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Desistance

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executive director/ceo's message

You may be familiar with the subject of desistance, or perhaps it is new to you. Either way, reading what the authors of the articles in this issue of Perspectives have to say should certainly pique your interest in what has been recently learned in this area – and what can potentially be learned by future investigators. I find exploring desistance literature and pondering its ramifications stimulates thought about our work and our potential future progress. It's a good brain food.

Perhaps you first encountered "desist" as a component of a "cease and desist" order, in which a court compels immediate cessation of some unpermitted activity. This sense of coming to an abrupt stop is also reflected in this early example of the word's use that caught my attention:

Attending nearly to a Spider weaving a Net, he observ'd it suddenly to desist in the mid-work. - E. Chambers, Cyclopædia (1728)

In the criminal justice and psychology context, however, the term "desistance" is used quite differently. It is not regarded as a simple stopping point. Instead, it tends to be viewed more as a complicated, dynamic process, something that can take considerable time and is promoted by a variety of factors. Importantly, those factors include the interventions by those working in community supervision and the programs and interventions they can offer.

The articles in this Perspectives do not try to gloss over the fact that understanding and measuring desistance and its multifactorial components is not going to be simple. However, "recidivism" has long been a complicated concept as well, one that has been defined and measured in many, many different ways. In any case, introducing desistance as a dominant perspective in the criminal legal system may well be gradual, but appears to be taking shape. Of course, building the road from theory to increased understanding and then to application is our exciting challenge.

I want to point out that our authors have done an excellent job of contrasting the implications of having a recidivism perspective versus a desistance perspective. In doing so, they also make a strong case for switching to desistance-connected measurements to assess the benefits of the work done by those in our field. A longtime player and learner in this field, I have anxiously awaited a more consistent definition of recidivism but recognize that decentralization and variation from jurisdiction to jurisdiction make it almost impossible. Rather than total reliance on simple recidivism statistics, it seems likely that increased emphasis on other means of tracking the constructive efforts done in community supervision may become more prevalent in the near future. That would be a welcome development indeed.

My sincere thanks to each of the authors for their contributions in this area. The value of highlighting different viewpoints and approaches to our work is crucial. We all stand to benefit from your work.

VERONICA CUNNINGHAM
EXECUTIVE DIRECTOR/CEO
APPA

As I conclude my comments in this issue of Perspectives, I am keenly aware of the significance of the season of joy! While it is important to be kind, fair, and considerate as well as to show grace, respect, and appreciation to others every single day, this is the season when we go beyond to put our best qualities on display and show gratitude to people who bring happiness and/or value to our lives – both at home and at work. I am sure the staff and members of the Board of Directors of APPA join me in thanking you for staying connected to the association and for your willingness to continuously learn and grow as professionals. Your personal stake in the field and your commitment to supporting efforts to increase positive outcomes and enhance public safety cannot be overstated. Thank you!

board president's message

SUSAN RICE
BOARD PRESIDENT

When I was growing up and in primary and secondary school, I always wanted to be the smartest person in the room. Chances are that if you asked me if I was, I probably would have told you, "Yes." I wanted to do things my way, because I was convinced it was the best way. Even when shown a different and more effective method of operation, I still had to try my own solutions first. My parents referred to my behavior as bossiness. I liked to call it self-confidence.

Fortunately, as I matured, I found that there were usually people in the room who were much more intelligent that I was, especially when the topic was the criminal legal system and community supervision. When I first began to have opportunities to attend training sessions with researchers like Ed Latessa, Faye Taxman, and many others, I was amazed that people were doing research on different forms of community supervision to identify which methods were successful and which were not. I had naively assumed that supervision was black and white. Follow the rules to stay out of jail and break them if you were comfortable being incarcerated. How little I knew!

Fast forward to 2023, when we have an abundance of information on methods of supervision which have proven to be successful in changing client behavior. Much like a promising new treatment for a medical condition, these methods are backed by research and consistently shown to have positive effects when used properly. Most of us are now comfortable explaining to a stranger what an evidence-based program is, and most supervision officers are now required to obtain a minimum number of EBP training hours every year. The research has also helped to show us supervision methods that have a negative impact on behavior, such as expecting a person suffering from an addiction to immediately stop using simply due to the threat of incarceration.

With all this information now readily available, why are we, the individuals who work in community supervision, so resistant to change our methods of operation to match what research has shown us to be true? Why do we continually revert to the way we did business 20 years ago? My hunch is that much like 15-year-old Susan, we still think we know best. I'll be the first to admit that sometimes I found it hard to change my ways back when I was providing supervision. There were times when I would attend a conference, learn about promising new evidence-based programs, and return to work ready to conquer the world - only to be met on my return with a stack of positive drug screens that immediately prompted me to file violation reports with requests for arrest warrants. It was familiar, it was easy, and in many situations it was what was expected of me by others working in the system and by those in my community.

Fortunately, the work to adjust our methods of supervision to improve outcomes continues, despite us dragging our feet from time to time. The research goes on, and those who I now know are much smarter then I will continue to push us to utilize methods that work. The articles in Perspectives offer a great opportunity for those in the field to stay up to date on the latest research and where we need to focus our attention. This edition features articles on reevaluating the performance standards we use, the use of desistance research, and promising practices in pretrial supervision. I encourage you to not only read the articles, but to also commit to utilizing at least one new concept you learn. Just as we often encourage our clients to take baby steps toward reducing their undesirable behavior, we can take small steps to embrace and utilize new concepts in supervision practices.

Fortunately, I see many glimmers of hope, as more and more agencies are utilizing better methods of supervision, redefining success, and encouraging their peers to do the same. We must continue to embrace the practices which have proven to be reliable and discontinue those which cause harm to clients. This includes working to educate others (judges, prosecutors, and community members) on what the research shows to be true and convincing them that there are better ways to do business. I hope you will join me as we continue to seek solutions which provide the best outcomes for the clients with whom we work.

editor's notes

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Desistance-Focused Community Corrections: Measuring Progress and Success

Community corrections organizations and programs have traditionally relied heavily on recidivism rates (rearrest, reconviction, reincarceration) to measure their effectiveness. However, more recently, there has been a call to action to move away from the yes/no of recidivism as a main organizational or program outcome and to move toward understanding organizational, program, and individual performance through a lens of success and progress. More government, community-based, and nonprofit organizations serving system-involved populations are seeking to understand how to develop and collect information related to more than just a binary measure of recidivism. Consideration of incremental progress and change is also helpful in understanding the effectiveness of organizations, programs, and clients served under the umbrella of community corrections.

The first article, C. J. Appleton's "Forging a Path Forward: How Incorporating Desistance Research Can Inform Innovations in Community Supervision," discusses how community supervision still "straddles the fence" on the adoption of more rehabilitative models and programs, while still distinctly focused on punishment or failure in the field. In forging this path forward, the author discusses the opportunities for community corrections to incorporate desistance. He provides a brief overview of the theoretical frameworks that offer an opportunity to understand things that impact an individual moving away from negative behaviors–or desisting from negative behaviors. He concludes by suggesting community corrections take a step towards continuing to – and enhancing – the adoption of the rehabilitative approach through the use of meaning-making. This meaning-making and understanding of individuals' internal processes are valuable in understanding their desistance.

The second article in this issue delves further into the notion of recidivism as an incomplete measure of program or staff success that fails to capture important work that probation and parole staff do and clients' lives, more generally. Drs. Jennifer Lanterman and Kim Kras wrote this second article, "Measuring success rather than failure: Reevaluating performance standards for community supervision staff and organizations." In their article, they first discuss what recidivism measures, the importance of defining what recidivism measures (and differences in measures across organizations), and the challenges in measuring recidivism in community corrections. In the second part of the article, Drs. Lanterman and Kras focus on how data for use in community corrections performance is collected and coded, the differences in this and reporting strategies, and the issues related to developing consistent performance measures across systems. Further, they discuss whether recidivism is a good measure of organizational or client performance and what utility it provides. In addition, they delve into what might "matter" when thinking about how information is collected and what it tells us about performance or how it may enable correctional staff to understand staff and client performance or needs. Overall, the article focuses on how we can best measure success, rather than failure, moving away from the binary measure of recidivism and towards focusing on how to improve people's lives in order to improve community supervision effectiveness.

In another article in the issue, "Measuring progress in community supervision: A focus on desistance from crime," by Lily Gleicher, Ph.D., discusses recent research on moving beyond recidivism as the key, or only measure, of community supervision success. In this article, Dr. Gleicher goes into ways to think about developing measures for success and progress. In particular, she provides a deeper dive into what measures of success could look like for those organizations that use the Risk-Need-Responsivity model (which also poses relevance to other models of community supervision (e.g., the Good Lives Model, the Recovery Model). In particular, Dr. Gleicher focuses on considerations of measures based on criminogenic needs and responsivity needs to help enhance our understanding of supervision and individual success.

The final article, by Joe Winkler, Director of Community Corrections in Florida, presents information on emerging programs across the state to engage clients with staff. In particular, Mr. Winkler describes several initiatives aimed at meeting individuals on probation and parole in the community to support accountability and responsibility before someone is found to be non-compliant. Early data suggest these programs are having a positive impact, not only related to traditional markers like recidivism, but also on officer well-being and community collaboration.

This issue allows us to reflect on how to best measure community supervision performance, for both staff and clients, with an intentional focus away from a binary recidivism measure. This movement to measure success can more directly support our understanding of organization and individual progress, without concluding staff or clients "fail" if they recidivate. Recidivism alone does not take into consideration the complex nature of individuals served by community supervision organizations, nor does it provide much insight into how the organization is performing, or supporting clients.

