). ▷▷▲

FIGURE 1: WARRANTLESS SEARCHES BY LAW ENFORCEMENT OFFICERS

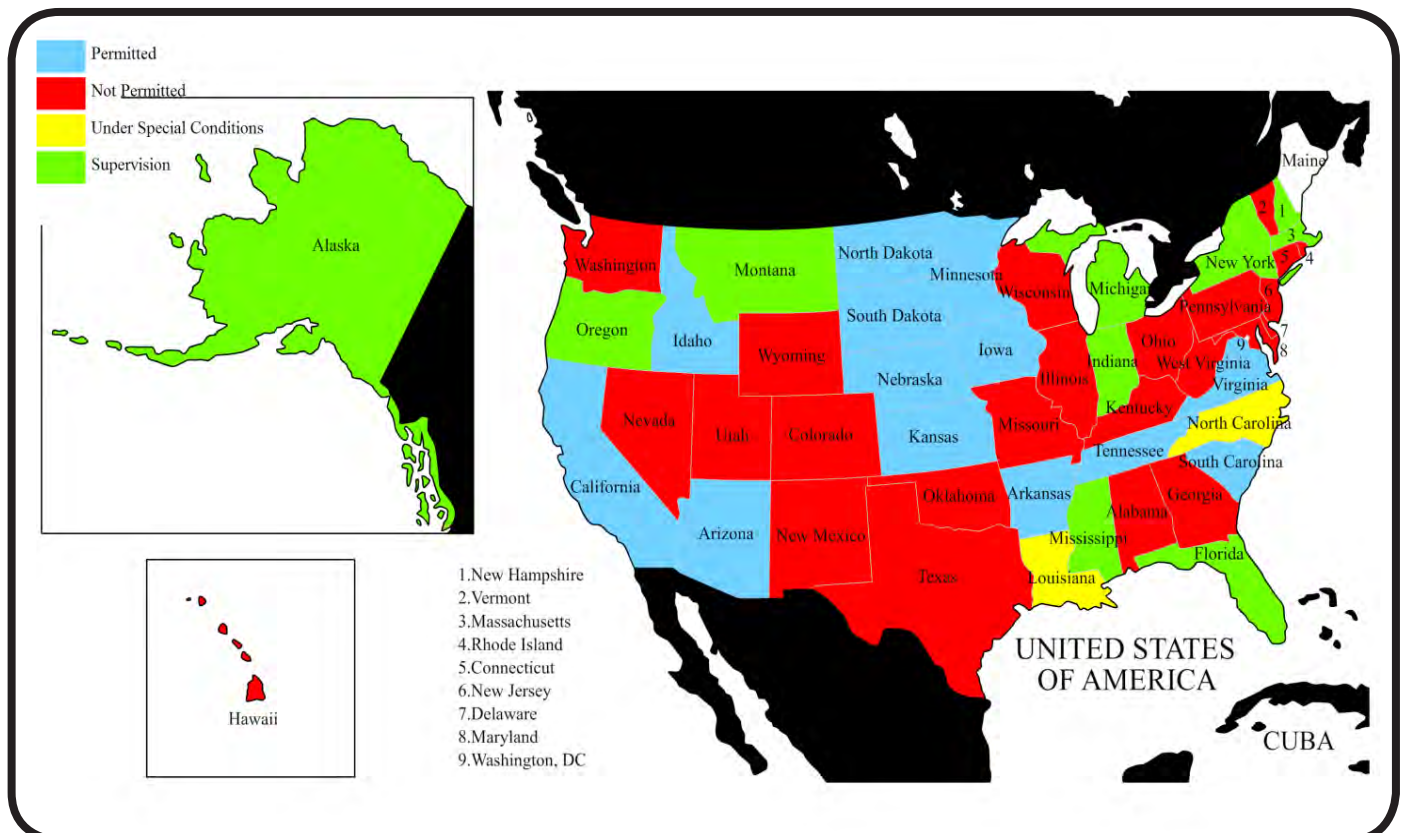


TABLE 1: STATE LAW AND STATUTES CONCERNING WARRANTLESS SEARCHES BY LAW ENFORCEMENT

<i>State</i>	<i>Source</i>	<i>Waive for police officers</i>	<i>Special Circumstances</i>
Alabama	Al Code 15-22-29	No	No
Alaska	Statute: Sec 33.16.150	Under supervision of law enforcement	No
Arizona	Case law: Arizona v. Turner 688 P.2d 1030. (1984). Statute: 6-2-207	Yes	No
Arkansas	Wilson v. State. 752 S.W.2d 46. (1988).	Yes	No
California	People v. Bravo. 738 P.2d 336. (1987).	Yes	No
Colorado	People v. Anderson. 536 P.2d 302. (1975).	No	No
Connecticut	State v. Whitfield. 599 A.2d 21. (1991).	No	No
Delaware	Pendleton v. State. 990 A.2d 417. (2010). Statute: Sect. 11.4321	No	No
Florida	Statute: Sect. 948.03	Supervision	No
Georgia	Harrell v. State. 559 S.E.2d 155. (2002).	No	No
Hawaii	State v. Fields. 686 P.2d 1379. (1984).	No	No
Idaho	Standard Agreement of Supervision	Yes	No
Illinois	People v. Eiland. 576 N.W.2d 1185. (1991).	No	No
Indiana	Bonner v. Indiana. 776 N.E.2d 1244. (2002).	Supervision	No
Iowa	State v. Ochoa. 792 N.W.2d 260. (2010). House File 2433	Yes	No
Kansas	State v. Bennett. 200 P.3d 455. (2008).	Yes	No
Kentucky	Coleman v. Kentucky. 100 S.W.3d 745. (2002).	No	No
Louisiana	Statute: Sect. 30.2.895	No	Yes, if the offender is a sex offender
Maine	TBA	TBA	
Maryland	Md. § 6-109	No	No
Massachusetts	Commonwealth v. LaFrance. 525 N.E.2d 379. (1988).	Supervision	Must be at the direction/request of probation officer.
Michigan	People v. Krussell Not reported in N.W.2d (2012)	Supervision	
Minnesota	State v. Brambrink Not reported in N.W.2d (2010)	Yes	No
Mississippi	Barlow v. State. 8 So.3d 196. (2005).	Supervision	No
Missouri	N/A	No	No case law that pertains, specifically mentions Probation/Parole officer
Montana	Statute: Rule 20.7.1101	Supervision	Must be authorized by probation/parole officer and be backed by reasonable suspicion
Nebraska	State v. Sievers. 511 N.W.2d 205. (1994).	Yes	No
Nevada	Parole Agreement	No	No
New Hampshire	State v. Zeta Chi Fraternity. 696 A.2d 530. (1997).	Supervision	No
New Jersey	State v. Bollinger. 405 A.2d 432. (1979).	No	No
New Mexico	State v. Gardner. 619 P.2d 847. (1980).	No	No
New York	People v. Fortunato. 50 A.D.2d 38. (1975).	Supervision	No
North Carolina	Statute: 15A-1343	Yes	Law enforcement is restricted to searching person and vehicle only.
North Dakota	State v. Schlosser. 202 N.W.2d 136. (1972).	Yes	No
Ohio	State ex rel. Wright v. Ohio Adult Parole Authority. 661 N.W.2d 728. (1996).	No	No
Oklahoma	Ott v. State. 967 P.2d 472. (1998).	No	Case law does not specifically prohibit searches but rather specifically identifies probation/parole officers as searching party
Oregon	State v. Davis. 891 P.2d 1373. (1995).	Supervision	No
Pennsylvania	Commonwealth v. Altadonna. 817 A.2d 1145. (2003).	No	No
Rhode Island	Statute: 13-8-32	No	No
South Carolina	Statute: 24-21-430	Yes	Law enforcement must first verify that probationer is still on probation prior to search
South Dakota	State v. Kottman	Yes	Reasonable Suspicion
Tennessee	State v. Davis. 191 S.W.3d 118. (2006).	Yes	Searches and seizures must be reasonable in relation to sentence
Texas	Townes v. State. 293 S.W.3d 227. (2009).	No	No
Utah	Utah v. Burningham. 10 P.3d 335. (2000).	No	No
Vermont	State v. Lockwood. 632 A.2d 655. (1993).	No	Case law does not specifically prohibit searches but rather specifically identifies probation/parole officers as searching party
Virginia	Murray v. Commonwealth. 743 S.E.2d 302. (2013).	Yes	No
Washington	State v. Winterstein. 166 P.3d 1242. (2007). Guide for Police Officers and Prosecutors	No	No
West Virginia	Hughes v. Gwinn. 290 S.E.2d 5. (1982).	No	Case law does not specifically prohibit searches but rather specifically identifies probation/parole officers as searching party
Wisconsin	Griffin v. Wisconsin. 97 L.Ed.2d 709. (1987).	No	Case law does not specifically prohibit searches but rather specifically identifies probation/parole officers as searching party
Wyoming	Pena v. Wyoming. 792 P.2d 1352. (1990).	No	Case law does not specifically prohibit searches but rather specifically identifies probation/parole officers as searching party

REFERENCES

Adelman, S. E. (2002). U.S. v. Knights: Supreme Court rules on searches of probationers by police. *The Journal of the American Probation and Parole Association*, 26(3), 39-43.

Adelman, S. E. (2007). Some further reflections on *Samson v. California*: Standing *Morrissey v. Brewer* on its head? *The Journal of the American Probation and Parole Association*, 31(4), 43-45.

Colbridge, T. D. (2003). Probationers, parolees, and the Fourth Amendment. *FBI Law Enforcement Bulletin*, 72(7), 22-32.

Corbett, R. P., Jr. (1998). Probation blue? The promise (and perils) of probation-police partnerships. *Corrections Management Quarterly*, 2(3), 31-39.

Griffin v. Wisconsin. 97 L.Ed.2d 709. (1987).

Jermstad, T. (2002a). *Legal issues involving Project Spotlight*. Huntsville, TX: Sam Houston State University, George J. Beto Criminal Justice Center, Center for Project Spotlight.

Jermstad, T. (2002b). United States v. Knights: Its impact in Texas. *Project Spotlight: News in Brief*, 2(1), 5-8.

Justice Center (2012). *States report reductions in recidivism*. New York: Council of State Governments

Justice Center (2013). *Impact of probation and parole populations on arrests in four California cities*. New York: Council of State Governments.

Matz, A. K., & Kim, B. (2013). Policy implications of police-probation/parole partnerships: A review of the empirical literature. *Federal Probation*, 77(1), 9-16.

Pew Center on the States (2013). *State of recidivism: The revolving door of America's prisons*. Washington, D.C.: The Pew Charitable Trusts.

Turner, J. R., Hemmens, C., & Matz, A. K. (2014). Is it reasonable? A legal review of warrantless searches of probationers and parolees. *Criminal Justice Policy Review*. Advance online publication. doi:10.1177/0887403414554996

United States v. Knights. 534 U.S. 112. (2001).

The PSN Update is supported by Cooperative Agreement Number 2011-GP-BX-K032 awarded by the Bureau of Justice Assistance under the Project Safe Neighborhoods (PSN) anti-gun/gang initiative. 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 Office for Victims of Crime, and the SMART Office. Points of view in this document and related materials are those of the authors and do not necessarily represent the official policies or positions of the U.S. Department of Justice. For more information on PSN please visit APPA's PSN project page and dedicated website at <http://www.appa-net.org/psn/>. 1,000-1,500 word submissions (otherwise follow Perspectives' submission guidelines) for consideration in the PSN Update are welcome and encouraged. To be considered papers must be relevant to community corrections (probation/parole) and concern interagency collaboration (e.g., police-probation/parole partnerships), Project Safe Neighborhoods (PSN), gangs, and/or gun violence. Please direct PSN Update manuscripts to amatz@csg.org.

ADAM K. MATZ is a research associate with the American Probation and Parole Association (APPA) and a doctoral candidate at the Department of Criminology at Indiana University of Pennsylvania (IUP). **JOHN TURNER** is a doctoral student in the Department of Criminal Justice and Criminology at Washington State University (WSU). **DR. CRAIG HEMMENS** is Chair & Professor of the Department of Criminal Justice and Criminology at Washington State University (WSU).



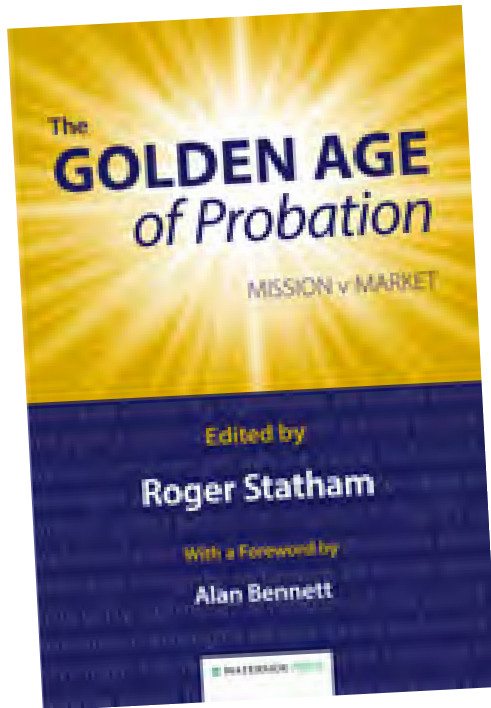
American Probation and Parole Association A Force for Positive CHANGE
w w w . a p p a - n e t . o r g

PRETRIAL, PROBATION AND PAROLE SUPERVISION WEEK:

*A Worldwide
Force for
Change*

JULY 12-18, 2015





THE GOLDEN AGE OF PROBATION: MISSION V. MARKET

edited by Roger Statham,
Waterside Press United
Kingdom 2014 pp 240.

For over 25 years I have been observing the changes in probation as a delivery system in England and Wales, especially the transition from a social welfare model to a more risk based criminal justice model. This shift was noticeable when I attended a conference in London in 1989, when as President of APPA, I represented the association and was present when a green paper on the use of electronic monitoring was introduced. I remember the dissent that emerged from probation practitioners regarding the anticipated change to their familiar working relationship with offenders. This event led to a concentrated effort on the part of the probation service to embrace the “what works” research and practice that was migrating from North America to Europe in an effort to hold on to their values regarding assisting offenders. The probation service in England and Wales from 2000 to today has gone through a number of structural and programmatic changes.