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 abroad. 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.

Articles must be emailed to perspectives@csg.org in accordance with the following deadlines:

- 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 and in American Psychological Association (APA) Style.
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FORGING A PATH FORWARD

How Incorporating Desistance Research Can Inform Innovations in Community Supervision

By: C.J. Appleton, Department of Criminology, Law & Society
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FORGING A PATH FORWARD: HOW INCORPORATING DESISTANCE RESEARCH CAN INFORM INNOVATIONS IN COMMUNITY SUPERVISION

Society understands the criminal justice system (CJS) as working to catch those who commit crimes and hold them accountable for their actions. It is through these two functions that the CJS is thought to deter individuals from committing crimes and reduce crime overall. Within this perspective, those who commit crimes are not nuanced and complex people who are navigating structural and interpersonal barriers to live their lives. Instead, they are perceived as motivated "offenders" who make our cities and towns unsafe and who only respond to punishment. Yet, those who work in community supervision understand this picture to be incomplete. Indeed, community supervision is the only branch of the CJS that is tasked with building long-term meaningful relationships with clients and playing an active role in their behavior change process. Because of this, supervision staff have a unique understanding of the complexity of their clients' lives and how many moving parts need to be aligned for someone to change.

Despite this, community supervision as a field is straddling the fence, so to speak. On the one hand, the past 30 years of research innovations and the adoption of evidence-based supervision models has pushed us toward a more rehabilitative approach. On the other hand, there is still a distinct punishment and deficit focus that exists in many jurisdictions around the nation. An example of this deficit focus is the continued use of recidivism as the main measure of success on supervision. As we look toward the future, community supervision has the opportunity to expand its perspective on client behavior change and align its conception of success more closely to the correlates of successful reentry. Desistance research can be an incredibly useful resource for meeting these goals. Its framework and concepts support a humanistic and success-oriented approach in supervision which is focused on what institutional bonds and cognitive shifts allow people to change their lives. This article will review the major theoretical perspectives of desistance. It will then go on to discuss a variety of ways that perspectives from desistance research can inform exciting new possibilities for the field.

What Is Desistance?

Desistance can be defined as the process whereby someone who has engaged in some act (or series of acts) ceases to undertake these acts (Shapland et al., 2016). In a criminal justice context, desistance refers to the ending of a person's criminal behavior (Laub & Sampson, 2001). What may seem like a simple and straightforward concept can become very complex depending on how desistance is conceived. One complicating factor in measuring desistance is that it is not the presence of an act but the absence of an act over time (Laub & Sampson, 2001). True desistance would mean an individual remains crime free for the rest of that person's life, and some have argued that it is impossible to truly know if someone has desisted until the day that they die (Maruna, 2001). Moreover, desistance can result from a variety of circumstances. For instance, research shows that desistance can be an abrupt change, or "knifing off," of criminal behavior (Maruna & Roy, 2007). On the other hand, desistance can also be a long-term process that can include occasional relapses in offending behavior or a reduction in the severity of crimes committed over time (Maruna, 2001). Despite the difficulty in pinpointing the moment when desistance occurs, it is generally agreed upon that most people do, in fact, desist from crime. In other words, desistance is the rule and not the exception.

Theoretical Foundation of Desistance

Scholars have developed frameworks that imagine desistance as the result of a number of complex processes – developmental, sociological, and psychological (Laub & Sampson, 2001). One of the most consistent findings in crime research is that, generally, people's propensity to commit crimes spikes in early adolescence and young adulthood and then drops as they age – a pattern frequently referred to as the age-crime curve (Farrington, 1986). The developmental approach to desistance attempts to understand this relationship between age and crime. Some scholars have concluded that there is a process of physical and mental maturation that occurs during those years that changes people's behavior (Glueck & Glueck, 1937). Others have argued that as people age their self-conceptions (i.e., identity), interests, and aspirations change. Moreover, they develop meaningful relationships with people and with employment that produce a disenchantment with criminal behavior (Shover, 1983). Key features of all developmental approaches are the beliefs that delinquency is a normal part of human development and that some cognitive shift explains the decline of delinquency over time.

Another traditional theoretical explanation of desistance takes a macro-level approach by focusing on social structure (Farrall & Bowling, 1999). Structural factors

that influence desistance include, but are not limited to, financial (Nagin & Waldfogel, 1998), housing (Lewis et al., 2003), meaningful employment (Western et al., 2001), marriage (Laub et al., 1998), family ties (Lanier, 2003), and drugs and alcohol. Because desistance is the absence of criminal behavior over time, it is important for desistance research to take a longitudinal approach. Life-course research does this by combining aspects of the developmental and social structural approaches. Most notably, life-course research acknowledges that early acts of delinquency are often markers for criminal behavior throughout an individual's life. However, the life-course perspective also highlights the possibility of transitions and turning points occurring in people's lives which open pathways toward new behavior (Sampson & Laub, 1993). In particular, life-course research has found that developing strong bonds in adulthood with pro-social institutions (e.g., marriage, employment, school, religion, military service) can serve as turning points in people's lives and lead to desistance from engaging in negative behavior(s) (Craig & Foster, 2013; Martin et al., 2015; Staff et al., 2010; Dennison, 2019; Abeling-Judge, 2020).

Much of the research published to date is invaluable as a backdrop on this subject, allowing increased understanding of the factors impacting those who begin desisting from negative behaviors, but also needed is a more in-depth understanding of how and why these factors lead to desistance. To answer these questions, one must examine the cognitive, or subjective, processes that occur within an individual (Giordano et al., 2002). Indeed, scholars note that individual subjective factors (e.g., motivation to change, self-concept, identity) play a significant role in how individuals make sense of and give meaning to their lives (Giordano et al., 2002; Lebel et al., 2008). While understanding such internal processes may be a challenge, it is a vital part of understanding desistance. Two theoretical perspectives of subjective meaning-making are especially important to probation and parole, yet they haven't been routinely integrated into current practices or training. They are Giordano et al.'s (2002) concept of cognitive transformation and Maruna's (2001) study of desistance narratives.

The Theory of Cognitive Transformation

For Giordano and colleagues (2002), the traditional approaches to desistance research are limited in their focus on factors external to the individual. Research notes that the effects of structural factors such as marriage and employment do not always predict desistance in the way we would expect (Link & Roman, 2017; Smith, 2019). Instead, Giordano and her colleagues argue that cognitive transformations are occurring within each individual, and these are the key to desistance. Specifically, the theory of cognitive transformation presents four characteristics in its blueprint for successful desistance:

1. **There is a "readiness" or openness to change.**
2. **There is receptivity to catalysts or hooks to change.**
3. **Individuals envision a replacement self that can supplant the one that must be left behind.**
4. **There are changes in the meaning/desirability of the delinquent behavior itself.**

Within this framework, these transformations may not occur in any particular order. Instead, Giordano explains that it is more useful to consider these elements as unfolding simultaneously and as mutually reinforcing facets of the change process (Giordano, 2016).

What is unique about this approach is the way it conceptualizes the interplay between individual choice, autonomy (agency), and social structure. Indeed, our thoughts, feelings, and actions in this world come through constant interactions with our social setting. This is a dialectic relationship in which the social setting will both encourage and constrain certain behaviors of the individual (Giordano et al. 2002). Simultaneously, individuals have unique experiences, personality characteristics, and perceptions that shape how they ultimately behave within their social setting. The implications of this for desistance are twofold. First, to promote desistance, a person can be encouraged to structure his/her life around people, places, and activities that discourage delinquent behavior while promoting openness to change and the adoption of a new pro-social identity. However, not all people, places, and activities will have the same influence on different people or on the same person at different times in their lives. Instead, each person goes through internal changes that make them uniquely open to change and receptive to certain "hooks for change." A hook for change is a connection with a social structural factor (e.g., employment, marital relationship, school, religious institution) that is especially meaningful to the individual and thus has a larger effect on behavior

change. Therefore, an important component to identifying potential hooks for change is a better understanding of how people determine meaning and value in their lives. One of the most influential endeavors in the examination of subjective meaning-making has been the research on self-narratives.

Narrative Identity

Narratives are a core component of the human experience that we use to organize our understanding of ourselves, other people, and the world around us (Presser & Sandberg, 2015). In telling stories about our lives, we construct and internalize an evolving and integrative narrative that psychologists call "narrative identity." In 1995, Dan McAdams presented a theory that an individual's life-story is a representation of their identity. He argues that beginning in late adolescence, we construct stories to integrate the elements of our lives that don't always go together. In doing so, we become self-biographers who craft stories to answer the questions of "who am I?" and "how do I fit into the adult world?" Taken together, the life story is an autobiography that situates a person in the world, integrates a life in time, and provides meaning and purpose (McAdams, 1995).

In 2001, Shadd Maruna noted that desistance researchers identified what factors influenced desistance (e.g., employment, marriage, school) but not why these factors led to desistance in some people and not others. Narrative methodology allows for the examination of the relationship between environmental influences and individual behavior. Maruna argues that self-narratives can offer a unique window into the cognitive shifts that determine individuals' desistance.

Specifically, Maruna (2001) compared the self-narratives of individuals previously involved in the CJS who were desisting (not engaging in crime, or what he called desisters) to those of a matched sample of individuals actively engaged in criminal behavior (which he called persisters) to identify the specific cognitions and scripts they used. His major finding was that persisters used a condemnation script that reflected pessimism, a lack of control over their lives, and a fatalistic worldview (e.g., "I'm doomed"). On the other hand, desisters used a redemption script where they believed they were a good person at their core, and that their past was a prerequisite for who they are today, along with developing a greater concern for helping others. Ultimately, Maruna's book effectively demonstrates the *value of examining narratives to understand subjective meaning-making.*

What Does This Mean for Community Supervision?

Over the past 40 years, innovations in the fields of psychology and corrections have been adopted to move community supervision away from its punitive past, embracing more of a rehabilitative approach. Innovations like core correctional practices, psychology of criminal conduct, risk-need-responsivity (RNR) principles, and evidence-based practices all have similar constructs that highlight the effectiveness of the rehabilitative approach in community supervision (Gleicher et al., 2013). However, despite these incredible advancements, there is still more work to be done. For instance, we still struggle to take a truly humanistic approach when working with clients (Polizzi et al., 2014). Instead, we continue to view clients through a deficit lens which emphasizes their riskiness and pays less attention to the client's strengths, autonomy, and well-being (Ward et al., 2007).

To this point, there is a misalignment between how we measure success and the practices that evidence-based research promotes. Namely, recidivism has continued to be used as the primary marker of success, while focusing less on stabilizing clients (e.g., housing, food, shelter), on officer-client rapport, and on how well we address client needs and build off of client strengths. Fortunately, the desistance research offers insights that can inspire innovative approaches and address some of these limitations. In this section, I will discuss how desistance research promotes the measurement of client success beyond recidivism and how recognizing desistance as a process can address how client success is viewed on supervision.

Beyond Recidivism: Using Desistance Theory to Promote Behavioral (and Identity) Change

Recidivism generally refers to a return to criminal activity for someone who has previously been convicted of a crime (National Academies of Science, Engineering, and Medicine, 2022). As the CJS is focused on reducing crime and ensuring public safety, determining the extent to which individuals "re-offend" is a key piece of determining the success of criminal legal policies, programs, and

practices. Given the importance of this outcome for those in the CJS field, our current tendency to rely on recidivism as the sole means to quantify the results of our work is problematic due to some inherent limitations. Recidivism data lack reliability due to the various ways "recidivism" is conceptualized (and hence measured) and a tendency to be both over- and under-inclusive in counting instances of criminal activity.

Desistance Focuses on the Collateral Consequences of Conviction

Given that the exclusive reliance on recidivism data promotes a focus on deficits and negative outcomes, thereby missing important aspects of the process of reintegrating into society post-conviction, switching from viewing community supervision success through the lens of negative outcomes to positive outcomes makes sense. Having a criminal record presents additional barriers (e.g., access to employment, housing, support services) that make reintegration more difficult for people post-conviction. Since desistance research emphasizes the importance of developing institutional bonds, a desistance-inspired approach in supervision would specifically address these collateral consequences head-on. The challenge, therefore, is to expand our view of success beyond reducing recidivism to a conception of reintegration which emphasizes positive outcomes and interpersonal growth. Aligning our conception of supervision success with insights from the desistance literature can go a long way toward accomplishing this goal.

The focus of desistance is on what institutional bonds and psychological changes are correlated with the ending of criminal behavior. In this sense, reframing success using a desistance perspective would include how well clients get connected with employment, education, and social safety net services. We would capture personal changes in clients' social lives, like reconnecting with family, developing a pro-social peer group, obtaining stable housing, and productive use of free time. Finally, a desistance-influenced idea of success would include changes in areas like self-esteem, readiness to change, hope, criminal thinking, and identity as important measures of progress while on supervision rather than not reoffending. Taken together, this reframing would encourage community supervision departments to capture the multiple components that go into the behavior change of clients, while minimizing potential barriers their clients come up against due to their CJS involvement. This information can then be used to make evaluations of the impact of local policies, programs, and practices and point to areas of improvement.

Desistance Focuses on the Process

Clients on supervision are viewed through a lens of risk (a deficit focus). In fact, when an individual is placed on supervision, one of the first tasks is to determine their risk of reoffending and to tailor their supervision experience based on that risk. Some would argue that there is nothing inherently wrong with this process. Indeed, modern RNR-based supervision calls for the capturing of both static (unchangeable) and dynamic (changeable) risk factors to identify "who" is best-suited for intervention and "what" type of intervention they need (Ziv, 2017). However, others have noted the ways that risk has reframed our view of clients as a dangerous population that must be managed efficiently and prudently (Hannah-Moffat, 2013). For example, researchers have noted how community supervision departments have policies that automatically place certain groups at a higher risk level due to their criminal history (e.g., sex-offense, violent, gang-involved; Viglione & Taxman, 2018; Viglione, 2019).

While community supervision has been operating under the idea that "past behavior is the best predictor of future behavior," desistance research reveals flaws in the idea that a criminal history is directly tied to a person's ability to desist. In fact, most people who commit a crime go on to desist from criminal activity in their lifetime. For instance, self-report data show a vast majority of people (96%) report law-breaking behavior by their 30s (Farrington, 2001). Yet, we understand that the vast majority of adults are not actively engaging in criminal behavior. Moreover, research shows that offending behavior in adolescence and young adulthood is not necessarily tied to increased offending later in adulthood (Kazemian, 2021). Finally, even those who engage in crime for a period of time in their lives (so called "career criminals") eventually stop (Laub & Sampson, 2001).

Additionally, the expectation for supervision clients is often that they should be primed and ready to change their lives immediately when they get sentenced to probation or released on parole. Clients who struggle or show resistance to the supervision process are viewed as a problem and even can be labeled as "not a good fit for supervision." Desistance research challenges the perspective that resistance to change, or failures along the path toward change, are evidence that desistance is not possible. In fact, resistance to change and multiple failures are a natural part of human existence. What

desistance promotes is a long-term process of change that expects clients to potentially misstep, as desistance is not a linear path. Researchers have helped imagine this by focusing on primary and secondary desistance. Primary desistance refers to the initial cessation of criminal activity, where someone stops engaging in crime or negative behaviors. However, even in stopping, they may still hold onto negative scripts or beliefs about themselves (sometimes reinforced by the CJS). Secondary desistance refers to the long-term behavior change process where someone adopts an identity that no longer aligns with their previous "criminal" identity.

It is important to note that many factors that can motivate or even force primary desistance (e.g., arrest) do not necessarily lead to secondary desistance. Moreover, the path from primary to secondary desistance is not linear and people may actually zig-zag during the process away from a criminal lifestyle as our environments and relationships may pull us back and forth (Sampson & Laub, 1993; Giordano et al., 2002; Maruna, 2001).

Conclusion

Desistance research offers a pathway for community supervision to continue its journey toward becoming a more evidence-based, data-driven field. There are a variety of changes that both organizations and officers can make to adopt a desistance orientation. Organizations can support this incorporation by expanding their data-collection practices to include the social structural (i.e., employment, education, housing) and subjective (i.e., self-efficacy, readiness to change, criminal cognitions) correlates of desistance. Additionally, organizations can ensure that they consistently reassess clients to track changes in these important domains. Finally, how organizations evaluate officers is best when aligned with the new desistance orientation. For instance, officer success can be measured by connecting clients with programming and delivering evidence-based cognitive interventions. Moreover, officers can be recognized for helping clients find employment, get back into school, or change criminal cognitions to incentivize the new approach. Officers can support these changes by explaining to clients what the research says about desistance. During these conversations, officers can inform clients that they understand behavior change can take time, that it is not a linear process, and commit to helping them throughout the process. These interactions can be used to build rapport. Additionally, officers can use client narratives to help them identify which bonds are especially meaningful and encourage clients to pursue them.

Taken together, the above approaches show how building on desistance research can produce an innovative and constructive orientation in community supervision practice. As has been stated, community supervision professionals already try to build meaningful relationships with clients and play an active role in their behavior change. A shift in our orientation towards desistance may be helpful in such efforts—and with added benefit in regard to outcome measurements that more accurately align the conception of success to the correlates of successful reentry. Hopefully, the knowledge continuing to be gained in this area will promote more and more innovative and successful practices and forge a path that improves community supervision efforts and overall outcomes.

References

- Abeling-Judge, D. (2020). Does military service continue to facilitate desistance? Revisiting theory and practice. Deviant Behavior, 41(5), 574-590.
- Craig, J., & Foster, H. (2013). Desistance in the transition to adulthood: The roles of marriage, military, and gender. Deviant Behavior, 34(3), 208-223.
- Dennison, C. R. (2019). Intergenerational educational pathways and instrumental crime, violent crime, and illegal drug use across the life course, Journal of Crime and Justice, 42:2, 99-120, DOI: 10.1080/0735648X.2018.1510337
- Farrall, S., & Bowling, B. (1999). Structuration, human development and desistance from crime. The British Journal of Criminology, 39(2), 253–268. https://doi.org/10.1093/bjc/39.2.253
- Farrington, D.P. (1986) Age and crime. Crime and Justice, 7, 189-250. https://doi.org/10.1086/449114
- Farrington, D. P. (2001). Key results from the first forty years of the Cambridge Study in Delinquent Development. In T. P. Tornberry & M. D. Krohn (eds.). Taking stock of delinquency: An overview of findings from contemporary longitudinal studies (pp. 137-183). New York: Kluwer Academic/Plenum Publishers.
- Giordano, P. C., Cernkovich, S. A., & Rudolph, J. L. (2002). Gender, crime, and desistance: Toward a theory of cognitive transformation. American Journal of Sociology, 107(4), 990–1064. https://doi.org/10.1086/343191
- Giordano, P. C. (2016). Mechanisms underlying the desistance process. In J. Shapland, S. Farrall, & A. Bottoms (Eds.), Global perspectives on desistance: Reviewing what we know and looking to the future, (1st ed., pp. 11 - 27). Routledge.
- Gleicher, L., Manchak, S. M., & Cullen, F. T. (2013). Creating a supervision tool kit: How to improve probation and parole. Federal Probation, 77(1), 22–27.