The most dramatic change to the service to date was announced by the Lord Chancellor and Secretary of State for Justice Chris Grayling in the opening session of the First World Congress held in London, England in October, 2013. Grayling gave a brief history of the reforms and changes to the probation service over the past hundred plus years of probation work in England and Wales. His speech summarized the Transforming Rehabilitation in England and Wales proposals put forth by the Ministry of Justice. He noted that although the crime rate in England and Wales had been declining, the reoffending rate

has barely changed in the past decade. This is the prime reason, he said, for proposing changes to the rehabilitation services in England and Wales. Some of these reforms include:

- Introducing a minimum 12 months of community supervision upon release from prison regardless of sentence length
- Creating a nationwide network of resettlement prisons in order to release prisoners closer to the areas where they live and will be supervised
- Creating a new public sector National Probation Service for the protection of the public from the most dangerous offenders
- Opening up the market for delivering rehabilitation services to a broader range of providers. This provision will see the introduction of a payment by results scheme for service providers based on reoffending reductions

The Minister's speech was certainly a stimulus for discussion and debate at the congress and did appear to delegates to present a two-tiered supervision system with low and medium risk cases going to the private and voluntary sectors and the high risk cases being supervised by the new public protection probation service. Therefore it is not a surprise that the current book under review was published in 2014 with the subtitle of "mission v. market". The editor, Roger Statham is a former probation officer whose career began in the 1960's and saw him progress through the ranks to become the Chief Probation Officer in Teesside. He is presently joint secretary of the Association of Retired Chief Officers and Inspectors of Probation (ARCOIP). He has assembled an interesting and informative collection of recollections by 20 members and associates of ARCOIP in which the contributors chart their careers against the background of the political environment of the period under discussion.

Stratham provocatively titles the introduction in the form of question: probation-the beginning or end? He begins by noting that "by the end of 2013 it was clear that, after decades of unpopularity, political forces were finally ensuring the end of the Probation Service in England and Wales. He recounts the issues emerging from the government's transforming rehabilitation agenda and some of the responses made by probation professionals which have been to no avail. This has had some interesting results, such as a number of retirements or early leavings from the service that will have the effect of loss of institutional memory. The contributors in this book, sensing a loss of

The Golden Age of Probation should not be read as a longing for a bygone age but rather as a social history providing lessons and guidelines for the future. The book is easy to read and is a kind of wake-up call to others who may find their services falling out of favor with their legislators, policymakers and funders.

probation's legacy, have attempted to make up this loss by recording their reflections and recollections of probation's worth, especially since

there appears to be no interest by government in preserving or archiving accounts from the various local probation areas. (For me this also explains the number of histories of probation in England and Wales that have been published since 2000!). The editor comments how he sees the stifling of probation as a local service by the changes in the political landscape. The major aspect of this change is the emphasis on market-driven approaches to public service. The movement of hiving off public services to the private sector is a result of globalization and of government's need to reduce expenditures. Similar trends are seen in other countries. The contributors take a personal approach to some of the moral, ethical and economic challenges they have encountered in their efforts to deliver a person-centered, rehabilitative approach to offenders under supervision. They willingly welcome the work of charities and the voluntary sector and recognize the valuable contribution they make to the offender and the community. The concern is with what they see as the questionable merits of privatization and the for-profit aspect for delivering a public service for a public good. Whatever your views on this subject the observations and questions raised in these narratives are helpful in forming your own perspective.

The contributors cover a wide range of experiences such as working with the disadvantaged, victims of racism, finding solutions to housing and employment needs, etc. But in some accounts you also learn of the ineffectiveness of government response to the news media that take up causes and manufacture issues that

undermine the work of probation. Although the writing may appear too subjective or personal, you will find that events are documented wherever

possible and there are references to published material leading to a support for the opinions expressed.

The Golden Age of Probation should not be read as a longing for a bygone age but rather as a social history providing lessons and guidelines for the future. The book is easy to read and is a kind of wake-up call to others who may find their services falling out of favor with their legislators, policymakers and funders. The conclusion for me is the reminder that changes occurring in other jurisdictions suddenly appear in your own hometown. Complacency about how we do probation is the real enemy and a book written by probation practitioners is worth reading.

The issues discussed in this book will continue to be debated with various opinions expressed, but eventually the predictions of outcomes for the changes envisioned will have to meet the results test! I am sure we will hear more about the outcomes and progress made in England and Wales as the launch of the proposals are scheduled for April 2015. The Second World Congress will be held in Los Angeles, July 14-16, 2015 and there will be presentations and delegate discussions of issues rising from the transforming rehabilitation effort. >>>▲

DONALD G EVANS is a Past President American Probation and Parole Association and a member of the World Congress Program Committee.



RELIAS LEARNING, IN PARTNERSHIP WITH APPA, RELEASES TWO NEW ONLINE COURSES

Managing a Sex Offender's Computer Use

Managing a Sex Offender's Computer Use discusses the basic techniques to assess cyber-risks and components of computer management in the community supervision of sex offenders. It also exposes learners to the differences between actively monitoring sex offender activity versus retroactively searching the supervisee's computer for prohibited content and web access, and provides tips and tricks for computer searches.

Effectively Communicating with Victims of Crime

Effectively Communicating with Victims of Crime is designed to help community corrections professionals who supervise individuals improve their communication skills when interacting with crime victims and survivors.

Go to the APPA Relias Academy website to access these and other online course offerings.



RWANDA – CANADIAN CONNECTIONS PAST AND PRESENT

VICTIM OFFENDER MEDIATION IN A POST-CONFLICT REALITY

When chatting with North American colleagues and the topic of Rwanda is introduced the remainder of the interaction usually shifts quickly to a critique of the movies *Hotel Rwanda* released in 2004 or *Shake Hands with the Devil* released in 2007. Some critiques are positive, some are less favourable. Both movies concentrate on those 100 days in Rwanda in 1994 when some 800,000 people were slaughtered (BBC News Africa April, 2014).

Having now participated in several post conflict missions in Africa, although the movies drew attention to a troubling past in Rwanda, it is readily apparent that the issues and concerns for our colleagues in Rwanda, South Sudan and Somalia to name a few, require concentrated, compassionate and strategic international support. This

statement must however be constructively balanced against the extremely sensitive phrase “African solutions for African problems” (ASAP).

One of the most potent intoxicants in Africa today is the canned phrase “African solutions for African problems”. While “ASAP” is an acronym that connotes a timely and efficient result, most if not all, operations that are veiled with the romantic motto, have proven that they are not indigenously conceived, funded or driven (Arman 2014).

An additional element to the historical context, or the past, introduces retired Lieutenant General Roméo Dallaire, Canadian Forces. In 1993, the Lieutenant General deployed to Rwanda. The son of a soldier, he commenced the biggest command of his career -- leading United Nations peacekeepers in the central African nation (Shiffman 2008). He took command of the United Nations Observer Mission in Uganda and Rwanda (UNOMUR) and the United Nations Assistance Mission for Rwanda (UNAMIR).

Lieutenant General Dallaire earned international fame for holding together the remnants of an outmanned UN peacekeeping team in Rwanda in 1994 when the majority Hutu population began slaughtering minority Tutsis. His calls for assistance from the international community went unheeded until the genocide was unstoppable (Galloway 2014).

Following those brutal 100 days of conflict in Rwanda in 1994 the country shifted to the next phase – post-conflict. The following post-conflict overview highlights a United Nations Development Program perspective (UNDP).

Post-conflict refers to the aftermath of a conflict and usually applies to post-war situations, but can also include internal rebellion against an authoritarian regime. Post-conflict conditions in a country where much of the infrastructure and capacities of the State have been dismantled or severely weakened create a challenging situation for UNDP. However, it can also be an opportunity for UNDP to work with the State to address structural problems and to put into place systems and institutions that can contribute to long-term development where, right from the outset, there is an awareness of the importance of a rights-based approach and a focus on access to justice for the most disadvantaged (UNDP 2005).

international update

In viewing the post-conflict reality in Rwanda through a correctional lens it is significant to note the ** qualification included in Table 1 below. It is also significant to note in Table 2 the low percentage of pre-trial detainees in relation to their overall custodial population.

As noted, working in a post-conflict country can be quite a challenge. The challenge is enhanced when working with correctional clientele who have lived through a conflict similar to the 100 days in Rwanda in 1994. Table 1 highlights that the custodial population in Rwanda has "many thousands sentenced or awaiting trial in connection with the genocide of 1994".

In addressing such a challenge, a review of the restorative justice literature and more specifically that produced by the United Nations stresses that "restorative justice programs may be used at any stage of the criminal justice system, subject to national

TABLE 1
WORLD PRISON POPULATION LIST 10TH EDITION

Country	Prison population total (no. in penal institutions incl. pre-trial detainees)	Date	Estimated national population	Prison population rate (per 100,000 of national population)	Source of prison population total
Canada	40,544*	2011 - 2012	34.45m	118	Statistics Canada

*Average daily population, including young offenders, from 1st April, 2010 to 1st March, 2011

Rwanda	55,618**	31 st December 2012	11.3m	492*	US State Dep't human rights report
--------	----------	--------------------------------	-------	------	------------------------------------

**The prison population includes many thousands sentenced or awaiting trial in connection with the genocide of 1994.

USA	2,239,751	31 st December 2012	312.72m	716	US Bureau of Justice Statistics
-----	-----------	--------------------------------	---------	-----	---------------------------------

International Centre for Prison Studies (Walmsley 2013)



20 WEB COURSES for Motivational Interviewing (MI)

What is Motivational Interviewing?

Motivational Interviewing is an *Evidence-Based Practice* for Corrections that is a helpful way of assisting offenders in finding their own reasons for change

Why should Corrections use the Motivational Interviewing (MI) approach?

- Get officers “get back into the game” of behavior change. Increases engagement and retention in treatment
- The majority of corrections work *occurs in conversations*. Motivational Interviewing improves these conversations by making them “change-focused.”
- Stop the arguing! Trying to coerce or force change is exhausting for staff and leads to poor outcomes. *Help your staff work with people who don't want to work with them.*

Why access MI training through new internet-based Web Courses?

- Corrective feedback. No more “learn wrong-do wrong” as *with old CEU courses*
- Reduce distractions to department operations and save on travel expenses
- No more loss of skills because your budget won't allow repetitive on-site trainings

Contact APPA or the
Center for Strength-Based Strategies
(517) 244-0654
www.buildmotivation.com



TABLE 2 WORLD PRE-TRIAL/REMAND IMPRISONMENT LIST 2ND EDITION

Country	Total number in pre-trial/remand imprisonment	Date	Percentage of total prison population	Estimated national population (at date shown)	Pre-trial/remand population rate (per 100,000 of national population)
Canada	13,922*	2010-11	35%	34.09m	41
Rwanda	3,952	31 st December 2012	7.1%	11.41m	35
USA	480,860	2012	21.6%	315.09m	153

*Average daily population, including young offenders from 1st April, 2010 to 1st March, 2011

International Centre for Prison Studies (Walmsley 2014)

law". The UN further highlights that a "restorative outcome means an agreement reached as a result of a restorative process, including responses and programs such as reparation, restitution and community service, aimed at meeting the individual and collective needs and responsibilities of the parties and achieving the reintegration of the victim and the offender" (UN 2002). Restorative justice seeks to provide an alternate framework or lens for thinking about involvement in the criminal justice system. Three key principles are shared:

- use inclusive, collaborative processes;
- involve those with a legitimate stake in the situation, including victims, offenders, community members and society; and,
- seek to put right the wrongs (Zehr 2002).

Following an evaluative process of rehabilitation and reintegration programs in African prisons, a common theme that contributes to success was identified - "the need for a restorative justice component focusing on acknowledgement of responsibility for the crime and possibly victim-offender-mediated processes" (Dissel 2008).

international update

In a restorative justice handbook published by the UN the issue of leadership is addressed.

Leadership is required to help criminal justice personnel and stakeholder groups within the community alter their perceptions of “justice” and how justice is best achieved. This requires thinking “beyond the box” and extending the range of the justice system’s response beyond the reactive, adversarial and retributive approaches to include such notions as healing, forgiveness and reintegration (Dandurand & Griffiths 2006).

The “past connection”, retired Lieutenant General Dallaire, accepted the challenge in 1993 and as a result of his leadership and service in Rwanda he was made an Officer of the Legion of Merit of the United States in 1996, the highest military decoration available for award to a non US citizen.

Fast forward to the “present” period, 2007 to 2015. The “present connection” accepted the correctional challenge in Rwanda and over the past eight years has shown considerable leadership consistent with his thirty four year career with the Correctional Service of Canada (CSC), retiring in 2006 after holding two senior CSC management positions at National Headquarters; Assistant Commissioner, Correctional Operations and Programs and Assistant Commissioner, Community Engagement. The Reverend Dr. Pierre Allard is now the President of an NGO based in Gatineau, Quebec called Just. Equipping¹.

“Restorative justice programs may be used at any stage of the criminal justice system”. Among other projects and initiatives in Rwanda and bordering countries, Reverend Allard and his wife Judy, supported by associates have held 177 victim offender mediations (VOMs) in the Rubavu Prison, Rwanda. He has shared that “the VOM work is essential to the safety of Rwanda. Most genocide perpetrators will eventually be released. We remain amazed at some of the reconciliation meetings between survivors of the genocide and genocide perpetrators. We have found that the survivors have so many questions that only the perpetrator can answer. When they get answers, the survivors say that it helps them to put their lives back together, even if the answers are hard to hear”. This observation is consistent with the following insight from a US academic made in 1994 the same year of the Rwanda genocide. Victims who meet the offender in mediation are also likely to be less fearful of being revictimized (Umbreit 1994). The “outside the box” restorative process produced positive restorative outcomes.

Reverend Allard shared the following two brief case specific VOM observations.

Case One. *After the very first meeting in the prison with the offender who had killed her husband and children, I remember Mary² said 'I believe he has changed. He answered my questions honestly. When he comes out, we don't have to kill him.' The offender went back into the population and said 'She forgave me....she forgave me...It pays to tell the truth'.*

Case Two. *When I see Betty, a survivor, helping Joe, her perpetrator, to restore his house and when I see Joe helping Betty restore her house...and see them joining in each other's celebration with friends and neighbors, I marvel at the healing taking place...and without this profound healing, there would be no real safety in the Rwandan communities.*

In referring to a mediation project in the Thames Valley, UK entitled "New Leaf" former Grendon Prison Governor Tim Newell provides a further international perspective.

The many components of New Leaf's approach lead to responsible restorative resettlement. The ex-offender is central to owning the process that is designed to bring about healing for the person, the community of care and the local neighborhood. In contrast to much of the criminal justice system which takes away responsibility from the person, makes them dependent on the system and often infantilizes them so that due process can prevail. New Leaf challenges the individual to own their behavior, their needs in relation to offending behavior, their past and the consequences of future actions. It takes people seriously and expects the best from them so that they have the opportunity to be restored to responsible citizenship (Newell 2014).

It is the contention of this author that the leadership, compassion and commitment of the Allards in Rwanda breathes life into a restorative justice program that enhances the potential for a safe return of the prisoner to the community and also constitutes "responsible restorative resettlement".

When Lieutenant General Dallaire was heading off to military college in Canada his father, also a military man, warned him that he should never expect to be thanked and that he would have to understand that no civilian, no government, sometimes not even the army itself, would recognize the true nature of the sacrifices he made (Dallaire 2003).