- Glueck, S., & Glueck, E. (1937). Later Criminal Careers. The Commonwealth Fund.
- Kazemian, L. (2021, November 8). Pathways to Desistance from Crime Among Juveniles and Adults: Applications to Criminal Justice Policy and Practice. National Institute of Justice. https://nij.ojp.gov/topics/articles/pathways-desistance-crime-among-juveniles-and-adults-applications-criminal-justice
- Lanier, C. S. (2003). Who's doing the time here, me or my children? Addressing the issues implicated by mounting numbers of fathers in prison. In J. I. Ross & S. C. Richards (Eds.) Convict criminology (pp. 170-90). Wadsworth.
- Laub, J. H., Nagin, D. S., & Sampson, R. J. (1998). Trajectories of change in criminal offending: Good marriages and the desistance process. American Sociological Review, 63(2), 225-238.
- Laub, J. H., & Sampson, R. J. (2001). Understanding desistance from crime. Crime & Justice, 28, 1–69.
- LeBel, T. P., Burnett, R., Maruna, S., & Bushway, S. (2008). The 'chicken and egg' of subjective and social factors in desistance from crime. European Journal of Criminology, 5(2), 131-159. https://doi.org/10.1177/1477370807087640
- Lewis, S., Vennard, J., Maguire, M., Raynor, P., Vanstone, M., Raybould, S., & Rix, A. (2003). The Resettlement of Short-Term Prisoners: An Evaluation of Seven Pathfinders: (667902007-001) [Data set]. American Psychological Association. https://doi.org/10.1037/e667902007-001
- Link, N. W., & Roman, C. G. (2017). Longitudinal associations among child support debt, employment, and recidivism after prison. The Sociological Quarterly, 58(1), 140-160.
- Martin, M. J., Conger, R. D., Sitnick, S. L., Masarik, A. S., Forbes, E. E., & Shaw, D. S. (2015). Reducing risk for substance use by economically disadvantaged young men: Positive family environments and pathways to educational attainment. Child development, 86(6), 1719-1737.
- Maruna, S. (2001). Making good: How ex-convicts reform and rebuild their lives (1st ed.). American Psychological Association.
- Maruna, S., & Roy, K. (2007). Amputation or Reconstruction? Notes on the Concept of "Knifing Off" and Desistance from Crime. Journal of Contemporary Criminal Justice, 23(1), 104–124. https://doi.org/10.1177/1043986206298951
- McAdams, D. P. (1995). What Do We Know When We Know a Person? Journal of Personality, 63(3), 365–396.
- Murray, H. A. (2007). Explorations in personality (70th anniversary ed., 2007; foreword by D. McAdams.). University Press. (Original work published 1938)
- Nagin, D., & Waldfogel, J. (1998). The effect of conviction on income through the life cycle. International Review of Law and Economics, 18(1), 25–40. https://doi.org/10.1016/S0144-8188(97)00055-0
- National Academies of Science, Engineering, and Medicine. (2022). The limits of measuring recidivism: Measuring success after prison. The National Academies Press.
- Polizzi, D., Braswell, M., & Draper, M. (2014). Transforming corrections: Humanistic approaches to corrections and offender treatment. Carolina Academic Press.
- Presser, L., & Sandberg, S. (2015). Narrative criminology: Understanding stories of crime. NYU Press.
- Sampson, R. J., & Laub, J. H. (1993). Crime in the making: pathways and turning points through life. Harvard University Press.
- Shapland, J., Farrall, S., & Bottoms, A. (Eds.). (2016). Global perspectives on desistance: Reviewing what we know and looking to the future. Routledge.
- Shover, N. (1983). The later stages of ordinary property offender careers. Social Problems, 31(2), 208-218.
- Staff, J., Osgood, D. W., Schulenberg, J. E., Bachman, J. G., & Messersmith, E. E. (2010). Explaining the relationship between employment and juvenile delinquency. Criminology, 48(4), 1101-1131.
- Smith, M. (2019). Age-graded informal social control and motivations among street sex buyers. Journal of Developmental and Life-Course Criminology, 5(4), 587-613.
- Viglione, J., & Taxman, F. S. (2018). Low risk offenders under probation supervision: Risk management and the risk-needs-responsivity framework. Criminal Justice and Behavior, 45(12), 1809–1831.
- Viglione, J. (2019). The risk-need-responsivity model: How do probation officers implement the principles of effective intervention? Criminal Justice and Behavior, 46(5), 655-673.
- Ward, T., Melser, J., & Yates, P. M. (2007). Reconstructing the risk-need-responsivity model: A theoretical elaboration and evaluation. Aggression and Violent Behavior, 12, 208-228.
- Ziv, R. (2017). The future of correctional rehabilitation: Moving beyond the RNR model and good lives model debate. Routledge.

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Promising (Emerging) Practices in Community Corrections - Speaker, Danielle Young, *Senior Court Management Consultant at the National Center for State Courts,* will provide an overview of emerging practices in community corrections.

APPA's National Standards for Community Supervision - Speaker, William Burrell, *Corrections Management Consultant at Burrell Consulting, LLC,* will explore the development process and content of national standards for adult community supervision.

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MEASURING SUCCESS

Rather than failure: Reevaluating performance standards for community supervision

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MEASURING SUCCESS RATHER THAN FAILURE REEVALUATING PERFORMANCE STANDARDS FOR COMMUNITY SUPERVISION

COVID-19 forced community supervision departments across the nation to quickly modify how they did business (Schwalbe & Koetzle, 2021; Viglione et al., 2020). Suddenly, the need for expanded remote reporting practices exploded, especially the use of virtual platforms (e.g., Zoom, Facetime, Teams, and Google Meet). The resiliency of leaders and staff during this challenging time allowed them to adapt quickly, and it was shown that supervising agencies could still uphold court conditions, and provide meaningful opportunities, support, and resources for people on supervision in a semi-virtual or completely virtual environment. As we gradually enter a post-pandemic world, the issue of continued remote reporting as part of the community supervision toolbox looms large, and important policy decisions need to be made.

One of the main goals of community supervision practice has long been to reduce recidivism in the population of individuals assigned to our oversight. It is with this goal in mind that community supervision practitioners work toward reducing factors that might lead to individuals engaging in criminal or undesirable behavior and/or toward developing surveillance-type strategies to quickly and accurately identify violations of the law or supervision conditions by clients. This "reduce recidivism" orientation applies in regard to both to those on typical probation and parole and to others under supervision--increasingly including individuals on pretrial, diversion, and pre-adjudication caseloads. Thus, amidst our growing body of evidence-based practices (EBPs) and the goals outlined in the risk-needs-responsivity (RNR) framework, the outcome of interest is reducing recidivism.

We see a few problems with this sole focus on reducing recidivism as a goal of community supervision. First, recidivism rates for probation and parole agencies remain high, suggesting that what we are doing isn't impacting this particular outcome measure in the ways we expect. Second, recidivism is difficult and complicated to measure. What constitutes recidivism in one place may look different in another, and the ability to collect meaningful data may rely on various agencies within a jurisdiction. Third, and the crux of the argument in this article, is that recidivism is not the best measure to capture the deeply connected and important work that probation and parole staff do and the impact of that work on the lives of their clients.

In this article, we will present an alternative to the common focus on recidivism. Using the concept of ***desistance*** and a ***harm reduction approach*** in behavioral health services, we demonstrate the benefits of a much-needed expansion of the meaning of community supervision practice and, hand in hand, the process of measuring staff impact on clients and general outcomes of clients. We offer that this updated thinking regarding the goals of community supervision also aligns with EBPs. We will conclude with some examples of how this theory can be put into practice by outlining some steps for moving in this direction.

Traditional Focus on Recidivism

Historically, recidivism has been the primary outcome of interest for most community supervision agencies. The way in which recidivism data is presented in the literature presents a complex picture. For example, recidivism rates vary significantly across states (Pew Center on the States, 2011). Rearrest rates for property, drug, and public order offenses have fluctuated but remained high across all offense categories, and La Vigne and Lopez (2021) examined 2005 and 2012 release cohorts and found that the violent crime rearrest rate remained at 28% (see also Langan & Levin, 2002; Shannon et al., 2017). Reconviction and reincarceration rates have been fairly stable for people released from prison for violence, property, and public order offenses for decades, although reconviction rates for people released from prison for drug offenses featured more variation (Langan & Levin, 2002; Shannon et al., 2017). This trend changed significantly between 2005 and 2012; La Vigne and Lopez (2021) examined Bureau of Justice Statistics national recidivism data for return to incarceration in 34 states and found that people released from state prison in 2012 were significantly less likely to return to prison within 3 years of release than people released from state prison in 2005 (see also Durose & Antenangeli, 2021). The 3-year rate of return to incarceration fell from 50% for the 2005 release cohort to 39% of the 2012 release cohort (La Vigne & Lopez, 2021).