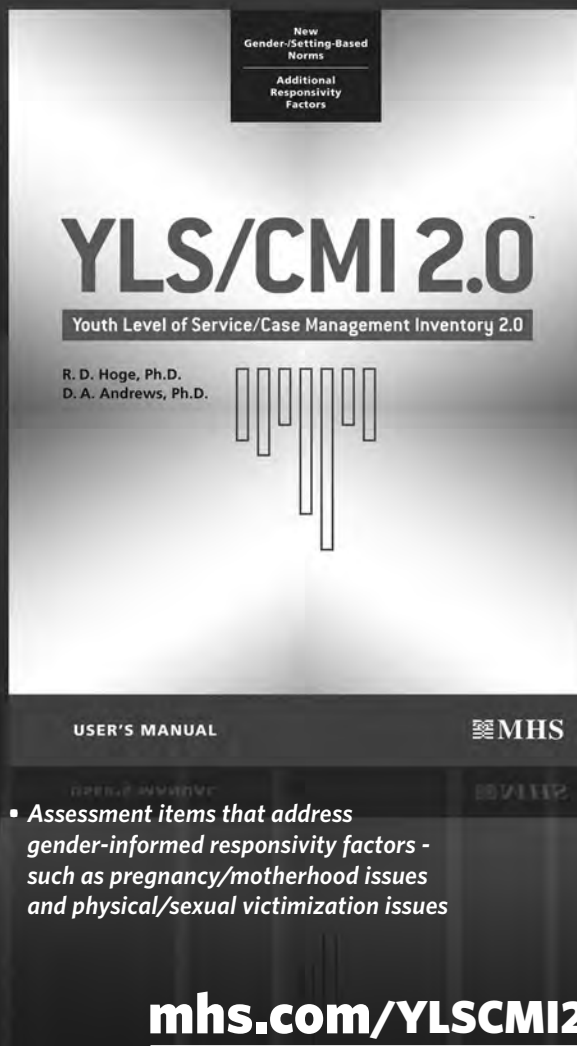
YLS/CMI 2.0™

Gender- and Culturally-Informed.

The Youth Level of Service/Case Management Inventory 2.0 (YLS/CMI™ 2.0) is a gender and culturally-informed, strength focused risk/needs tool that reliably and accurately classifies and predicts re-offending within male/female juvenile populations.

- Expanded age range - 12 to 18 years
- Significant minority representation in normative sample
- Guidelines that instruct users to consider gender-specific factors, as well as, the importance of minor risk/need factors and non-criminogenic needs
- Assessment items that address culturally-informed responsivity factors
- Large U.S. sample of over 15,000 juveniles
- U.S. norms by gender and setting
- Provides an opportunity for users to evaluate strengths

PUBLISHED BY MHS



- Assessment items that address gender-informed responsivity factors - such as pregnancy/motherhood issues and physical/sexual victimization issues

mhs.com/YLSCMI2



mhs.com/CAFAS

CAFAS® Child and Adolescent Functional Assessment Scales®

The Gold Standard tool for assessing a youth's day-to-day functioning and for tracking changes in functioning over time.

Designed for youth aged 5 to 19.

The CAFAS is backed by over 20 years of research supporting its validity and sensitivity to detecting change in behaviors. It is widely used to inform decisions about type and intensity of treatment, level of care, placement and need for referral.

The CAFAS can be quickly completed by a practitioner based on information from routine clinical evaluation providing a comprehensive and objective assessment focusing on observable behaviors.

For more information on the YLS/CMI 2.0 and the CAFAS, please contact client services, at 1-800-456-3003.



USA Tel: 1.800.456.3003
CAN Tel: 1.800.268.6011
WEBSITE www.mhs.com
EMAIL customerservice@mhs.com

Superior Science
for
Critical Decisions

With this being a special international edition of *Perspectives* I would like to take this opportunity in conclusion to recognize and sincerely thank the retired Lieutenant General Roméo Dallaire, the Reverend Dr. Pierre Allard and Mrs. Allard for their significant, collective international contributions to “shaping a better world”³. ►►▲

REFERENCES

- Arman, A. (2014). *Somalia: African solutions for African problems?* Aljazeera <http://www.aljazeera.com/indepth/opinion/2014/05/somalia-african-solutions-africa-20145812280255662.html>
- BBC NEWS Africa. *Rwanda genocide: 100 days of slaughter* <http://www.bbc.com/news/world-africa-26875506>
- Dallaire, R. (2003). *Shake Hands with the Devil The failure of Humanity in Rwanda*. Toronto: Random House Canada.
- Dandurand, Y. and Griffiths, C. (2006). *Handbook on Restorative Justice Programmes*. New York: United Nations. http://www.unodc.org/pdf/criminal_justice/06-56290_Ebook.pdf
- Dissel, A. (2008). “Rehabilitation and Reintegration in African Prisons”. In J. Sarkin (Ed.). *Human Rights in African Prisons* (pp. 156–177). Cape Town, South Africa: HSRC Press.
- Galloway, G. (May, 2014) “Roméo Dallaire resigns from Senate”. In *Ottawa Globe and Mail* <http://www.theglobeandmail.com/news/politics/romeo-dallaire-to-retire-from-senate/article18882604/>
- Newell, T. (2014). “Responsible Restorative Resettlement”. In the *Journal of Community Corrections* (International Community Corrections Association), Volume 24 No. 01 pp. 07-08 & 22-24.
- Shiffman, K. (December, 2008) *As genocide raged, general’s pleas for help ignored*. CNN <http://edition.cnn.com/2008/WORLD/africa/11/13/sbm.dallaire.profile/>
- Umbreit, M. (Winter, 1994) “Victim Empowerment Through Mediation: The Impact of Victim Offender Mediation in Four Cities”. In *Perspectives* (American Probation and Parole Association). pp. 25 to 28.
- United Nations. (December, 2002) *Basic principles on the use of restorative justice programmes in criminal matters*. Vienna: United Nations. <http://www.un.org/en/ecosoc/docs/2002/resolution%202002-12.pdf>
- United Nations Development Programme (UNDP, 2005), *Programming for Justice - Access for All: A Practitioner’s Guide to a Human Rights-Based Approach to Access to Justice*. Bangkok: UNDP. http://www.unicef.org/ceecis/Programming_for_Justice.pdf
- Walmsley, R. (2013). *World Prison Population List (tenth edition)*. London: International Centre for Prison Studies. http://www.prisonstudies.org/sites/prisonstudies.org/files/resources/downloads/wppl_10.pdf
- Walmsley, R. (2014). *World Pre-trial/Remand Imprisonment List* (second edition). London: International Centre for Prison Studies. http://www.prisonstudies.org/sites/prisonstudies.org/files/resources/downloads/world_pre-trial_imprisonment_list_2nd_edition_1.pdf
- Zehr, H. (2002) *The Little Book of Restorative Justice*. Pennsylvania: Good Books

END NOTES

- ¹ http://www.justequipping.org/index_e.html
- ² The names have been changed in both cases.
- ³ Just.Equipping http://www.justequipping.org/index_e.html

R.E. “BOB” BROWN is a former Director of the Corrections Program at the International Centre for Criminal Law Reform and Criminal Justice Policy and former District Director, Vancouver Island Parole, Correctional Service of Canada. He is currently an independent criminal justice consultant working internationally, most recently in Somalia. Bob has been an APPA member since 1985 and currently serves on the Association’s Board of Directors.

TELL US
ABOUT
YOU.

ADVERTISE IN *PESPECTIVES*

CALL 859.244.8205 and ask for Karen, or email her at
kmucci@csg.org

You might be eligible for the APPA Loyalty Reward Program
Membership DOES have its privileges!



GRADUATED SANCTIONS: HOW CAN THEY HELP?

If probation and parole conditions are too difficult for offenders to comply with, scholars and practitioners argue that offenders will inevitably return to prison or jail. Taxman and colleagues (1999) note that when probation and parole are simply viewed as a way to delay an offender's return to custody, society questions the legitimacy and benefits of the system. To address this concern, justice agencies have developed systems of graduated sanctions as responses to problem behaviors so that punishments match severity of violations. Graduated sanction systems also work to reduce the costs of housing offenders in jails and prisons but also encourage compliance during supervision.

WHAT ARE GRADUATED SANCTIONS?

Graduated sanctions are "structured, incremental responses to noncompliant behavior of probationers while they are under supervision" (Taxman, Soule, & Gelb, 1999: 183). Some examples of graduated sanctions include increased

frequency of reporting or drug testing, early curfew, writing assignments, EM or short (day/weekend) jail sentences (Taxman, et al., 1999; Wodahl, et al., 2013). These increased surveillance or treatment requirements contrast the typical revocation hearing, wherein offenders return to court and receive court-ordered sanctions for violation-eligible problematic behavior (Taxman, et al., 1999). Graduated sanction systems are not typically developed by individual probation and parole officers (PPOs); rather, they are generally put in place at the field office level so that all probation officers use the same sanction system (Wodahl, Ogle, Kadleck, & Gerow, 2013).

These sanctions differ from "intermediate sanctions," which refer to any sanction less severe than prison or jail but more intense than regular probation (Homant & DeMercurio, 2009). While graduated sanctions can include some of the same strategies used as intermediate sanctions (such as electronic monitoring [EM]), judges usually order intermediate

sanctions during sentencing. In contrast, graduated sanctions are used while an offender is under supervision to address non-compliant behaviors in lieu of revocation to jail or prison (Homant & DeMercurio, 2009).

HOW ARE GRADUATED SANCTIONS TYPICALLY USED?

Graduated sanctions provide PPOs with structured options for quickly addressing noncompliant acts such as failure to report, skipping drug tests, missing curfew, not attending treatment or incurring minor new charges (Taxman, et al., 1999). Graduated sanctions are meant to address technical violations in a way that keeps offenders out of court and jail while also deterring them from future misbehavior. PPOs ideally address the problem behavior right away in order to prevent further infractions. This sends the message that these behaviors are not acceptable and will not be tolerated. Sanctions are structured to provide swift, certain responses that offenders can expect. By increasing offenders’ certainty that they will be punished, sanctions are based on the theory of specific deterrence. That is, when offenders receive the consequence immediately after wrongdoing, they connect it with what they did wrong and do not commit that infraction again (Klinge, 2013; Taxman, et al., 1999).

Taxman and colleagues (1999) explain that, “The probation system’s failure to respond to noncompliant probationers encourages defiance by creating an environment that tolerates inattention to the importance of adherence to the release conditions” (p. 185). Yet graduated sanctions (when used properly) combat this problem by immediately addressing the offender’s unacceptable behavior so it does not continue. As in the case of drug courts, the sanctions are used before a revocation is considered (Taxman, et al., 1999) and are reserved for minor infractions, not significant major events such as absconding or new felony charges.

EXAMPLE OF CASE USING GRADUATED SANCTIONS

PROBLEM BEHAVIOR	PO RESPONSE
1 st failed drug screen	Early curfew
2 nd failed drug screen	Increased probation reporting
Citation for marijuana possession	Increased treatment (e.g., extra NA sessions)
3 rd failed drug screen	1 weekend (2 days) in jail

EFFECTIVENESS OF GRADUATED SANCTIONS

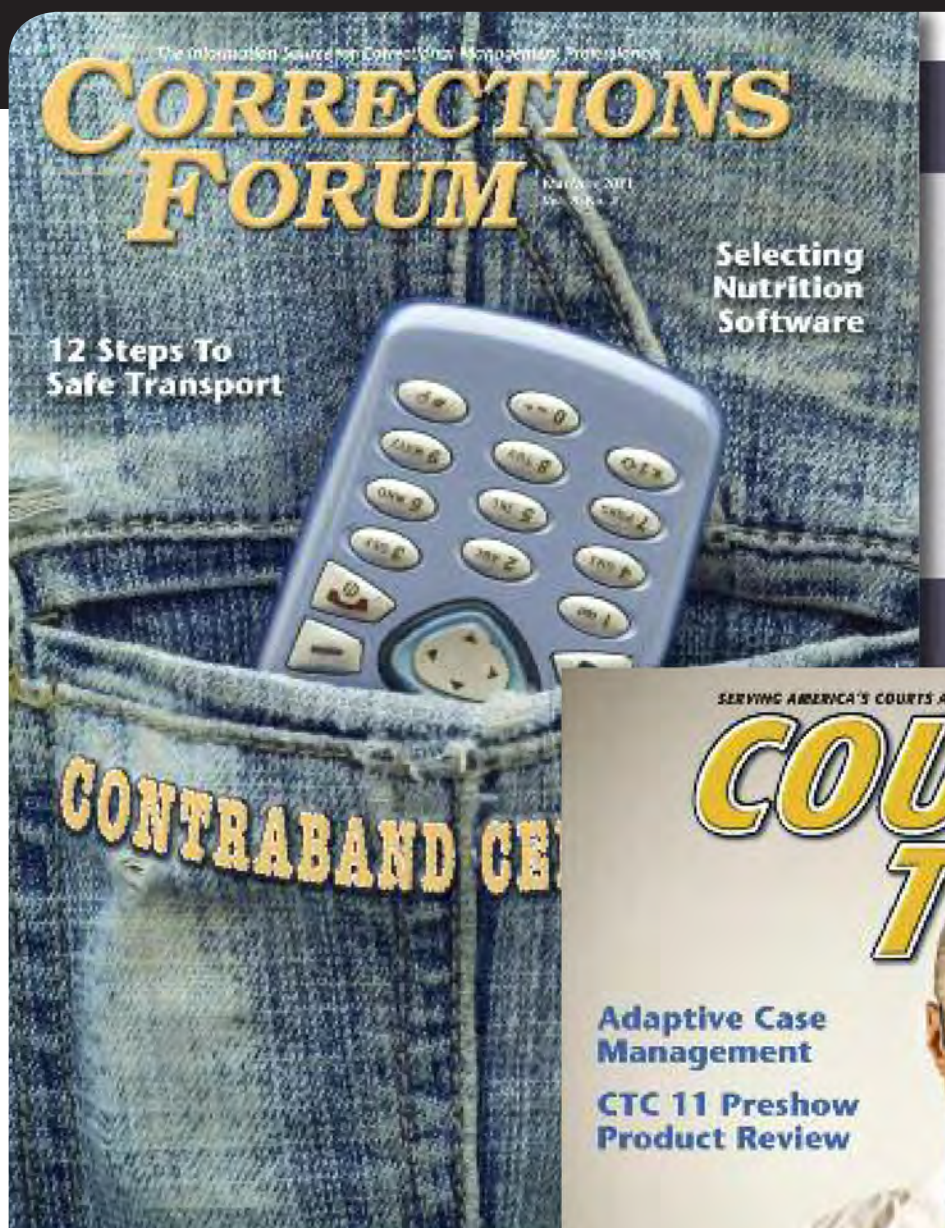
Graduated sanctions such as EM and enrollment in drug courts have been found to be effective in potentially reducing costs while also reducing the occurrence of future non-compliant behaviors (Homant & DeMercurio, 2009). Research suggests that graduated sanctions may even work better than revocation. A survey of adult offenders under intensive supervision probation or parole revealed that offenders do not view jail as more punitive than community-based sanctions such as EM (Wodahl, et al., 2013). Research with public defenders echoed this finding, with many reporting that some of their clients have “an intense dislike for supervision itself” and therefore view community supervision as a fairly severe punishment (Gainey, et al., 2005: 511-512). Moreover, survey data revealed that treatment-based sanctions, such as increasing requirements for attendance at NA meetings, were deemed more punitive than other graduated sanctions (Wodahl, et al., 2013). This research suggests that graduated sanctions may deter future misconduct, thereby avoiding clogging court dockets with excessive violation and revocation hearings or relying upon jail resources to address offender behavior (Wodahl, et al., 2013).

DEVELOPMENT OF SANCTION SYSTEMS

In light of the differences in perceived severity of sanctions discussed above,

it is important to note that sanctions should be proportionate to the severity of the misbehavior. One reason for using graduated sanctions is to promote legitimacy within probation and parole; therefore, it is important that neither offenders nor the general public perceive sanctions as being either too lenient or too severe. This is a delicate balance. Even though PPOs and the general public typically perceive jail and prison sentences as severe sanctions, some offenders perceive the jail time as “easier” and therefore EM becomes the more severe punishment (Wodahl, et al., 2013). This contrasts probation officers’ perceptions. In a study by Homant and DeMercurio (2009), a majority of PPOs stated that “intermediate sanctions” (those less severe than a prison/jail but more restrictive than standard probation) such as EM or intensive supervision are less severe than jail time. Knowing that PPOs perceive sanction severity differently than offenders is important to promoting proportionality in punishment. Those developing graduated sanction systems should carefully consider offenders’ perceived severity of sanctions when deciding what behaviors incur community versus custodial sanctions.

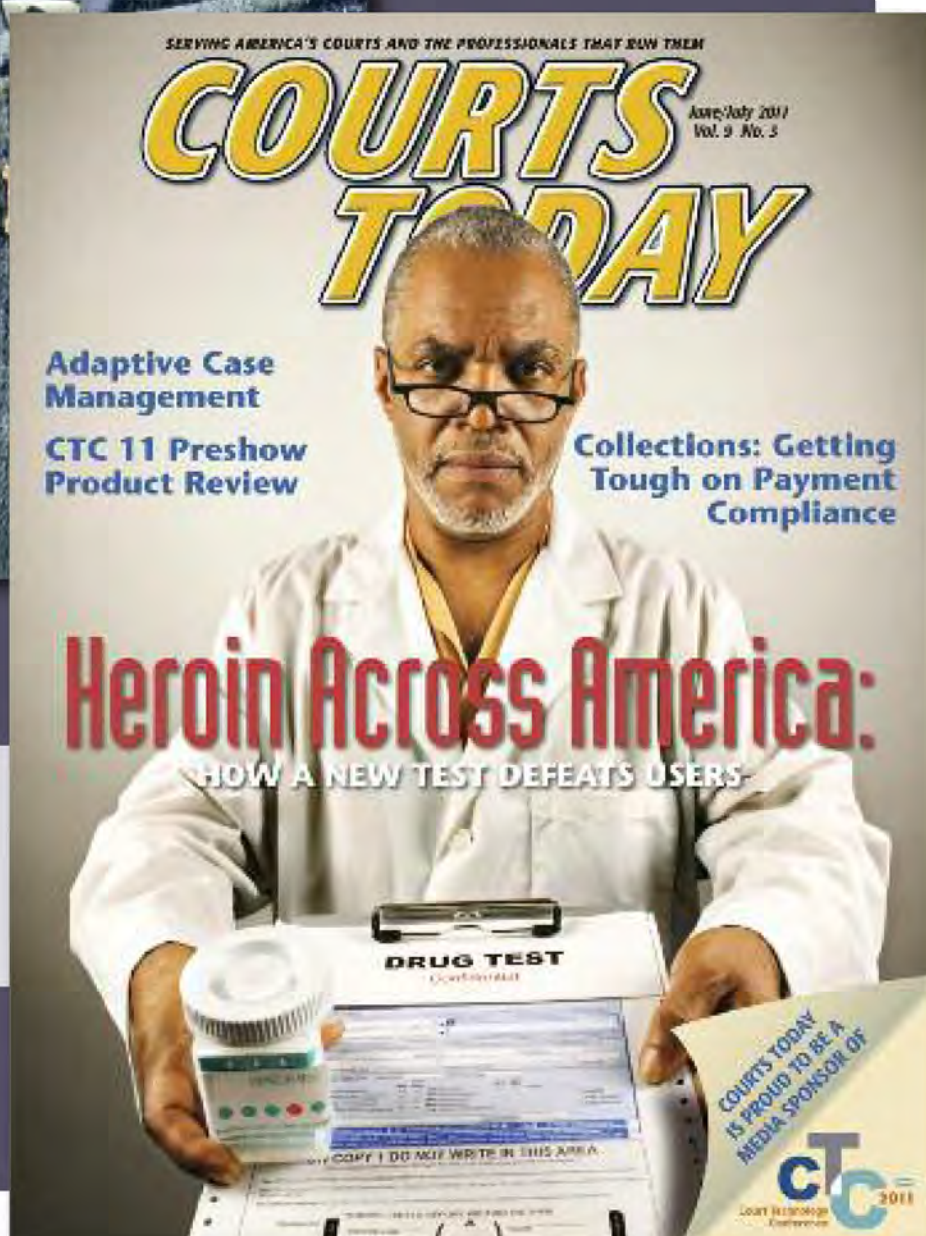
Perhaps even more important, PPOs should consider how they use discretion in handing out graduated sanctions. While Klingele (2013) points out that graduated sanctions “consciously disavow individualized justice in favor of predictability,” there is still a risk of too



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

Visit

Courtstoday.com
to start receiving your
FREE SUBSCRIPTION



much discretion regarding how or when to use graduated sanctions. The fallout of too much discretion is disproportionality of sanctions: giving certain groups sanctions at different rates. Clearly, use of graduated sanctions should not disadvantage certain groups of offenders based on sex, age, race, ethnicity, type of crime, or other factors (Gainey, et al., 2005). To prevent this, decision makers should design sanction “menus” or grids so that specific undesirable behaviors incur specific responses. Further, menus should be structured to ensure sanctions are assigned to the groups of offenders they work best for (Harland, 1998). Graduated sanctions should be evidence-based and relevant to offenders’ needs, incorporating relevant, credible treatment alongside existing surveillance (Wodahl, et al., 2013).

PPO PERCEPTIONS OF GRADUATED SANCTIONS

The type of prescribed response noted here may prompt concern from PPOs because of potential limits to discretion. PPOs feeling this way are not alone: parole officers studied in California and Ohio resisted using sanction grids due to concerns over reduced discretion (Makarios, McCafferty, Steiner, & Travis, 2012; Turner, Braithwaite, Kearney, Murphy, & Haerle, 2012). Conflict need not break out over this type of change, though. PPOs should be encouraged to weigh in on the development of sanction systems in order to make them most useful for officers and their specific types of clients. Further,

PPOs should be included in the discussion of why sanction systems are implemented (Makarios, et al., 2012).

In general, graduated sanction matrices are not intended to reduce individual officers’ discretion. Rather, they aim to standardize responses across probation or parole units (Makarios, et al., 2012; Steiner, Travis, & Makarios, 2011; Turner, et al., 2012). Standardization is important because it allows units to deliver a unified response to violations and may eliminate potential client complaints about discrimination. If these benefits are known and all parties have a voice during the change process, there should be fewer negative changes in PPO attitudes about policies and satisfaction with management (Makarios, et al., 2012).

Despite potential benefits, PPOs vary in their perceived utility of these tools. In a study of parole officers in California, Turner and colleagues (2012) found that use of the Parole Violation Decision-Making Instrument (PVDMI) did not standardize parole officers’ responses to problem behaviors. In fact, the officers were equally consistent in decisions before PVDMI as they were with the tool. PVDMI use also did not reduce the number of parolees returning to prison due to violations. These results seem bleak. Researchers found, however, that implementation issues prevented officers from using the PVDMI as intended. In some cases, officers had sanctions in mind before using the tool, and if results called

for different or unavailable sanctions (i.e., programs that did not exist), officers used overrides (Turner, et al., 2012). Because of this, it is unclear whether benefits would have been gained if the model was implemented as designed. As noted above, including PPOs in conversations about tool development is important to the change process.

WHAT DO WE STILL NEED TO LEARN?

Despite a growing body of literature about graduated sanctions, a considerable amount of research remains to be done and PPOs may be in a position to help researchers learn more. To start, researchers have observed that some PPOs are more inclined to use graduated sanctions, whereas others are quicker to file violations (Homant & DeMercurio, 2009). To help standardize responses throughout units, PPOs might provide information about how they decide what graduated sanctions to use. This research could reveal that some PPOs are more willing to file violations. Alternately, PPOs may have similar willingness to file violations but their clients exhibit more problem behaviors, leading those PPOs to file more violations. If there are differences among PPOs, there are several possible explanations. Agency policies may not be well communicated, office culture may allow for departure from policy or PPOs may feel their preferences are more important than policy (Harris, et al., 2001; Taxman, et al., 1999). Regardless, if there are consistent differences across PPOs or their clients, it is important to learn why these differences continue to emerge, despite attempts to standardize procedure.

In addition, where offenders, PPOs and the general public perceive sanction severity differently, there is no clear determination of whose preferences should be used. That is, are the opinions of offenders, PPOs or the public most important with regard to increasing legitimacy? Alternately, would use of one group's preferred sanction hierarchy lead to decreased recidivism or other outcomes?

In general, graduated sanction matrices are not intended to reduce individual officers' discretion. Rather, they aim to standardize responses across probation or parole units.

In conclusion, graduated sanctions have been increasingly used in probation and parole since the mid-1980s, but there is research yet to be done on their effectiveness in reducing recidivism and improving offender outcomes. To make the probation and parole system as effective as possible, we should enhance legitimacy; however, the idea of what is legitimate differs depending upon whose opinions are considered. Further research could help establish the legitimacy of graduated sanctions for all involved, improve recidivism and other behavioral outcomes, reduce financial costs and illuminate evidence-based practices for sanction use. ►►▲

REFERENCES

- Gainey, R.R., Steen, S., & Engen, R.L. "Exercising Options: An Assessment of the Use of Alternative Sanctions for Drug Offenders." *Justice Quarterly* (December 2005): 488-520.
- Harland, A.T. "Defining a Continuum of Sanctions: Some Research and Policy Development Implications." In J. Petersilia (Ed.) *Community Corrections: Probation, Parole, and Intermediate Sanctions* (p. 70-79). Oxford University Press (1998).
- Harris, P.M., Petersen, R.D., & Rapoza, S. "Between Probation and Revocation: A Study of Intermediate Sanctions Decision-Making." *Journal of Criminal Justice* (July-August 2001): 307-318.
- Homant, R.J., & DeMercurio, M.A. "Intermediate Sanctions in Probation Officers' Sentencing Recommendations: Consistency, Net Widening, and Net Repairing." *The Prison Journal* (December 2009): 426-439.
- Klinge, C. "Rethinking the Use of Community Supervision." *Journal of Criminal Law & Criminology* (2013): 1015-1070.
- Makarios, M.D., McCafferty, J., Steiner, B., & Travis, L.F.III. "The Effects of Parole Officers' Perceptions of the Organizational Control Structure and Satisfaction with Management on Their Attitudes Toward Policy Change." *Journal of Crime & Justice* (July 2012): 296-316.
- Steiner, B., Travis, L.F.III., & Makarios, M.D. "Understanding Parole Officers' Responses to Sanctioning Reform." *Crime & Delinquency* (March 2011): 222-246.
- Taxman, F.S., Soule, D., & Gelb, A. "Graduated Sanctions: Stepping into Accountable Systems and Offenders." *The Prison Journal* (June 1999): 182-204.
- Tonry, M. "Evaluating Intermediate Sanction Programs." In J. Petersilia (Ed.) *Community Corrections: Probation, Parole, and Intermediate Sanctions* (p. 79-96). Oxford University Press (1998).
- Turner, S., Braithwaite, H., Kearney, L., Murphy, A., & Haerle, D. "Evaluation of the California Parole Violation Decision-Making Instrument (PVDMI)." *Journal of Crime & Justice* (July 2012): 269-295.
- Wodahl, E.J., Ogle, R., Kadleck, C., & Gerow, K. "Offender Perceptions of Graduated Sanctions." *Crime & Delinquency* (December 2013): 1185-1210.

KIMBERLY S. MEYER is a Presidential Scholar and Ph.D. Candidate at George Mason University Center for Advancing Correctional Excellence (ACE!).

Use all the essentials to train your staff.

Today is a new age in training—where traditions are combining with technology to provide more advanced learning options.

Be the leader of your organization's training process. Maximize your staff's learning potential by providing them with:

- Online courses
- Skills assessments
- Video training online



TAKE OUR SURVEY and see if you're using all the tools you need to train your staff:

www.reliaslearning.com/survey



RELIA~~S~~ || LEARNING

WWW.CORRECTIONSOTC.COM



AN ESSENTIAL CONTRIBUTION: HOW OFFENDERS IN LONDON ARE FINDING THEIR VOICE

by Adrian Smith

With a new Chief Executive in post from 2010, London Probation Trust entered the next phase in its journey to achieve significant improvements in the quality of its work with offenders. The aim of course was to achieve reductions in levels of reoffending and to implement approaches that would lead to greater protection of the public. London was meeting all of its performance targets set by the National Offender Management Service (NOMS) but there was a strong sense that this wasn't enough. In fact the refrain of the time was that Probation Services were 'meeting the target but missing the point'. Something wasn't quite hitting home!

The Probation Service in England and Wales had become adept at holding offenders to account and taking early action when they breached the requirements of their Orders or Licenses but it wasn't necessarily winning hearts and minds. Offenders seemed to be poorly engaged with their Probation Officers and there was little evidence that admonishments and instructive language was having any positive impact. A study by Sheffield University¹ reported that most offenders felt they received little support from the probation service in their attempts to desist from crime. They were instead often experiencing routine and uninspiring interactions of a 'reporting' nature, which had done little to motivate or encourage them away from offending. Consequently the National Offender Management Service (NOMS) took the step of developing a program designed to support Probation Trusts in achieving effective engagement with offenders. In London Probation Trust, this led to the design and development of the 'Offender Engagement Project' (OEP).²

London invested with determination in this project, developing a number of important and new initiatives and revitalizing approaches that had somehow become unfashionable from the mid 90s. In effect, Probation work in London was attempting to get back to its roots; doing what it did best, in assisting people to change their behavior, whilst retaining strong elements of control and accountability.

The project developed new methods of sentence planning, designed to ensure the offender was more involved in the process of setting personal targets and agreeing actions to achieve them. Practitioners were encouraged to get out into the community a lot more by linking with local agencies and providers of support networks, and by visiting offenders at their homes, as a matter of routine³. Efforts were made to improve the condition of waiting rooms and interview rooms, in order to encourage a more convivial and friendly atmosphere, away from the sterile and official environment with which offenders were often met. A key element of the project was the provision of a three day

training program with a series of follow-up events and action learning groups for all managers and practitioners. This particular program *Skills in Effective Engagement and Development* (SEEDS) was designed nationally by NOMS and was based on the STICS⁴ programme developed in Canada. It was an intensive programme, with follow-up events and action learning groups, designed to support learning and skills development over a lengthy period. In London it was rolled out as a mandatory training program and was provided to more than 1,700 probation workers.