Recidivism information such as the above does, of course, have a place in helping us understand trends and outcomes. However, it is important to carefully assess exactly what information is being captured in these recidivism statistics.

What Does Recidivism Measure?

Several factors can be identified that raise concerns about using recidivism as the primary measure of success or failure. These fall in the general areas of (a) how we measure recidivism, (b) how we collect recidivism data, and (c) how we determine what that data actually tells us.

How We Measure Recidivism

When you ask several different people to tell you what recidivism means, you will likely not get the same response. In big picture terms, recidivism refers to the return to criminal behavior. To actually count what recidivistic behavior is, we need some more information. According to the Bureau of Justice Statistics (BJS), recidivism includes three parameters shared across all definitions (Alper et al., 2018, p. 3):

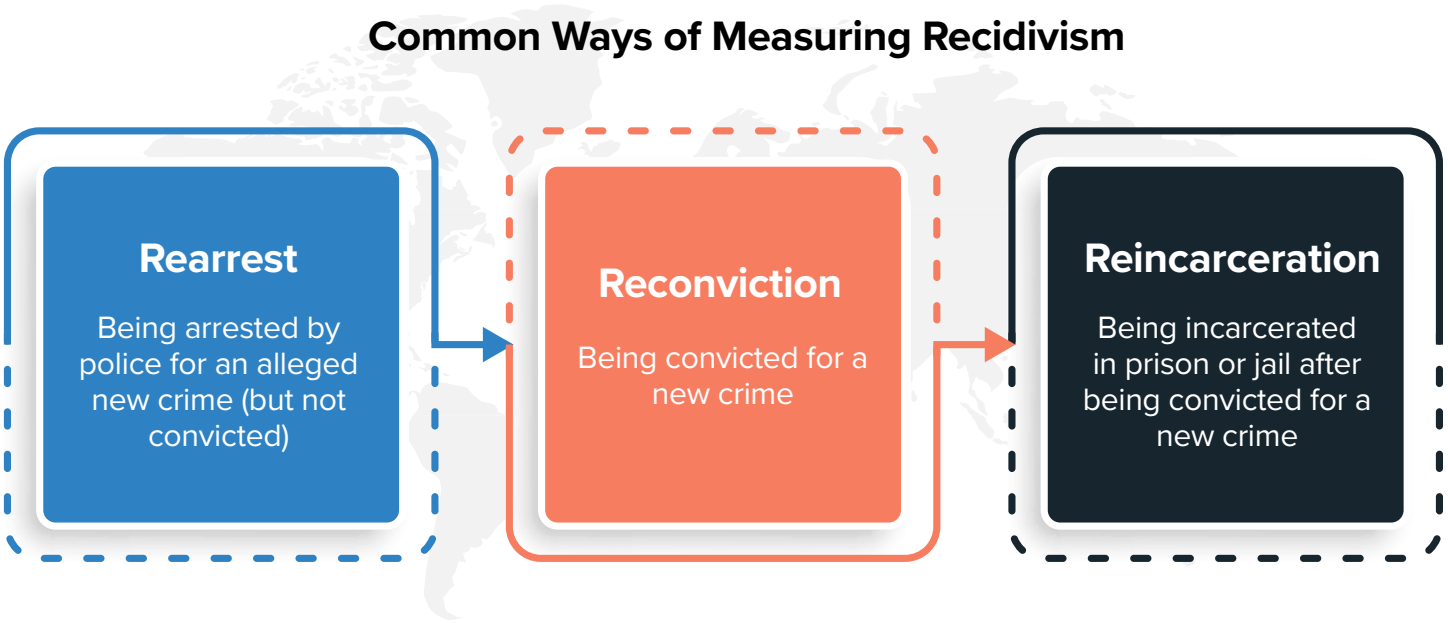
- A starting event, such as a release from prison or jail or placement on probation or parole;
- A measure of failure, which could be a new arrest, reconviction, or new prison terms, among others, or a combination of these; and
- A window of measurement, or range of time, during which failure events are tracked and measured (generally up to 3 to 5 years after the starting event).

These parameters are instructive for us in thinking about the details regarding measuring recidivism. The starting event and range of time are likely the simplest decisions (though they vary considerably across agencies). The most difficult point to measure is what constitutes failure. Across agencies, we have relied on three primary measures (Figure 1):

Figure 1. Common Ways of Measuring Recidivism

These three measures are not comparable, but discussions can and often do conflate them with reference to "recidivism" generally, rather than the specific type of recidivism. For example, in one jurisdiction recidivism might be measured as a reconviction within 3 years of release (such as in California), and in another jurisdiction it is measured as reincarceration in a department of corrections (DOC) within 3 years of release (such as Nevada DOC). Even though these metrics seem similar, in essence we are comparing apples and oranges.

An additional challenge in measuring recidivism for community supervision agencies is whether to include technical violations (e.g., non-criminal violations of community supervision terms/conditions) in measures



of recidivism. The inclusion of technical violations, especially those resulting in return to prison, reveals the staggering rate at which people are incarcerated for behavior that reflects noncompliance with rules rather than engaging in illegal behavior. When those who were imprisoned for a technical violation are released, they are now part of the broader pool encompassing recidivism statistics, despite not having committed a new offense. Furthermore, being charged with or found guilty of a technical violation is not solely a measure of client behavior, as many probation and parole agencies afford staff discretion on whether to charge clients with technical violations. For the same type of behavior, some staff are more inclined than others to pursue a technical violation charge. Further, client noncompliance may also be the result of various barriers they face in their communities (e.g., transportation, work/appointment conflicts, etc.). As such, recorded technical violations are a measure of both client and staff behavior (National Academies of Sciences, Engineering, and Medicine, 2022).

How We Collect Data to Measure "Recidivism"

A common adage for data scientists is "garbage in, garbage out," for the quality of the data gathered in our collection efforts impacts the quality of the information we can report. Agencies rely on numerous different data collection and reporting strategies. A related complication is that divisions within corrections organizations may also have differing data coding practices. For example, institutional corrections agencies might record revocations on different dates (such as the date an individual entered prison) than probation and parole agencies (which might capture the date of the court or board ruling). This is problematic, because the institutional corrections and community supervision agencies rely on each other's data to develop performance measures that reflect the effectiveness of corrections as a whole. For instance, continuing with the previous example of variance in revocation date recording practices, if a state is trying to identify justice-involved individuals' time-to-failure in the community (e.g., the amount of time they were in the community before a recidivism event), then different revocation date recording practices will enter inconsistent or inaccurate data into the formula, resulting in two separate outputs.

The divide between the data of institutional corrections and community supervision agencies can be illustrated further. For example, if a DOC is providing recidivism data from an agency information management system in relation to people on community supervision, then those data are limited because they will fail to reflect reconvictions that do not result in incarceration in DOC facilities (e.g., resulting in jail, another probation term, or community-based alternatives like drug court). They also don't reflect data for out-of-state convictions, which is a significant issue for states with transient populations (e.g., Nevada, which experiences a high rate of homelessness and people moving in and out of the state) or states that are in close proximity to several other states (e.g., Northeast and Mid-Atlantic states).

How We Determine What Data Actually Tell Us About Performance

Outcomes for EBPs in community-based corrections are primarily measured in terms of client recidivism, but we need to examine our assumptions and carefully assess what utility this information has for supervision practices and performance evaluation of the organization and staff (or specific program). For example, two questions that linger are:

1. What useful information does "client did or did not reoffend/fail" provide for probation or parole staff in their efforts to supervise clients?

2. How is "client did or did not reoffend/fail" useful for assessing agency or staff performance or resource needs?

These issues aside, what people generally mean when they think of recidivism reduction is "no more new crime, no matter how we measure it." Of course, this is ideal. It would be of great benefit to society if every person convicted of crime immediately and forever ceased committing crime. This is also unrealistic, given what we know about crime rates, the dynamic factors that influence the commission of crime, and the challenges in providing relevant and high-quality evidence-based programming (both in implementation and daily practice) to address these factors in prisons, jails, and communities throughout the U.S (Augustine & Kushel, 2022; Pew Center on the States, 2018; Wang, 2023).

Further, "a recidivism event requires an interaction with the criminal justice system, which means that

recidivism rates measure some combination of the behavior of individuals who have been involved in the justice system and the system's responses to that behavior" (Bucklen, 2021, p. 5). Bucklen explains that using recidivism to exclusively measure the success of criminal justice interventions is like using school dropout rates to exclusively measure the success of teachers (Bucklen, 2021). We recognize that teachers engage in educational practice in an environment influenced by factors beyond their control, such as family dynamics, poverty, impaired capacity to learn, and other disabilities (McAdams, 2010). We know that a child's engagement in school may be related to something as simple as whether a sufficient breakfast (Imberman & Kugler, 2014; Leos Urbel et al., 2013). Therefore, distinguishing individual behavior changes from criminal justice system policy changes can be difficult when using a broad metric like recidivism rates.

To this point, one of the most important critiques of recidivism as a measure of performance more generally is that it focuses on failure rather than success (Butts & Schiraldi, 2018). To a great extent, the entire premise of community-based supervision has been focusing on trying to get people not to fail rather than trying to get them to succeed, which is a significant difference in emphasis. As we will outline in the following section, success is not equal to "not failing." For community supervision to enhance its effectiveness at improving lives and public safety, we propose that it focus more on how to improve the conditions of people's lives and less on deterring them.