DESISTANCE RESEARCH

All of these approaches had one goal in mind, which was to provide the optimum set of circumstances or experiences which would enable offenders to choose to exercise positive change in their lives. The *modus operandi* was greatly influenced by current criminological research into the reasons for desistance from crime. Desistance research focused upon the process of abstaining from crime amongst those who had previously engaged in a sustained pattern of offending. The findings of this large body of evidence, was distilled by Professor Shadd Maruna of Queens University Belfast, in a short pamphlet for Probation Service practitioners outlining nine key influences (see table) that help an individual desist from crime. This paper held great sway within the UK Probation Service and had a powerful impact upon the Offender Engagement Program in London⁵.

- | | | |
|---|-----------------------------------|----------------------|
| 1. Getting older and maturing | 2. Sobriety | 3. Employment |
| 4. Family and relationships | 5. Hope and motivation | 6. Something to give |
| 7. Having a place within a social group | 8. Not having a criminal identify | 9. Being believed in |

S. Maruna 2010

None of these factors came as a surprise, indeed most practitioners felt they had always had this understanding about what works but it nonetheless provided a framework for a coherent approach. Most probation practice was already aimed at supporting offenders into *maturity*, maintaining *sobriety* and seeking *employment* opportunities. So the first three on the list seemed to be



covered but at the time, worryingly little attention was being given to the other aspects.

The drive to increase the number of home visits and to develop social capital within the community was an important element of the early stages of the OEP Program. This addressed the acknowledged importance of *family and relationships* (4) and *a place in a prosocial group* (7) in reducing recidivism. The relationship between the offender and the probation worker was also now viewed as something that should be fundamental to effective working and consequently, approaches aimed at nurturing this were articulated and encouraged through the SEEDS training program. *Hope and motivation* (5), and *not having a criminal identity* (8), all pointed to the importance of motivational interviewing skills for the practitioner and consequently, the SEEDS program was designed to emphasize relevant training and skills development. Offenders in London were themselves about to demonstrate the importance of the Desistance ‘influences’ and they did this in the most eloquent and convincing manner. The benefits of having *something to give* (6)

Between federal, state and local incarcerated populations, the U.S. currently locks up approximately 2.2 million people. The cost of housing prisoners has also grown—total state spending on corrections is now estimated at \$52 billion a year, the bulk of which is spent on prisons.



and *being believed in* (9) were soon to be realized.

AN ESSENTIAL VOICE


So armed with a criminological underpinning, the stage was set for the drive towards improved engagement with service users but there was still one essential ingredient which could not be ignored. This of course was the view and experiences of the offenders themselves. After all, if anyone knew what might work to assist them away from a life of crime, it must surely be the service users themselves. No doubt they also had strong views about exactly what hadn't worked for them! The findings from Sheffield University's research (ibid 1.) implied that the Probation Service should listen to these views far more carefully.

Heather Munro, the Chief Executive in London at the time caused significant controversy in the United Kingdom's right wing press, when she suggested that Probation Services should listen to its offenders as if they were customers. Some commentators clearly thought that offenders should never have a voice and expressed outrage; editorial pieces and the majority of subsequent letters to the editor even called for her resignation. Undeterred

however, Munro led London Probation towards achieving not just feedback but also a genuine voice for offenders leading towards co-production.

The first step was to identify the most effective method of obtaining the input and comments of offenders. London Probation Trust concluded some initial work by inviting offenders to complete a questionnaire about their experiences of being subject to supervision or under license conditions. The organization managed to obtain nearly 3,000 responses and this initial feedback clearly indicated that offenders had plenty of views about what was working for them and equally, they were able to identify what was not!

So the 48,000 offenders supervised by London Probation Trust appeared to have something to say that was worth listening to but the challenge was to find a way to nurture this. It was clear from the outset that it would be necessary to introduce an intermediary, independent of London Probation Trust and with the capacity to broker a dialogue. Following a tendering exercise, the contract for this work was awarded to User Voice in early 2011.



User Voice turned out to be the ideal partner. It had been formed two years earlier by ex-offenders, with the specific brief to ‘foster dialogue between service providers and users’ under the strap-line, *only offenders can stop re-offending*. User voice had already successfully introduced prisoner representative councils into six prisons in England and Wales, which had been well received by prisoners and staff. This was despite initial cynicism and apprehension on all sides, particularly on the part of prison officers. A study conducted by the University of Cambridge into these prison councils noted that they worked:

‘in a holistic way, with the ability to support positive transformation in prison and promote personal responsibility, collaborative work between prisoners and staff and improve systemic functioning.’⁶

So the evidence suggested that when offenders in prison were empowered to develop a sense of value and purpose, that this could be beneficial to all parties. The only problem was that up to that time, such an approach had never been tried with offenders in the community.

Phase one of the project in London Probation Trust was to test the concept and to identify options for engagement with service users. Importantly this involved consulting with offenders from the outset. User Voice staff were deployed to local offices in London boroughs in order to conduct face to face interviews with 560 probation service users.

Responses proved that there was a clear appetite for greater levels of participation, with service users often indicating a willingness to become more involved in exploring how they could work with the Probation Service to achieve better outcomes and improve the ‘probation journey.’ From the 560 interviewees, a total of 118 people chose to give more of their time and attend one of 13 discussion groups. These were facilitated by ex-offenders and involved a series of good natured but intense sessions which drew out an enormous amount of rich information and comment. Most of the participants had a story to tell about their own personal journeys and sometimes this became quite emotional and personal, but was shared with the understanding that the intended outcome was to gain insights into what improvements service



users felt could be made, to enable them to desist from crime.

Each of these forums selected representative service users to meet with senior management from London Probation Service, in order to share the collective thoughts of the group. The 'open space' meeting that followed in May 2011 proved to be an emotionally moving⁷ and extremely powerful experience, which was to encourage a genuine commitment to joint working. Senior managers were met with an earnest but wholly reasonable and rational group of people who offered meaningful and thoughtful ideas, which were well worth considering.

The service users for their part were genuinely excited to have been invited to contribute:

'I can't believe I'm here meeting senior managers from the Probation Service and they're actually listening to what I have to say. I'm absolutely blown away!'


'I can't believe I'm here meeting senior managers from the Probation Service and they're actually listening to what I have to say. I'm absolutely blown away!'

Gavin , Service User

SERVICE COUNCILS

So having proved that there was clearly much more mileage in this approach, the task now was to maximize the voice of offenders in London by developing a series of councils throughout the capital. The first phase of these councils involved an electioneering process in which service users in each of the relevant London boroughs were invited to elect a representative based

upon their specialist concerns and priorities, as a manifesto of sorts. So council representatives were elected as members of the 'Housing Party', 'Employment Party', Drugs Party and other 'parties' as identified by the candidates themselves. The advantage of this approach was that it allowed potentially the whole population



of offenders subject to probation supervision to get involved. The down-side was that it was time consuming and, unlike with the prisons councils where service users had less distractions and had plenty of time on their hands, service users in the community sometimes lost interest or actually re-offended before they could get involved. Consequently, later provision of councils involved a more streamlined process for appointing members.

The key terms of reference for service user councils were:


- To provide a mechanism for the probation service to get feedback from service users.
- To provide a structured solution-focused forum to help the development of probation and associated services.
- To set up a direct communication link between managers and service users.

Following a number of iterations in the model, the organization is now supporting five separate Councils made up of 135 representatives across London. The councils meet bi-monthly and council members offer a series of 'surgeries' which are open to all other service users and based

in a specially designated room within probation offices. Issues or proposals for change are raised with senior managers at local council meetings, which, subject to agreement, are distilled into a series of actions or objectives. A larger London-wide council is held twice yearly and is chaired by the Chief Executive, providing an opportunity to review proposals and suggestions that have applicability across the whole of London.

The councils have helped to change attitudes and encourage a genuine and mutually held belief in the value of co-production and participation. Service users are routinely consulted on major initiatives and projects, often being invited onto steering groups. Many staff training courses now have the benefit of direct input from a service user, who is able to talk about their experiences and therefore add a unique and powerful insight.

There has been a rich vein of key changes and improvements brought about in the organization as a result of proposals from Service User Councils. These fall into two main categories; improving the effectiveness of the Probation Service and improving the experience for



the service user. Offenders have been able to influence a major improvement in the way in which new service users are inducted into supervision programs. The councils have proposed initiatives in peer mentoring and teaching support, such as the 'Reading Plan' program aimed at helping offenders with their literacy skills. Councils regularly identify and propose improvements to waiting rooms and access to facilities. Councils have also recommended a number of approaches that are likely to enable more effective and meaningful supervision meetings.

One very important early proposal from Service User Councils was that the Probation Trust should be prepared to confirm its belief in the capacity for people to change, by directly employing offenders to work with colleagues. This was a major step but one which London Probation didn't hesitate in taking. Consequently, since September 2013, it has been successfully employing 15 current or ex-service users in the role of Probation Engagement Workers (PEWS).

The role of a PEW is two-fold:

- To assist probation practitioners working with offenders who are difficult to engage or who

are at risk of being recalled to prison or returned to court.

- To help recruit new service user councils representatives and ensure council meetings take place each month.

Nigel Hosking is the organization's lead for Service User Councils and is highly enthusiastic about the contribution that PEWs make:

'They've done some sterling work to support and motivate other service users. Simple things like talking to them about their personal experiences of working with probation and what service users can expect, if they fail to attend appointments and helping them complete benefit applications and find accommodation, has made a big difference.'

Engagement Workers and Council Members not only have a strong voice and influence but are reporting a sense of purpose and personal value. They have *something to give* a new *prosocial identity* which they collectively feel has been essential in driving them on towards a crime free future. Providing a strong voice for service users has benefitted London Probation Trust, by offering a different

perspective, which is informed by the offender-experience of the system. PEWs have the time and commitment to provide extra practical support to other offenders and the overall approach is serving to strengthen the efficacy of Probation interventions. One further benefit is that probation staff can see offenders successfully making a transition. This is important in that it serves to confirm that the job is worth doing, that a practitioner can have a positive impact and make a difference. As Hosking puts it, 'That's something we don't see a great deal of because we don't hear about the success stories. It's a very positive factor for the staff.'

Finally, the benefits from this approach can't be overestimated, when it comes to meeting the key criterion from the desistance research. Involvement in a Service User Council would seem to provide offenders with a rich seam of opportunity to gain some of the important experiences which were referred to earlier:

Employment, hope and motivation, something to give, having a place within a social group, not having a criminal identity and being believed in.

These are invaluable steps on the road to desistance and moreover, such co-production provides an essential contribution to the development of effective probation practice. >>>▲

ENDNOTES

- ¹ Bottoms, A, & Shapland, J. (2010), *Steps towards desistance among male young adult recidivists*. In Farrall, S., Sparks, R., Maruna, S., & Hough, M. (eds.) *Escape Routes: Contemporary perspectives on life after punishment*, London: Routledge.
- ² The term 'offender' was later superseded by 'service user' in an attempt to address concerns about the adverse impact of labelling of the individuals concerned.
- ³ During the 90s, Probation Officers effectively stopped routinely making home visits to offenders unless there was a reason to check addresses for public protection purposes.
- ⁴ Strategic Training Initiative in Community Supervision (STICS) was delivered to Probation Officers and aimed at reducing recidivism, with a focus on risk needs and responsivity.
- ⁵ Maruna, S. (2010) *Understanding Desistance from Crime*, Ministry of Justice UK (Pamphlet)
- ⁶ Schmidt, Bethany E., *Prison Service Journal* Issue 209 pp.12-17 (UK)

ADRIAN SMITH is the Head of Professional Development and Learning, London Community Rehabilitation in London, England. He specializes as a Restorative Justice Facilitator and Business Coach and is an Independent Member of the Police Misconduct Panels for UK Public Services.



international issue
PERSPECTIVES
— 2015 —

THE CHALLENGES OF DEVELOPING COMMUNITY CORRECTIONS IN AFRICA

by Nikhil Roy




Prison populations are growing in all five continents, with over 10 million men, women and children in prison worldwide. Prison may be the only suitable response to the most serious offenses but in many low- income countries people can be imprisoned for a wide array of very minor offenses, including using abusive language, operating without a valid business license or unlawful trespassing. Most of these people are living in poverty and are sent to prison for a few weeks or even days. The growth in prison numbers is also caused in large part by excessive use of pre-trial detention: approximately half of those detained at any one time are awaiting justice. Many wait months or years for their trial only to be acquitted or released having served the equivalent of a sentence before conviction.

In many cases that come before the courts, imprisonment is not only a disproportionate response given the seriousness of the crime committed and the damaging impact that detention has on individuals and their families, but its overuse contributes to serious prison overcrowding and the risk of human rights violations. Prisons in 24 countries are estimated to hold more than double the number of prisoners for which they have capacity and a further 27 countries have occupancy rates of between 150 and 200 per cent.¹

The negative effect that prison can have on both mental and physical health is compounded in conditions of such gross overcrowding, making successful rehabilitation and reintegration into the community after release all but impossible. Being in prison isolates people from their families and friends, loosens ties to the community and leads to loss of livelihoods and homes, adding a stigma that many find difficult to discard. Prisons can also act as “schools of crime” where petty offenders learn criminal skills from their fellow prisoners, eventually leaving prison less able to lead a law abiding life and better equipped to re-offend.

Given their disadvantages, prison sentences are not always the appropriate answer to offending behavior; in order to deal justly and effectively with offenders, courts need to be able to choose from a range of sentencing options. Community based alternatives to imprisonment can very often be a more effective and cost-efficient way to respond to minor non-violent offenses.

For the millions who are held in pre-trial detention every year, courts could consider a range of non-custodial options including bail, curfews or periodic reporting to police or other authorities; in higher income countries, electronic monitoring or seizure of



travel documents can often be used to ensure attendance at court for the trial. Where defendants are found guilty, courts should have a wide range of alternative measures to choose from, including fines, probation, community service orders or restorative justice programs, which may be more proportionate to the offense, more likely to prevent re-offending and better suited to addressing the interests of the victim and community.

Nations are required under international law to provide alternatives to imprisonment.² The United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules), adopted in 1990, codify nations' obligations to provide and promote the use of non-custodial measures and provide minimum safeguards for those subject to alternative sentences.


Community service is one form of supervised non-custodial penalty which involves an offender working for public benefit without pay for a specified number of hours. Examples of work suitable for community service and utilized in many countries include: construction or renovation of public buildings, roads or

parks; maintenance work in public schools, hospitals and other public social amenities; environmental conservation and enhancement works; projects for water conservation and many others.

Community service orders (CSOs) serve a number of purposes, such as facilitating decongestion of prisons and promoting the health and rehabilitation of the offender by allowing him or her to maintain family ties, retain employment and learn new skills. They provide benefits to the community in terms of the work carried out, their cost-effectiveness and in helping to reduce recidivism. They may also be used to bring about reconciliation of the offender with the victim and the community through reparation and restitution.

PRI'S ENGAGEMENT WITH ALTERNATIVES IN AFRICA

Penal Reform International (PRI) seeks to reduce the unnecessary use of imprisonment and implementation of the Tokyo Rules, particularly in the African context where overcrowding is such a serious problem. PRI has a strong record of working in partnership with governments and NGOs to develop non-custodial measures in Africa dating back to the




early 1990s with the development of community service in Zimbabwe – one of the first systems of community service in Africa.³

Our subsequent work has focused on a number of countries in East Africa, particularly Kenya, Uganda and Tanzania. PRI works to develop models of good practice and provide training and technical assistance to promote the use of alternatives. We also facilitate the sharing of good practice and expertise within the wider region, publishing information and research about alternatives⁴ and supporting the development of an African Network on Alternatives to Imprisonment. This network was established at the Africa Alternatives to Imprisonment Conference co-hosted by PRI in Dar es Salaam in November 2013 and intends to link officials and professionals in countries that already have non-custodial programs with those that have shown an interest in establishing one. Together with our Ugandan partner, the Foundation for Human Rights Initiative, PRI has also established an e-network to support civil society in the region by sharing information and good practice and enabling collaboration in the promotion of alternatives to imprisonment.

THE EAST AFRICAN CONTEXT

Interest in the development of alternative sentences has been growing in Africa for almost 20 years. In 1996, the International Conference on Prison Conditions in Africa produced a declaration recommending that non-custodial measures be preferred to imprisonment wherever possible. The following year, an international conference in Zimbabwe resulted in the adoption of the Kadoma Declaration on Community Service Orders in Africa, which recommended widespread introduction of community service to tackle overcrowding in African prisons. It also viewed community service as being “in conformity with African traditions of dealing with offenders and with healing the damage caused by crime within the community.”

Prompted by a Law Reform Commission report on the tripling of the prison population in the 30 years since independence, the Tanzanian Parliament passed both the Probation of Offenders Act and the Community Service Act in 2002. The Secretariat of Community Service Programs was established in 2003 to supervise and coordinate the implementation of




community service which started in six pilot regions and was later extended to other regions. In 2008, the Probation and Community Service Department was established in the Ministry of Home Affairs, replacing the National Secretariat of Community Service. Probation and community service are currently only available in half of the country's mainland regions and not at all in Zanzibar.

Uganda has a Probation Service administered by the Ministry of Gender, Labor and Social Development, but probation orders can only be issued to children, not to adults. Community service in

In 2008, the Probation and Community Service Department was established in the Ministry of Home Affairs, replacing the National Secretariat of Community Service.

Uganda falls under the Ministry of Internal Affairs. Under the Community Service Regulations Act 2001, probation officers coordinate community service in their respective districts. This arrangement causes difficulties, however, as the Community Service Department has limited control over the work of probation officers. Community service was piloted in a number of districts from 2001 and following a review of progress in 2004, the program was extended to all districts in Uganda. The implementation of community service is the responsibility of a Commissioner and a National Community Service Committee together with a network of replica district committees. These committees are chaired by magistrates and are made up of local officials and two members of the public.

In the East Africa region, the greatest use of alternative sentences and the best-developed infrastructure for implementation is in Kenya. There is a large Department of Probation and After-Care Services within the Ministry of Home Affairs which is responsible for the supervision of release licenses, probation orders and CSOs. The Kenyan CSO program replaced the system of Extra Mural Penal



Employment (EMPE) which had been repealed in 1998. Implementation of CSOs is overseen by Community Service Order Committees at district and national level. The Kenyan model of probation relies heavily on volunteer probation officers (VPOs) also known as assistant probation officers. These are people of good character and integrity identified from within the community to support the work of probation staff by offering close supervision to offenders. VPOs are also used to assist in the preparation of reports of the courts in busy urban areas, verifying information about the addresses and other circumstances of offenders. Laws governing probation and community service as well as prisons are currently being revised to bring them into line with the new Constitution of Kenya which came into force in 2010.


CHALLENGES TO COMMUNITY CORRECTIONS IN EAST AFRICA

PRI re-engaged in East Africa in 2011, undertaking questionnaire-based surveys, interviews and field visits in order to establish the current state of play regarding the use of alternative sentences and whether or how things had progressed since we last conducted work in

the region. The research focused on Kenya, Uganda and Tanzania, where overcrowding remains problematic; figures from 2013 show prisons in Uganda and Kenya are operating at over 250 and 200 percent respectively of their official capacity, with occupancy in Tanzania approaching 120 percent.⁵ PRI's research⁶ identified three major challenges needing to be overcome if CSOs are to work effectively: the low use of CSOs by the courts and the manner in which they are imposed; when orders are made, inadequate financial resources and a lack of supervisor training affect the success of the placement and so compliance rates vary; and finally the lack of public confidence in non-custodial sentences.

JUDICIAL ENGAGEMENT WITH COMMUNITY CORRECTIONS

Experience from a number of different countries suggests that it is crucial to have the judiciary closely involved in the design and implementation of non-custodial sanctions and measures. Sentencing is carried out by the judiciary and if judges have no knowledge of or confidence in non-custodial penalties they will not use them.⁷ In Kenya, a purge of corrupt magistrates in the early 2000's brought in many new



judicial officers whose awareness of CSOs was limited. An evaluation of community service in Kenya carried out in 2003 found that prison overcrowding had not improved since the introduction of community service; there were almost 600 convicted prisoners in Nairobi Central Prison serving sentences of less than six months. The reason cited was that magistrates did not trust defendants to comply with the requirements of community service.⁸


Another problem may be that when non-custodial sentences are imposed, they are not given to defendants who would otherwise have gone to prison. The phenomenon of 'net-widening' describes the process in which alternatives are imposed upon offenders who might otherwise have received less restrictive measures, such as discharges or fines, rather than those who would have been sentenced to prison. This is particularly important to avoid when failure to comply with a community-based sentence automatically leads to imprisonment – a process referred to as "back end net widening". In this case, alternatives can end up fuelling rather than solving prison overcrowding.

CAPACITY TO SUCCESSFULLY IMPLEMENT COMMUNITY CORRECTIONS

Typical difficulties that impact on the delivery of community sanctions are a poor range and quality of placements for offenders and poor supervision and coordination of placements, usually due to a lack of supervisor training and inadequate investment of resources.

Limited resource allocation affects capacity to supervise probation and community service orders in Tanzania, where the Probation and Community Service Department has a staff of 160. Probation officers were previously locally-employed social workers, but since 2010 they have been employed directly by the department. A National Committee is chaired by a High Court judge and in theory there are 12 regional committees chaired by a resident magistrate and 66 district committees chaired by district magistrates. However, the committee members are not paid for their participation and in reality they do not always meet on a regular basis.

In Uganda, the number of districts has doubled since the pilot Community Service Program



began, but the resources have remained almost the same, so that the Community Service Department now has a total of 17 technical staff plus 10 support staff to oversee the implementation of community service in 112 districts. Unsurprisingly, implementation of the program in the newly created districts has not picked up momentum. Inadequate resourcing is said to impact the functioning of the National Community Service Committee as well as district committees.⁹ To compensate for the shortage of personnel, volunteers are being introduced in some districts. Kampala Extra, for example, has community service volunteers at all nine courts.

In the East Africa region, the greatest use of alternative sentences and the best-developed infrastructure for implementation is in Kenya. Kenya experienced a significant increase in the use of community sanctions in the 1990s from 3,000 orders in 1990 to 55,000 in 1997, but the system of Extra Mural Penal Employment (EMPE) that was in place at the time ultimately proved unable to overcome its shortfalls. EMPE was managed by the Prison Service and offenders were supervised by prison officers. Since prison work by its nature is institution based,

supervision, record keeping and coordination of the program were poor and worsened over time, until it became virtually impossible to keep track of offenders. By the time EMPE was repealed in 1998, thousands had been sentenced on the program but only 1,600 could be traced.¹⁰

The current CSO system in Kenya is much improved and has seen many positive results. Official data shows that 97 percent of the 314,013 CSOs completed between 2005 and 2010 were completed satisfactorily.¹¹ Despite its successes, the system continues to experience challenges primarily related to a lack of awareness about the program and inadequate allocation of resources. Funding has not been consistently provided and the service can struggle to run 117 probation stations countrywide. Lack of fuel and vehicles in particular reduces the quality of supervision of placements.¹² Under the Voluntary Probation Officer (VPO) program that provides auxiliary supervision of offenders, some VPOs are issued with bicycles or mobile phones depending on the region, but most are not.¹³ The resulting impact can be seen in the reduction of CSO case referral, the number and type of projects available and the work performed by offenders.

PUBLIC PERCEPTION OF COMMUNITY CORRECTIONS

One of the major lessons learned from PRI's work in Africa and other regions is that involving the public in the development of alternatives is crucial. Active cooperation of the public is an integral component of alternatives in some countries where, for example, work is provided for offenders by public bodies and social welfare agencies.¹⁴


Research carried out by PRI in Kenya found public attitudes to be relatively negative towards alternatives, viewing them as too lenient. This may be influenced by the media who are ill-informed on alternative sentences and tend to portray them as 'let-offs'. Similarly in Uganda, it was suggested that the public is hostile towards alternative sentences because they are not adequately sensitized and little is written about them in the media.¹⁵ In Tanzania, there are mixed attitudes: people who have been sensitized on the use of alternative sentences in most cases do accept them and cooperate, but those who are not sensitized tend to have negative attitudes. It has been suggested that victims of crime, in particular, view the "soft" sentences as merely the government's attempt to reduce expenditure.¹⁶

In order for courts to impose them, both the day-to-day operation and long-term sustainability of alternative sentences must enjoy a reasonable level of public confidence.¹⁷

Having a range of placements that demonstrate that CSOs provide a real benefit to the community and that they are effectively supervised will help to persuade the public of their value. Achievements of such placements should be calculated and disseminated through community outreach and sensitization programs. This can involve open days, forums and engagement of local media. The public should also be encouraged to propose valuable work that offenders should do in the community.

CONTINUED DEVELOPMENT OF COMMUNITY CORRECTIONS IN EAST AFRICA

PRI will continue its work on alternatives in East Africa with a new project *Excellence in Training on Rehabilitation in Africa* (the EXTRA project). This project will pilot a new model to increase the effectiveness of the delivery of CSOs in specific regions of Kenya, Uganda and Tanzania. PRI will work with research institutions to undertake baseline and evaluation research in each of



the countries (the National Crime Research Centre in Kenya, Uganda Management Institute and the Institute of Social Work in Tanzania). The project will employ a three-pronged approach to tackle the three challenges identified above, targeting magistrates and judges-- who impose community sentences, probation officers and placement supervisors who implement community sentences and the public whose confidence in the approach is needed.

Activities will include capacity-building workshops for stakeholders, supporting empowerment programs for offenders, multi-agency meetings and public awareness campaigns. Past experience has shown us that all three elements are needed simultaneously to effectively increase the use of community service. In order to test this three-pronged approach, work with the research institutions will also be conducted after the activities have been completed in order to assess whether this model is effective and to make recommendations for further developments.

Rob Allen, at a recent panel discussion held by PRI in London, posed the question: as developing countries develop, as low income countries become middle income countries, do they need to develop prisons as part of the package?¹⁸ Looking at many countries that have seen huge economic growth over the last 25 or 30 years (for example in Asia), their prison growth has also been significant. Are we condemned to have more prisons if we have more development? We hope not. PRI is

**In order for courts
to impose them,
both the day-to-day
operation and long-
term sustainability
of alternative
sentences must enjoy
a reasonable level of
public confidence.**

working hard to find another way that countries can hold offenders appropriately to account, give them the opportunity to make amends for their wrongdoing and turn their backs on crime. A properly resourced system of community corrections is central to that vision. ►►▲

END NOTES

¹ International Centre for Prison Studies (ICPS), World Prison Brief. Available at: <http://www.prisonstudies.org/world-prison-brief> (date accessed: 18 August 2014).

² See also the United Nations Universal Declaration of Human Rights (1948); the Kadoma Declaration on Community Service Orders in Africa (1997); and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (2010).

³ For more on PRI's work on alternatives to imprisonment in Zimbabwe, see Vivien Stern, *Alternatives to prison in developing countries* (1999).

⁴ See specifically *Alternatives to imprisonment in East Africa: trends and challenges* (PRI, 2012) and *Making Community Service Work: A Resource Pack from East Africa* (PRI, 2012).

⁵ ICPS, *supra* note 1.

⁶ *Alternatives to Imprisonment in East Africa: Trends and Challenges* (PRI, 2012).

⁷ *Making Law and Policy that Work: A handbook for law and policymakers on reforming criminal justice and penal legislation, policy and practice* (PRI; 2010, 2013).

⁸ Rumin, *Report on the Independent Assessment of the Community Service Programme and Zambia, Kenya and Uganda 2003* (2003).

⁹ PRI, *supra* note 6.

¹⁰ Government of Kenya and United Nations African Institute for the Prevention of Crime and the Treatment of Offenders (UNAFRI), *Evaluation of the Community Service Orders Programme in Kenya* (2011).

¹¹ PRI, *supra* note 6.

¹² Probation and Aftercare Service Kenya, *Report on Community Service Orders Validation Workshop in Nakuru Girls Hostel, Nakuru on 7 June 2013* (2013).

¹³ Government of Kenya and UNAFRI, *supra* note 12.

¹⁴ Vivien Stern, *Alternatives to prison in developing countries* (1999).

¹⁵ PRI, *supra* note 6.

¹⁶ The Citizen, 6 February 2012, <http://www.thecitizen.co.tz/News/-/1840392/1814856/-/f0fu5kz/-/index.html> (date accessed: 18 August 2014).

¹⁷ PRI, *supra* note 6.

¹⁸ *If Prison Doesn't Work, What Does? PRI 25th Anniversary Debate*, 25 April 2014 in London, United Kingdom. Available at: <http://www.penalreform.org/resource/prison-work-pri-25th-anniversary-debate/> (date accessed: 28 August 2014).

NIKHIL ROY is the Program Development Director, Penal Reform International, Netherlands.



OPTIMIZE YOUR CASE MANAGEMENT PROCESS

You will never wait for information again with our easy-to-use web-based application which is accessible via the internet 24/7. Improve workflow while streamlining and strengthening your operations. From daily chronologicals and assessments to collecting, disbursing and reconciling the financials, CSS streamlines and integrates every responsibility from the line officer to the administrative staff.