Shifting Focus from Reducing Recidivism to Desistance and Harm Reduction

Desistance has emerged as a key concept that with the potential for improving our understanding and measurement of community supervision's performance. Whereas recidivism measures a discrete (yes/no) failure event (e.g., rearrest, reconviction, reincarceration), desistance is a longitudinal metric of success that is measured with numerous data points over time. It is intended to measure the process by which those who previously participated in criminal behavior move toward stopping the behavior or ending a criminal career.

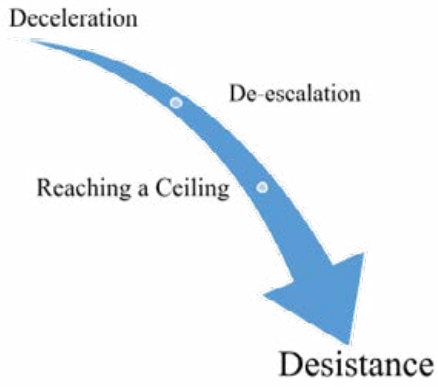
While much of the criminological research focuses on the reasons people engage in offending behavior, desistance suggests the reasons someone may stop engaging in crime are often different from, not just the mere opposite of, the original criminogenic factors (Bucklen, 2021). That is, the factors that increase individuals' likelihood to engage in crime in the first place are not necessarily the same factors that explain the process by which they move away from it.

How Do We Measure Desistance?

Measuring desistance is admittedly challenging, and capturing it accurately will require innovative data collection and management efforts as well as reliance on more robust technologies. We offer some important definitions which will allow agencies to consider tangible ways of conceptualizing (what does it mean?) and operationalizing (how will we count it?) desistance. Bucklen (2021) identified deceleration, de-escalation, and "reaching a ceiling" as three desistance measures and defines them in the following way (see Figure 2):

1. **Deceleration:** Captures a slowdown in the frequency of criminal offending and may be measured, for example, by comparing arrest rates in fixed periods of time before and after a criminal justice sanction, such as incarceration.
2. **De-escalation:** Captures a reduction in the seriousness of offending and may be measured by changes in offense gravity or severity. (Severity scores are already used in many states to rank the seriousness of individual crime types.)
3. **"Reaching a ceiling":** Reaching a ceiling reflects a complete cessation in criminal offending; it is essentially the inverse of recidivism for some specified follow-up period of time.

Figure 2. The Desistance Process



Across these definitions, desistance allows us to account for the process of moving away from the conditions that contribute to the offending behavior and introducing or reinforcing conditions that help someone adopt a behavior pattern that includes abstinence from causing harm. Here, desistance also allows us to develop a measure that encompasses the notion of harm, rather than a criminal offense or violation of law, to focus on efforts toward rehabilitation and healing.

Harm Reduction, Abstinence, and Gradualism

Harm reduction is an umbrella term that refers to an approach to supporting and providing access to programs and services to people living with a range of behavioral health disorders, including substance use disorder, that does not require them to commit to abstinence before starting treatment (Logan & Marlatt, 2010; Psychology Today, 2023). The Substance Abuse and Mental Health Services Administration (SAMHSA) defines harm reduction as a practical approach that includes "prevention, risk reduction, and health promotion--to empower PWUD [people who use alcohol and other drugs] and their families to live healthy, self-directed, and purpose-filled lives" (SAMHSA, 2023, p. 4). The harm reduction approach centers on incremental change guided by individual strengths, goals, and motivations (SAMHSA, 2023).

> **Gradualism** is a framework that integrates the continuum of harm reduction strategies and:
>
> The abstinence-oriented treatment field… [combining] the harm reduction emphases on outreach…incremental change, and gradual healing with the abstinence-oriented therapeutic perspective that the use of substances in an addictive or abusive manner is antithetical to the growth and wellbeing of humans. (Kellogg, 2003, p. 243; see also Marlatt et al., 2001).

In other words, gradualism is a substance use treatment framework that employs harm reduction strategies to move clients toward "abstinence eventually" (Kellogg, 2003). The absence of immediate and permanent abstinence does not mean that clients cannot make positive changes that are relevant to treatment goals or more general life goals. By reframing clinical success from the pursuit of abstinence from the outset of treatment to any client improvement that reduces the risk of harm, treatment providers are able to engage, support, and work with clients who might not initially be able or willing to commit to abstinence so that they can build rapport, make positive behavioral change, and, maybe, eventually shift their goal to abstinence (Logan & Marlatt, 2010; Mignon, 2015). The harm reduction ethos to "meet people where they are" (Perera et al., 2022; SAMHSA, 2023) and to harness their strengths and build on their goals and motivation enables treatment providers to engage clients with a range of EBPs to reduce the frequency or severity of substance use, reduce the prevalence of negative health outcomes (e.g., overdose deaths, disease transmission, organ failure), and reduce associated negative life circumstances (e.g., homelessness, unemployment, fractured family relationships). Applying this approach to community supervision provides a better representation of the performance of community-based supervision and programs and client behavior.

The Utility of Desistance for Supervision and Performance Evaluation

Desistance is a particularly useful measure when it comes to tracking individual and system performance with individuals who are assessed as high-risk. High-risk probation or parole clients are likely to have multiple moderate or severe criminogenic needs and substantial barriers to targeting those needs for change (responsivity). They may have long criminal histories. It is desirable for them to immediately cease criminal behavior and involvement in risky activities that increase probability of continuing to engage in criminal behavior (e.g., eliminate relationships with antisocial peers). However, it is not realistic to expect numerous, significant, or substantial changes to occur instantly and simultaneously, especially when the behavioral changes require participation in programs or treatment to develop new skills and integrating these into their daily lives. Historically, client, as well as staff and agency, failure is measured by assessing whether or not clients reoffended within 3 years post-release, but periods of 1 and 5 years are also common (National Academies of Sciences, Engineering, and Medicine, 2022). The time horizon on measurement, or time required to collect relevant data, and, by extension, feedback is long. This long-time horizon on measurement and feedback is inconsistent with

EBPs for community supervision, particularly the need to increase reinforcement of positive or prosocial behaviors; measure relevant processes and practices, including incremental changes while on supervision; and providing measurement feedback to offenders regarding their performance (Guevara & Solomon, 2009; Wilson et al., 2022).

The current method of measuring probation and parole client performance during those traditional recidivism follow-up periods of 1, 3, or 5 years does not accurately or effectively account for clients' incremental behavioral changes, including those necessary for the long-term goal of no recidivism. Shifting the agency supervision and performance measurement focus from recidivism only, which is similar to abstinence-oriented treatment, to desistance allows the agency to capture important incremental changes in client behavior; provide timely feedback on performance to the client, staff, and overall agency; and either increase reinforcement of prosocial behaviors or, as may be necessary, develop a plan to address existing or new client needs or build off new client strengths. In this way, desistance measures function like the criminal justice version of the gradualist integration of harm reduction and abstinence measures seen in substance abuse treatment. They allow us to identify myriad positive behavioral changes in clients and the degree of support by the system through the use of EBPs and referral to evidence-based programs. This differs considerably from relying on a single, binary—yes/no–measure at 1, 3, or 5 years as the sole measure of failure or not.

Current Challenges & Solutions

We identify several important challenges and possible solutions facing community supervision organizations when implementing new measures of performance and client outcomes, with a focus on success.

Data Measurement and Management

One of the first challenges agencies will face is imagining how to meaningfully conceptualize and measure desistance. This will require considering new things to "count" in the lives of clients and new ways of capturing a process, rather than discrete events. Agencies must develop staff implementation teams that include frontline staff, middle and upper management, data scientists, criminologists, and other experts, including data management system vendors. This cross-section of voices will allow for obtaining a full array of possibilities and challenges in developing new data measurement and management systems. This involves both the "what" and the "how," as not only do we need to determine what needs to be counted (e.g., how many jobs obtained and for how long, educational achievements, days of sobriety, etc.), but we must consider how it will be catalogued over time to depict the process of desisting from engaging in criminal behavior or other harmful behavior. This second point is why it is essential to have frontline staff involved in this decision-making process, as it is important that the primary data collectors have buy-in and can create relevant and manageable processes for implementation in their day-to-day routines.

Culture

A strong organizational culture that shifts focus from looking for and measuring failure to promoting and measuring success is essential for improving supervision practice. There is an element of truth in the saying, "what gets measured is what gets done," and, considering that—and our long history of being excessively focused on measuring on what is arguably "the wrong thing"— it is no surprise that community supervision success and failure statistics don't always seem to reflect the actual impact of our hard work. The sum total of community supervision practices, including the humanizing and compassionate parts of our work and the positive impact on many lives, is being reduced to a simple measure of failure or not. Our correctional culture should instead reflect our staff members' difficult and complex job responsibilities and continue to build movement toward approaches that consider and positively impact the complex lives of our clients, supporting their change for the better in every way possible. That approach seems preferable to continuing to simplistically hone in on deterrence alone as our primary approach to crime prevention—an approach that doesn't seem to be working as well as one might expect. It goes without saying that we strongly desire a reduction in crime, and we are devoted to ensuring public safety, but we need to accomplish these goals in the most effective way.

To influence this organizational culture shift, agencies could capitalize on the gains made during the Covid-19 pandemic and nationwide social movements to infuse human-centered practices, focus on staff and client well-being, and radically change traditional approaches so that we meet people where they are, literally and figuratively (Kras et al., 2020; Viglione et al., 2020).