OUR PROFESSIONAL SERVICES INCLUDE:

Complete Case Management
Adult and Juvenile
Browser Based and Cloud Hosted
CSS Texting, Email and Signatures
CSS Mobile and Intrastate Transfer
Paperless Office with a complete Audit Trail
Web Reporting
Google Mapping and more

VISIT
CORRECTIONS SOFTWARE.COM
FOR MORE DETAILS



CORRECTIONS SOFTWARE SOLUTIONS, LP

316 North Lamar | Austin, TX 78703

877-272-5300 | info@correctionssoftware.com

INSPECTING PROBATION SERVICES IN ENGLAND & WALES – THE ASSESSMENT OF EFFECTIVENESS IN A MIXED SECTOR CONTRACT ENVIRONMENT

by Paul McDowell and Neal Hazel

Her Majesty's Inspectorate of Probation for England and Wales (HMIP) has always adjusted its function and focus to accommodate changes in the political and probation landscape. However, it has consistently judged effectiveness of services by auditing management or practice processes, most recently against criteria developed from the "what works" agenda. The authors, including the new Chief Inspector, argue that this approach is no longer "fit for purpose" as adult probation services move into a mixed-sector contract environment. A new conception of effectiveness for inspection based around offender outcome rather than service process is proposed as more relevant moving forward, along with consideration of the difficulties that will need to be overcome. Some secondary benefits of an outcome-led methodology are discussed, including opportunities to investigate factors that help understand outcomes and to produce whole-system assessments.

THE OVERALL ROLE OF INSPECTION IN ENGLAND AND WALES

Her Majesty's Inspectorate of Probation for England and Wales (HMIP) is the body charged with assessing the effectiveness of all work with adults and children who have offended, or are likely to offend, whoever undertakes this work. The Inspectorate is funded by the Ministry of Justice, but operates independently of Government to provide authoritative fair comment on probation services. Whereas senior operational managers may be tempted to highlight only good news stories to their political masters, and they in turn to the public, an independent inspectorate reassuringly provides independent health checks on probation across the country (Morgan, 2004a). As such, the Inspectorate is an important part in the governance of the country's criminal justice system, ultimately aimed at reducing offending and protecting the public.

HMIP is led by the Her Majesty's Chief Inspector of Probation, who is responsible for developing and delivering the program of inspection and reporting findings directly to Ministers and to the public. In February 2014, the lead author of this article became the latest incumbent of this post, following appointment by the Secretary of State for Justice and approval by the United Kingdom Parliament. Although the overall aims of HMIP to assess and improve services are clear, there remains a great deal of flexibility in how they are carried out and the new Chief Inspector has prompted a thorough review of the way that probation work should be inspected in England and Wales. The most fundamental issue for any inspectorate is how "effectiveness" in probation is assessed. How should successful probation be conceptualized and measured? What kind of methodology would best capture that, and in a timely way? This paper reflects briefly on our early considerations on this fundamental issue, placing it within the historic development of the Inspectorate and the contemporary political context.




THE INSPECTION OF PROBATION EFFECTIVENESS THROUGH HISTORY

Such a review of inspection may well raise conceptual or academic questions, but it takes place firmly within a policy context and is shaped by real-world concerns. In fact, the Inspectorate has changed the purpose and nature of its work a number of times since its creation by the Home Office in 1936, in order to meet the needs of a developing probation landscape (HMIP 2010).

In the early years, the Inspectorate's main tasks were essentially managerial and supervisory, including responsibility for selection and training of new probation officers, but also included advocating locally for more probation resources. There was a role for the assessment of services, but findings were given as advice to practitioners locally and in a confidential report to the Secretary of State – not for public consumption. Effectiveness was less well defined, with judgements less emphasised relative to the centralized encouragement and guidance of local probation services that had grown rapidly in an ad-hoc way since they were first introduced by the Probation of Offenders Act 1907.

By the late 1960s, some of the probation management functions of the Inspectorate had begun to be transferred to other bodies, including the confirmation of probation officer appointments to local committees (Home Office, 1968). In turn, inspectors changed the focus of any assessment of effectiveness from the provision of services per se to the sufficiency of these new management arrangements. In line with the national political priority of austerity in the late 1970s and early 1980s, inspections became increasingly directed towards assessing on the basis of efficiency of management policy and processes, with actual practice being examined much more selectively (HMIP 2010).

The Inspectorate was finally written into statute as an independent body in 1991, although ironically this period saw close working with the Home Office designed to standardize the culture and practice of the probation service. At that time, there was a political view that professionals were failing the public through incompetence, complacency and even a degree of collusion with offenders against fulfilling the full requirements of their sentences (Faulkner 2001). The government introduced a set of



“national standards” for probation, adherence to which formed the basis of HMIP’s judgements of efficiency and effectiveness.


In response to the political perception that “nothing worked” in probation, the Inspectorate led a push in the late 1990s and early 2000s for an evidence-based approach through adoption of the “what works?” agenda, developed from research. It has been argued though that when it came to governance, the question tended to get dropped in order to support standardization (Deering, 2011). As such, although the creation of the National Probation Service in 2001 saw HMIP transfer its performance monitoring responsibilities, it continued its management enforcement role by rating effectiveness firmly in terms of adherence to processes in line with this agenda.

Since that time, HMIP’s core business has consisted of a series of programs (each lasting three or four years) of local inspection, varying slightly in focus but essentially concerned with reporting on the performance of services in the same way – with effectiveness judged mainly on the perceived quality

and efficiency of management and practice processes. These programs have been accompanied by the regular production of “thematic inspections” that consider the national picture in areas of current priority, such as work with sex offenders or re-entry into the community after custody. The methodology for all inspection programs has been to select a sample of offender cases to audit subjectively, to establish whether work has been done “sufficiently well” against a set of pre-determined process criteria covering assessment, planning and intervention.

THE CHANGING PROBATION LANDSCAPE IN ENGLAND AND WALES

The above discussion has shown how the Inspectorate has repeatedly shifted its basis of any judgement of effectiveness, generally moving focus between probation work processes and management organization. These shifts have been primarily in response to movement in the political context and the developing needs of probation, most recently, in the push for professional standardization and evidence-based practice. However, the probation landscape is changing again. The management of adult probation services in




England and Wales is undergoing its biggest revision since its inception, under a government initiative called *Transforming Rehabilitation* (Ministry of Justice, 2013). This initiative will see the break-up of the public sector responsibility for working with adults who have offended. Although services concerning offenders with a high risk of harm will remain within the public sector, the management of the remaining offenders considered medium and low risk of harm will be contracted out to different local providers. The new providers, expected to be a mixture of private companies and charitable organisations, will start delivering services from early 2015.

The management of adult probation services in England and Wales is undergoing its biggest revision since its inception, under a government initiative called Transforming Rehabilitation.

The Secretary of State for justice anticipated in a letter to Parliament in 2013 that:

“The current role of the Inspectorate could undergo significant transformation over the next few years. The challenge for the new Chief Inspector will be to take forward a programme of work that supports and tests a new rehabilitative framework and works within the changing landscape.” (cited in House of Commons, 2013:9).

We are clear that the approach to inspection needs to change and *Transforming Rehabilitation* forms the political context for our present review. It is clear to us that the current way of inspecting services, established in a time of solely public sector delivery and developed to fulfil associated needs will not be fit for purpose in a new mixed sector contract environment. Inspection needs to change again




in order to remain relevant within a market context where payment will be based on results in terms of reoffending rather than adherence to standardized processes, let alone an aging “What works?” agenda. We need to radically revise the way that the Inspectorate will judge whether probation services are working effectively, especially given that providers themselves are likely to be exercised by the precise long-term measures that secure their payment. We also need to consider how the Inspectorate can continue to drive up probation practice as part of its public governance where services are not under direct public management.

HOW SHOULD INSPECTIONS NOW JUDGE EFFECTIVENESS OF SERVICES IN A CONTRACT ENVIRONMENT?

The primary problem with the current inspection methodology is that effectiveness is essentially judged on an audit of practitioner inputs rather than an evaluation of offender outcomes. Although some outcomes have been considered in various ways as part of inspections since the early 2000s (Morgan, 2007), they have not tended to be prominent in assessment indices nor based on actual reoffending. As outlined above, the criteria of inputs used

have been based on “What works?” literature and have been used as proxies for judging performance, assuming that adherence will eventually produce reduced reoffending results. We believe that these sorts of assumptions will not be good enough in a contract environment, even without considering the various criticisms of the context-specific research on which it is based (Mair, 2004).

Conceptually, we would argue that these inputs have not actually captured the effectiveness of work, but more the compliance of probation work with processes. In doing so, the approach was right for a time when there was political and public concern with raising evidence-led practice and assurance governance through restrictive process driven “national standards” rather than results on reoffending. Although auditing processes will have reassured the public to what extent their local probation services have been following the wishes of the courts and acting in accordance with what is believed to work with offenders, it does not actually measure what tangibly affects their offending behavior and reduces crime. Consequently, for inspections (and those they inspect) to gain



more credibility with the public, “effectiveness” needs to focus on reduced reoffending and reduction in criminogenic factors associated with future reoffending.


Similarly, it is clear that politicians representing the public will only continue to find inspections credible if they pay more attention to outcomes (House of Commons, 2013). Indeed, the House of Common Justice Committee declined to support the then Secretary of State’s previous choice of Chief inspector in part because she had not stressed enough to them the importance of the aim of reducing reoffending (House of Commons, 2011). The Committee also advised that any new appointment might be from outside the Probation Service, which may suggest a concern that rating probation professionals’ effectiveness on processes decided by probation professionals without actually showing their real impact could be seen as unaccountable or even collusive.

Crucially, under the new contract arrangements, measuring effectiveness on process inputs would be of limited relevance to service providers, who will only in

part be judged by their contract commissioners on that basis.

“Payment by results” through which the contracts are in part funded will be calculated by longer-term proven reoffending figures. So inspection needs to relate directly to those outcomes if they are to be relevant to the provider’s concerns and if inspection is to sufficiently differentiate itself from the role of contract compliance and performance management. Moreover, we do not believe that the subjective method through which inspectors have assessed whether professionals have conducted processes to a “good enough” standard, based on shared understanding of terms through “benchmarking” exercises, will be precise enough for commercial enterprises to resource changes in their working practices. They will need to see the evidence of objective outcomes and effectiveness needs to be measured by inspectors accordingly.


It is important to note that there are serious difficulties and limitations to conceptualising and measuring effectiveness in inspections in terms of outcomes and these will need to be worked through. The main difficulty is that the government and contractual measures of reoffending



outcome are over a period of time that would render any inspections based on them as out-of-date. Proven reoffending is based on whether someone has been convicted for an offense committed within twelve months of the initial conviction or from the point of release in custody cases and does not get reported for a further several months in an effort to ensure time for conviction and recording. Consequently, inspections based on proven reoffending over this period would need to look at probation work historically, with less contemporary relevance and less usefulness in warning of potentially dangerous ongoing problems. It is a problem that has vexed Chief Inspectors who may have wanted in the past to focus more on outcomes, but have been unable to overcome the historical data problem, including Andrew Bridges, who designed the existing inspection methodology:

“The problem with this always is that the principle of measuring by outcome is absolutely the best thing in principle but very, very difficult to do in practice in many aspects of public service, but particularly in this one, because you don’t know the real outcome until years later.” (House of Commons, 2011a:45).

Nevertheless, at this time, with the move towards contracted probation services and payment-by-results based on outcomes, we feel it is absolutely necessary for the Inspectorate to conceptualize effectiveness in this same way. If it is not practical to use exactly the same measure of proven reoffending over the same time period, then another measure of reoffending will need to be found so that it is relevant to providers. Consideration is currently being given to proxies such as whether an offender has been brought to court or charged or even just arrested. Each of these proxies gives us a quicker and more current picture of offender outcomes, but are limited by their distance from proof of reoffending having occurred. An alternative method may be to only count actual reconvictions for offenses, but within a much shorter period of, say, three months, with inspections giving a further three months for court processes and recording. Either approach will give Inspectors more of a “live” feel for the effectiveness of probation services. In the end, that methodological decision may come down to how we resolve the second difficulty, that of access to reliable and timely reoffending data, disaggregated on an individual basis so that it can be analysed.



Ideally, we would like to be able to have ongoing access to our chosen outcome variables on a system that is updated in real-time, so that we can regularly monitor changes in rates of effectiveness to inform our selection of areas to inspect. This remains a significant practical challenge for us to overcome.

SECONDARY BENEFITS OF AN OUTCOME-LED INSPECTION?


It is worth noting the secondary changes that an outcome-led inspection would enable us to make to ensure greater impact on services in a mixed-sector contract environment. For instance, having assessed effectiveness in an individual case through existing data on actual reoffending and possibly other related outcomes, inspectors would be able to follow lines of inquiry to uncover *how* positive outcomes might have been achieved or *why* negative outcomes occurred. Thus, inspectors would still be considering processes, but as factors that help understand heuristically the already established offender outcomes rather than as judgements of process effectiveness. Furthermore, it is possible to see how the enabling factors found might accumulate as a library of promising practice that can enable inspectors to suggest solutions to barriers found in

other places, as well as disseminated more widely so that it might impact on probation practice generally.

Also, the initial focus on what happens with the offender rather than assessing a specific service's processes means that the lines of inquiry could take inspectors across different agencies of influence, following the offender's journey through and critically outside of, the criminal justice system. This would allow a more whole-system approach to inspection, including a clearer picture of interagency working, countering the risk of silo government and warning where an individual may be falling through gaps in provision. It also means that recommendations for change can be made to whichever agencies are involved, at whatever level, rather than just one provider being inspected for effectiveness of processes.

CONCLUSION – MOVING TOWARDS AN OUTCOME-LED METHODOLOGY

Rod Morgan, a recent Chief Inspector, considered that in pursuing evidence-based inspection there are "*dilemmas that have to be confronted and the choices made*" (Morgan, 2004a:237) in the function and methodology of an Inspectorate. We



are confronting those dilemmas head on at the present time.

We have noted historical specificity in the way that the HMIP has adapted to political demands and the development of probation services in England and Wales. In particular, the focus and method of assessing the effectiveness of probation services has altered according to government and public concerns, more recently focusing on auditing practitioners' adherence to processes supported by "what works" and efficiency agendas.

We have introduced in this paper the argument that the development of a mixed sector contract environment for adult probation work requires a fundamental shift in the measurement of effectiveness away from process and towards real offending outcomes. Although inspection programs have sometimes included some proxy measures for outcomes alongside process indices, our considerations have led to the conclusion that process measures need to be dropped entirely. Instead we are seeking to base judgements solely on real offender outcomes in order to be relevant and to have impact on practice. In redirecting the focus and methods of assessing effectiveness, we are challenging

the "underlying approach that sees inspection of a public service concerned with the quality of processes" (Ramell, 2007:136), and suggesting an approach primarily concerned with public protection outcomes. In doing so, we also raise the question of whether such a shift in the underlying approach is appropriate for the inspection of other public services, particularly where there are elements of a mixed sector contract environment.

The current development of our new outcomes-led methodology reflects this change in the conceptualization of assessing effectiveness and is planned to be rolled out across England and Wales in late 2015. However, the difficulties and opportunities we raise for such an approach may well be of interest to other jurisdictions, including those considering developing an Inspector or Inspectorate of the governance of probation (e.g., as proposed to the United States Congress in 2013 in the Federal Probation System Reform Act). ▷▷▲

REFERENCES

- Deering J (2011) *Probation practice and the new penology* Farnham: Ashgate
- Faulkner D (2001) *Crime, state and citizen: A field full of folk*, 2nd edn. Winchester: Waterside Press

HMIP (2010) *HM Inspectorate of Probation: A short history of its evolution since 1936*
London: Ministry of Justice

Home Office (1968) *Report on the Work of the Probation and After-Care Department 1966-1968* London: HMSO

House of Commons (2011a) *Justice Committee Appointment of HM Chief Inspector of Probation HC 1021* London: The Stationery Office

House of Commons (2011b) *Justice Committee on The role of the Probation Service, volume 2 HC519-2* London: The Stationery Office

House of Commons (2013) *Justice Committee Appointment of HM Chief Inspector of Probation HC 640* London: The Stationery Office

Mair G (2004) *The origins of what works in England and Wales: a house built on sand?* In Mair G (ed.) *What matters in probation* London: Willan

Ministry of Justice (2013) *Transforming rehabilitation: A strategy for reform* London: The Stationery Office

Morgan R (2004a) Pursuing evidence-based inspection. In Burnett R and Roberts C (eds) *What works in probation and youth justice: Developing evidence-based practice* London: Willan

Morgan R (2004b) Thinking about the future of Probation Inspection *Howard Journal of Criminal Justice*, 43, February, 79-92

Morgan R (2007) Probation, governance and accountability In Gelsthorpe L and Morgan R *Handbook of Probation* London: Routledge

Ramell P (2007) HM Inspectorate of Probation In Canton R and Hancock D *Dictionary of Probation and Offender Management* London: Routledge

PAUL MCDOWELL is Her Majesty's Chief Inspector of Probation, having joined the Inspectorate in February 2014 after appointment by the Secretary of State. Prior to that and since 2009, Paul had been Chief Executive Officer at Nacro, the largest crime reduction charity in the UK. That had followed a 20 year career in the England & Wales Prison Service, where between 2006 and 2009 Paul was Governor (Warden) at HM Prison Brixton in London and previous to that Governor of HMP Coldingley, Surrey, England. Throughout his prison career Paul had a strong reputation as a reforming prison Governor, developing successful violence reduction strategies, challenging cultural attitudes related to issues of diversity, and developing a variety of innovative crime reduction focused approaches to the resettlement of offenders. He is a Fellow of the RSA, Trustee of the Eisenhower Foundation in Washington DC and a Trustee of the Prison Radio Association. **NEAL HAZEL** is Professor of Criminology and Criminal Justice at the University of Salford, U.K. He has led more than 25 funded research projects in juvenile justice and family/health services, including evaluations of both national custodial and community disposals. He also directed a study of young offenders' experiences in juvenile justice, has written two government-published two cross-national comparisons of youth justice systems (1998 & 2008), and has acted as consultant to a number of independent inspection bodies. He is part of a major new five-year project to research and disseminate good practice in juvenile re-entry – www.beyondyouthcustody.net – and is writing a book on A History of Youth Justice (Routledge).

SAVE THE DATE



NEW JERSEY **NJ** AMERICAN
CHAPTER CORRECTIONAL
ASSOCIATION

JUNE 16-19, 2015

ATLANTIC CITY, NJ

**"Collaborating for Success
in Criminal Justice "**

Corrections, Probation,
Parole, Community Programs

Golden Nugget Hotel-Casino

Room Rate: \$79.00/night

Single/Double Occupancy



For more information please visit
www.masca.us or www.njaca.org

OFFENDER SUPERVISION IN EUROPE: NEW DIRECTIONS IN COMPARATIVE RESEARCH

by Fergus McNeill and Ioan Durnescu



PROBATION IN EUROPE

Probation in Europe started at more or less the same time as in the USA. In the Netherlands, for instance, the first Society for 'the moral improvement of prisoners' was founded in 1823 (van Kalmthout and Tigges, 2008). In England, the Church of England Temperance Society received a small amount of money from Frederic Rainer to start funding police court missionaries to help offenders find employment in 1876 (McGarva, 2008). The idea of probation travelled across Europe in a process of 'diffusion and imitation' (Timasheff, 1943: 2). Currently, all European countries have a distinct body in charge of supervising offenders in the community, although these institutions take a range of different forms and are organized in many different ways. In most European countries, probation is structured as an independent agency under the authority of the Ministry of Justice. In others, probation is amalgamated with the prison department as departments for penal execution or corrections (see the Nordic countries, Italy, Spain etc.). In some isolated cases, probation is organized under the umbrella of some NGOs (e.g. Austria, The Netherlands). In this case, the NGOs enjoy a special status and are financed by the state.


In some European countries, the probation vocabulary is characterized by terms like risk assessment, prediction, categories of risk and so on, but traditional welfarist¹ ideas also endure in many states -- often alongside the more recent preoccupation with public protection and risk management. Research on desistance is becoming more and more reflected in the policy documents and supervision practices in countries like England and Wales, Scotland, France and so on.

In terms of its impact on sentencing, probation is more and more used in Europe serving different functions in different jurisdictions. According to the latest SPACE II² report, on 31st December 2013, there were 2,145,289 persons under supervision of the probation services in the Council of Europe member states. This represents an average rate of supervision of 209.1 per 100,000 inhabitants; a rate which is much higher than the prison rate (134 inmates per 100,000 inhabitants in 2013).

Therefore, there is no one single European system of probation but a wide variety of probation systems in Europe, each of them with its own features and priorities.

CHALLENGES FOR PROBATION IN EUROPE

Increases in the number of people under supervision vary in different European states, and this also impacts the staff/client ratio. Unfortunately, there is no figure at the European level to reflect the number of clients per staff member, but there are worries about high caseloads in some states.



Most of the people under probation supervision in Europe enter the system via front door sanctions and measures (alternatives to custody) or back door measures, such as conditional release (the equivalent of parole in the US). Only 7.8 percent of the probation population is placed under supervision before trial (SPACE II, 2013). In some countries the number of recalled prisoners, due to technical violations, is increasingly associated with prison overcrowding (for more see Padfield, 2012).


The new Charlie Hebdo events in France placed high on the penological agenda to address the issue of radicalization. More and more prison and probation conferences and workshops are dedicated to this subject (see for instance the latest meeting of the Council for Penological Co-operation, 4-6 February 2015).

THE COST ACTION – OFFENDER SUPERVISION IN EUROPE

Research on comparative criminal justice has been developing apace in recent years. Such work is important for a number of obvious reasons. In addition to the practical interest in policy transfer, it helps us to make sense of how and why states and

nations respond differently to similar political, social and cultural pressures. That understanding can be very important in helping with progressive reform efforts; there is much to learn from near and distant neighbors -- both about approaches to avoid and about approaches that might be worth emulating. Learning about how familiar challenges are approached in different places helps us to see the systems and practices we think we know well in a new and different light.

However, most work in comparative criminal justice has examined and tried to make sense of rates of imprisonment. Those rates represent a very blunt measure even of what is actually going on in prisons; they are an even less reliable indicator of a nation's or a state's approach to criminal punishment as a whole. Both in Europe and in the USA, there are many more people subject to probation or parole (which we refer to by the catch-all term 'offender supervision') than there are in prisons and jails -- and many of those in prisons and jails will also be subject to supervision after release. The neglect of supervision in comparative criminal justice and in the sociology of punishment more generally, is therefore a significant



problem. This means that social science hasn't kept pace with penal change and that means that penal-political and public debate lacks an adequate evidence base -- and not just about 'what works?' (the one question that has been asked a lot).


For these reasons, working with a number of colleagues across Europe, Fergus McNeill secured funding in 2011 from the European Union's Cooperation in Science and Technology (COST) program. COST funds research networks referred to as 'Actions'. The COST Action on Offender Supervision in Europe came into being in March 2012 and will run until March 2016 (see www.offendersupervision.eu for more details). The Action now spans 23 countries and has run many events as well as producing two books (McNeill and Beyens, 2013; Robinson and McNeill 2015 forthcoming), special issues of the European Journal of Probation and numerous briefing papers and reports (see <http://www.offendersupervision.eu/documents-and-resources>).

The work of the Action is divided across four working groups. The first looks at 'Experiencing Supervision', aiming to explore the impacts of supervision on those directly or

indirectly affected by it. The second explores 'Decision-making and Supervision', examining how key decisions about supervision are made by the key actors involved (e.g. prosecutors, judges, probation officers and others). The third group is concerned with 'Practising Supervision' and aims to understand how practice is conceived and constructed by those who deliver it. The final group is somewhat different in its focus on 'European Policy and Practice'; it seeks in particular to explore how European norms and standards influence supervision.

In our first book (McNeill and Beyens, 2013), we presented the results of the work of the first year of the Action. Essentially, this involved a survey of empirical research in the participating countries about these four sets of issues. Given what we have written above, it is probably no surprise to find that our survey reveals very uneven coverage of these questions across the continent, and a number of conceptual and methodological weaknesses in the work that does exist.

In years two and three of the Action therefore, we have been trying to develop new approaches to comparative research on supervision.



Each working group has set its own agenda. For example, the 'Experiencing Supervision' group has two pilot projects under way. One is called 'Supervisible' (see <http://www.offendersupervision.eu/supervisible>) and uses photo-elicitation methods to encourage people with lived experience of supervision to represent those experiences in visual form and to engage in dialogue stimulated by the images they produce. The second is called the 'Eurobarometer' and involves developing and pilot testing a survey instrument that can capture data about the experience of supervision across multiple jurisdictions, despite the challenges both of translation and of variations in systems of supervision. The 'Decision-making and Supervision' group has been developing and piloting a series of vignettes of supervision related scenarios in an effort to facilitate comparison of how similar situations are approached by decision makers in different cultures and systems. The 'Practicing Supervision' group has three projects in development; one involves a diary project in which practitioners in different jurisdictions record details of how they spend their time and why; the second involves a structured observation instrument, used to examine first supervision encounters

across jurisdictions; the third is called 'Picturing Probation' and invites practitioners to submit photographs that represent their work and their workplaces.

All of these sub-projects span multiple jurisdictions -- and they all raise questions about how exactly we can usefully compare them. Our second book (Robinson and McNeill 2015 forthcoming) helps us further with that challenge. Its focus is on helping to explain the origins, evolution and adaptation of 'community punishment' in 11 of the jurisdictions involved in the Action. Producing that book returned us to a key concern in developing an understanding of supervision that is properly contextualized in the social, political, cultural and legal conditions of its emergence and development. Indeed, it might be said that although our network and our interests are interdisciplinary, one of our core challenges has been to develop a properly critical sociology of supervision. In our view, the lack of such scholarship has often left debates about 'what works' insufficiently anchored in a deep understanding of the contexts where practices are constructed — for better and worse.

We still have plenty of work to do. Our small-scale empirical pilot projects are in their early stages, though they are already producing some interesting results. Our next challenges include finding the funding to develop these projects beyond the pilot stage. But we also have to return, in our final year (2015-16) to some of the normative questions that concern us, for example, about the relationships between supervision, justice, proportionality and human rights. We don't expect that we'll answer these questions before the money runs out, but we are confident that we'll have edged a lot closer to answers that can help us face the practical challenges of developing contemporary criminal justice.

Our next meeting, on Compliance, Enforcement and Breach or what you might call violation and revocation is in Athens April 17-18, 2015, and our final conference will be in Brussels on March 11-12, 2015 (see: <http://www.offendersupervision.eu/events>): come and join us and get a piece of the Action! >>>▲

REFERENCES

McCarva, R. (2008) England and Wales in A.M. van Kalmthout and I. Durnescu (eds). *Probation in Europe*. WOLF

McNeill, F. and Beyens, K (eds.)(2013) *Offender Supervision in Europe*. Basingstoke: Palgrave.

Robinson, G. and McNeill, F. (eds.)(2015 forthcoming) *Community Punishment: European perspectives*. London: Routledge.

Timasheff, N.S. (1943), *One Hundred years of Probation 1941-1941 Part Two. Probation in Continental Europe, Latin America, Asia , and Africa*. New York: Fordham University Press.

Van Kalmthout and Tigges, L. (2008) The Netherlands in A.M. van Kalmthout and I. Durnescu (eds). *Probation in Europe*. WOLF.

ENDNOTES

¹ Welfarist tradition in probation suggests that, in order to reduce re-offending, offenders need counseling and practical help rather than control or surveillance.

² SPACE II is a project of the Council of Europe created in 1992 that collects information on persons serving non-custodial or semi-custodial sanctions and measures.

³ The report cited here can be downloaded from: http://www3.unil.ch/wpmu/space/files/2011/02/Council-of-Europe_SPACE-II-2013-E_Final_150205.pdf

FERGUS MCNEILL, Ph.D, is a Professor of Criminology and Social Work, University of Glasgow in Scotland. **IOAN DURNESCU**, Ph.D. is a Professor of Sociology and Social Work at the University of Bucharest in Romania.

calendar of events

MARCH 29-31, 2015

Correctional Education Association
2015 Leadership Forum, Columbia,
MD. For more information: [http://www.
ceanational.org/index2.htm](http://www.ceanational.org/index2.htm)

APRIL 11-14, 2015

NCCHC Spring Conference on
Correctional Health Care New Orleans,
LA . For more information: [http://www.
ncchc.org/spring-conference](http://www.ncchc.org/spring-conference)

APRIL 12-15, 2015

Texas Probation Association Conference
Austin, TX. For more information: [http://
www.txprobation.com/event/2015-austin-
conference/](http://www.txprobation.com/event/2015-austin-conference/)

APRIL 19-22, 2015

American Jail Association (AJA) Annual
Conference and Jail Expo Charlotte, NC
For more information: [http://www.
americanjail.org/education/annual-
training-conference/](http://www.americanjail.org/education/annual-training-conference/)

MAY 7-8, 2015

ILGIA 7th Annual May 2015 Inland Empire
Gang Symposium. Ontario, CA For more
information contact: [sengomez@verizon.
net](mailto:sengomez@verizon.net)

MAY 11-15, 2015

29th Annual Texas Jail Association
Conference Austin, TX For more
information: [http://www.cmitonline.org/
cal/?mode=view&item=465](http://www.cmitonline.org/cal/?mode=view&item=465)

MAY 17-20, 2015

APAI 2015 Annual Training Conference
Columbus, OH For more information:
[http://www.apaintl.org/conference/
APAIAnnualTrainingConference.html](http://www.apaintl.org/conference/APAIAnnualTrainingConference.html)

JUNE 16-19, 2015

MASCA Conference. Atlantic City, NJ. For
more information: [http://www.masca.
us/2015-conference.html](http://www.masca.us/2015-conference.html)



JULY 12-15, 2015

APPA 40th Annual Training Institute
Los Angeles, CA
For more information: www.appa-net.org



JULY 14-16, 2015

Second World Congress on
Community Corrections Los Angeles,
CA For more information: [http://
worldcongressoncommunitycorrections.
org/](http://worldcongressoncommunitycorrections.org/)