Equity

When improving our data practices and reconsidering how to measure our performance, we must also consider these efforts through an equity lens. An equity lens refers to being deliberately inclusive when making decisions, especially when historically marginalized groups are involved (Center for Non-Profit Advancement, 2020). To begin, initial decision-makers tasked with the responsibility of moving the focus from recidivism to desistance must consider who has a seat at the table. The decision-makers in criminal justice organizations have historically been male and White, and thus an equity lens would include individuals to reflect the many other identities that have typically been left out, while also including a cross-sectional cut of an organization (e.g., to include line staff, management, and beyond). The decision-makers can then wrestle with the difficult issues of: What are our assumptions? Which of our practices which might inherently disadvantage or disproportionately affect particular groups? What impact will our decisions have on the outcomes of people historically disadvantaged by the criminal legal system? Developing a robust and equitable decision-making process will inherently improve the impacts of the system and align it more closely with serving communities and humanizing practice. Importantly, an equity lens is not a single time decision, just as the measurement of our performance is not. Instead, decision-makers need to consider how these approaches will be "baked into" the culture and processes of measuring our organizational impact.

Politics

The politics surrounding criminal justice are deeply intertwined with our approaches and decisions. Any tenured probation or parole staff member can attest to the pendulum shifts and drastic changes in practice that have occurred based on the political atmosphere or who is in office. To this point, the move from focusing only on recidivism to include desistance invites much political discord. At a baseline, this stems from many politicians, policy makers, and the public not having a full understanding of the limits and problems with measuring criminal justice system success through recidivism. It is already the case that community-based corrections agencies in many jurisdictions must respond to a perception of their being "too soft on crime" and are tasked by demands from the public, sometimes realistic and sometimes not. It becomes essential then, that this work on improving our performance measurement includes champions at the top of the organization and people positioned throughout the organization who can successfully communicate to staff, the public, and policymakers that these approaches are aligned with continued pursuit of public safety.

Conclusion

Measuring community supervision's performance via recidivism (however captured and defined) gives a very incomplete picture of both the work that staff are engaged in and client behavior. The various ways recidivism is measured are also inconsistent with some aspects of EBPs for community supervision, particularly with respect to increasing reinforcement of prosocial behaviors, measuring relevant processes and practices, and providing measurement feedback. It is incumbent upon probation and parole agencies to realign measures of staff and client performance with agency missions, which typically include enhanced community safety and successful client community reintegration—both measures of success.

Desistance offers an avenue to reorient staff and client performance standards from a focus on failure to a focus on success. The EBPs that many probation and parole staff are now using in their work with clients are oriented toward improving staff-client relationships to enhance rapport and communication. Probation and parole staff are performing their duties with a recognition that it is just as important to "catch their clients doing the right thing" and to acknowledge and reinforce it in a timely fashion as it is to intervene and respond when they determine that their clients violate the law or are non-compliant with the conditions of their supervision. Desistance is a meaningful conceptual measure to reorient performance standards to map the process of clients gradually moving away from criminal behavior, inclusive of all incremental improvements on their path toward a complete cessation of criminal behavior and other harmful behaviors. This reorientation of community supervision performance standards is similar to what has been happening in the field of substance use treatment, where even those who will not commit to abstinence when they enter a program or initiate treatment are allowed to benefit from a coupling of abstinence-oriented treatment and harm reduction strategies in a way that lessens the harm associated with their substance use while also supporting them in positive changes up to and including eventual abstinence.

The shift from measuring failure to measuring success will be accompanied by numerous challenges. Whether those challenges are related to data measurement and management, agency culture, deciding who is involved in this process, the political climate, or any combination

of the above, it is incumbent upon probation and parole agencies to begin devising solutions—solutions that will enable them to effectively realign agency performance standards for staff and clients in a way that reflects agency missions focused on success. This will be long and difficult work, but it will create the conditions that allow probation and parole agencies to more accurately report the work their staff carries out, client behavior, and agency, staff, and client success.

References

- Alper, M., Durose, M. R., & Markman, J. (2018). 2018 update on prisoner recidivism: A 9-year follow-up period (2005-2014). U. S. Department of Justice, Bureau of Justice Statistics. https://bjs.ojp.gov/library/publications/2018-update-prisoner-recidivism-9-year-follow-period-2005-2014
- Augustine, D., & Kushel, M. (2022). Community supervision, housing insecurity, and homelessness. The ANNALS of the American Academy of Political and Social Science, 701(1), 152-171. https://doi.org/10.1177/00027162221113983
- Bucklen, K. B. (2021). Desistance-focused criminal justice practice (NCJ 301497). U. S. Department of Justice, National Institute of Justice. https://nij.ojp.gov/topics/articles/desistance-focused-criminal-justice-practice
- Butts, J. A., & Schiraldi, V. (2018). Recidivism reconsidered: Preserving the community justice mission of community corrections. Program in Criminal Justice Policy and Management, Harvard Kennedy School. https://www.hks. harvard.edu/sites/default/files/centers/wiener/programs/pcj/files/recidivism_reconsidered.pdf
- Center for Non-Profit Advancement. (2020). What is an equity lens? https://www.nonprofitadvancement.org/files/2020/12/What-is-an-Equity-Lens.pdf
- Durose, M. R., & Antenangeli, L. (2021). Recidivism of prisoners released in 34 states in 2012: A 5-year follow-up period (2012-2017). U. S. Department of Justice, Bureau of Justice Statistics. https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/rpr34s125yfup1217.pdf
- Guevara, M., & Solomon, E. (2009). Implementing evidence-based policy and practice in community corrections (2nd ed.). National Institute of Corrections. https://nicic.gov/resources/nic-library/all-library-items/implementing-evidence-based-policy-and-practice-community
- Imberman, S. A., & Kugler, A. D. (2014). The effect of providing breakfast in class on student performance. Journal of Policy Analysis and Management, 33(3), 669–699. https://doi.org/10.1002/pam.21759
- Kellogg, S. H. (2003). On "gradualism" and the building of the harm reduction-abstinence continuum. Journal of Substance Abuse Treatment, 25(4), 241–247. https://doi.org/10.1016/S0740-5472(03)00068-0
- Kras, K. R., DeMichele, M., Martin, K., Scwalbe, C., Swan, H., Viglione, J. (2020). Community corrections virtual roundtable: Using research to understand how the Coronavirus pandemic has changed community corrections operations [Conference session]. Annual meeting of the American Probation and Parole Association.
- Langan, P. A., & Levin, D. J. (2002). Recidivism of prisoners released in 1994 (NCJ 193427). U.S. Department of Justice. https://bjs.ojp.gov/content/pub/pdf/rpr94.pdf
- La Vigne, N., & Lopez, E. (2021, September 1). Recidivism rates: What you need to know. Council on Criminal Justice. https://councilonj.org/recidivism_report/
- Leos Urbel, J., Schwartz, A. E., Weinstein, M., & Corcoran, S. (2013). Not just for poor kids: The impact of universal free school breakfast on meal participation and student outcomes. Economics of Education Review, 36, 88–107. https://doi.org/10.1016/j.econedurev.2013.06.007
- Logan, D. E., & Marlatt, G. A. (2010). Harm reduction therapy: A practice-friendly review of research. Journal of Clinical Psychology, 66(2), 201–214. https://doi.org/10.1002/jclp.20669
- Marlatt, G. A., Blume, A. W., & Parks, G. A. (2001). Integrating harm reduction therapy and traditional substance abuse treatment. Journal of Psychoactive Drugs, 33(1), 13–21. https://doi.org/10.1080/02791072.2001.10400463
- McAdams, R. P. (2010). Exploring the myths and realities of today's schools a candid review of the challenges educators face. Rowman & Littlefield Education.
- Mignon, S. I. (2015). Substance abuse treatment: Options, challenges, and effectiveness. Springer Publishing Company.
- National Academies of Sciences, Engineering, and Medicine. (2022). The limits of recidivism: Measuring success after prison. The National Academies Press. https://doi.org/10.17226/26459
- Perera, R., Stephan, L., Appa, A., Giuliano, R., Hoffman, R., Lum, P. & Martin, M. (2022). Meeting people where they are: Implementing hospital-based substance use harm reduction. Harm Reduction Journal, 19, Article 14. https://doi.org/10.1186/s12954-022-00594-9
- Pew Center on the States. (2018, September 25). Probation and parole systems marked by high stakes, missed opportunities. https://www.pewtrusts.org/en/research-and-analysis/issue-briefs/2018/09/probation-and-parole-systems-marked-by-high-stakes-missed-opportunities
- Pew Center on the States. (2011, April). State of recidivism: The revolving door of America's prisons. https://www.pewtrusts.org/~/media/legacy/uploadedfiles/wwwpewtrustsorg/reports/sentencing_and_corrections/staterecidivismrevolvingdooramericaprisons20pdf.pdf
- Psychology Today. (2023). Harm reduction. https://psychologytoday.com/us/basics/harm-reduction
- Shannon, S. K. S., Uggen, C., Schnittker, J., Thompson, M., Wakefield, S., & Massoglia, M. (2017). The growth, scope, and spatial distribution of people with felony records in the United States, 1948-2010. Demography, 54(5), 1795–1818. https://doi.org/10.1007/s13524-017-0611-1
- Substance Abuse and Mental Health Services Administration. (2023, April 24). Draft harm reduction framework. https://www.samhsa.gov/find-help/harm-reduction/framework
- Viglione, J., Alward, L. M., Lockwood, A., & Bryson, S. (2020). Adaptations to COVID-19 in community corrections agencies across the United States. Victims & Offenders, 15(7-8), 1277-1297. https://doi.org/10.1080/15564886.2020.1818153
- Wang, L. (2023, May). Punishment beyond prisons 2023: Incarceration and supervision by state, Prison Policy Initiative. https://www.prisonpolicy.org/reports/correctionalcontrol2023.html
- Wilson, A., Applegate, B. K., & Bolin, R. M. (2022). Evidence-based practices in community corrections: Officers' perceptions of professional relevance and personal competence. American Journal of Criminal Justice, 47(1), 117–139. https://doi.org/10.1007/s12103-020-09581-x

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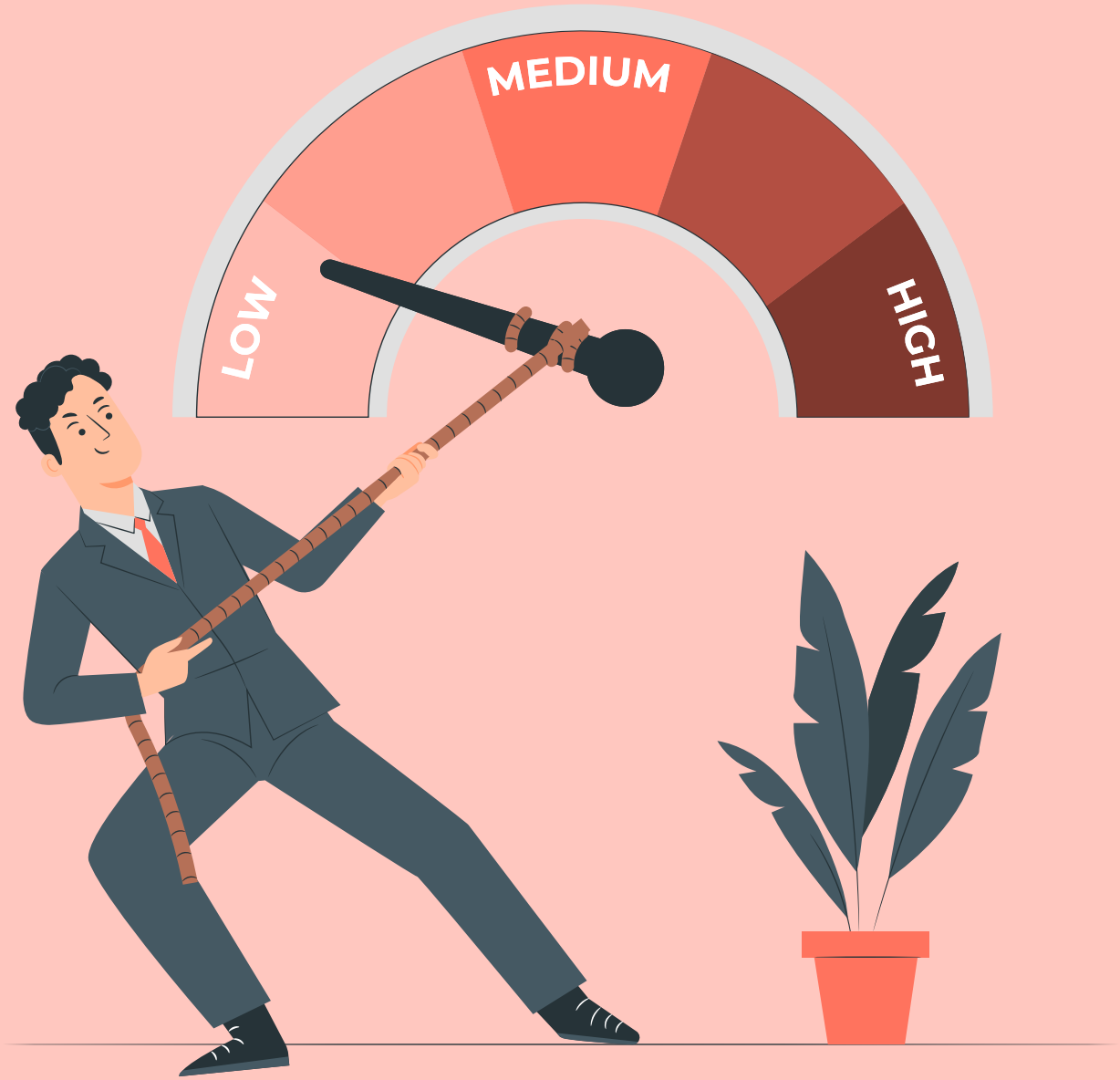
MEASURING PROGRESS IN COMMUNITY SUPERVISION:

A focus on desistance from crime



Lily Gleicher, Ph.D.

MEASURING PROGRESS IN COMMUNITY SUPERVISION: A FOCUS ON DESISTANCE FROM CRIME

For decades simulations have served as effective tools for education and training. Simulations provide safe, controlled environments for learning skills that would otherwise be difficult to acquire or practice. They have been used in fields as diverse as aviation, medicine, psychology, construction, and the military. Despite its long history in other areas, the use of simulations in criminal justice has developed only recently.

Correctional agencies such as those responsible for community supervision emphasize outcomes related to recidivism, as do most programs and services that serve individuals involved in the criminal legal system. Those in the community supervision field continually keep track of "failure" of individuals, programs, and agencies, presenting their recidivism statistics as the primary outcome of importance. Indeed, the reliance on recidivism as the principal—or only--tool for understanding program impact has long been taken for granted. Assessments of program and policy success—and funding and support for such programs—tend to be largely based on recidivism rates of the individuals under supervision. Recently, however, a new perspective has been emerging, and some criminal justice professionals have called out for less reliance on recidivism as the stand-alone measure for "gauging success of criminal justice interventions or of those who participate in them" (Klingele, 2019, p. 769).

The case is being increasingly made for movement away from measuring failure and toward measuring success (National Academies of Science, Engineering, & Medicine (NASEM), 2022), which means enhancing our data collection efforts to focus on progress and success–such as measuring desistance. Shifting away from solely thinking in terms of recidivism requires a new perspective and renewed efforts to conceptualize and determine the best ways to adequately measure success rather than failure (NASEM, 2022). Success in this field can be defined in various ways–including the effectiveness of the overall system and its actors, the success of individuals, and the impact of programs or interventions that serve them. It is likely that those taking the first steps toward measuring effectiveness or success will encounter difficulties, and it is important to begin by understanding the implications of making such a shift in orientation.

The purpose of this article is to provide some background on these issues and then to specifically describe the potential impact of moving away from measuring recidivism to measuring other markers of success, such as desistance, for system-involved individuals with substance use disorders. This does not only include measures of individuals' outcomes but can–and should–include measures of systems, system actors, and programs.

Background

Measuring how the community supervision system is doing in meeting its goals, how individuals under supervision are doing in meeting their own goals, and the extent to which programs and interventions are succeeding can be done more effectively if rates of recidivism are not the only measured outcome (Klingele, 2019; NASEM, 2022). Bringing about advancements in this area means incorporating, defining, and clearly outlining multiple measures of success. It also means focusing on strengths, and incremental movements away from crime rather than the binary "yes/no" of recidivism (whether that be rearrest, reconviction, or reincarceration, among others). This does not mean we should not measure recidivism at all, but any measure of recidivism must be transparent and well defined, with clarity in regard to what it is actually being counted (NASEM, 2022), and would be best assessed while also considering the multifaceted process of how individuals change their behaviors along with the ways in which systems and programs impact success (Klingele, 2019). The challenge is to strategically think about the purposes and goals of community supervision programming and then focus on success in measuring outcomes related to those purposes and goals.

What if we measured success rather than failure? What if, instead of thinking about outcomes in terms of the presence or absence of recidivism, we measured progress and incremental changes that support the movement away from crime and other undesired behaviors? For community supervision, this means focusing on changes in criminogenic needs and responsivity factors above and beyond a change in risk level as it relates to the Risk-Need-Responsivity model, for example. This new way of thinking embraces a criminological approach called desistance, which aims to capture this process of transformation for system-involved individuals (see Appleton, this issue, for a comprehensive review of desistance).

Before focusing more specifically on the impact of expanding markers of success for those individuals with substance use disorders who are involved in the criminal justice system, it would be helpful to present an overview

of the Risk-Need-Responsivity (RNR) model and of the concept of desistance.

Risk-Need-Responsivity Model

Briefly, the RNR model of offender assessment and treatment is based on the General Personality Cognitive Social Learning (GPCSL) perspective (Bonta & Andrews, 2017). That is, there are, "major psycho-social-biological factors that influence and maintain criminal behavior…" (Bonta & Andrews, 2017, p. 43). Risk, the first R in the acronym, focuses on assessing individuals for their risk of engaging in criminal behavior with the aim of targeting the most intensive services for the highest risk. Arguably, this is the most well understood (or perhaps most emphasized) element of the RNR model. However, for purposes of this article, I will focus on Need and Responsivity, specifically the criminogenic need of substance use and a specific associated responsivity factor of motivation to change. These domains have the most to offer in understanding and aligning with desistance.

There are several criminogenic needs, that decades of research indicate are directly associated to re-offending: pro=criminal attitudes/values/beliefs, antisocial personality patterns, social supports for engaging in antisocial behavior, substance use, family/marital relationships, education/employment, and unstructured leisure time (Bonta & Andrews, 2007). Bonta and Andrews do not just focus on these criminogenic needs in isolation, but also in the contexts of the immediate environment and background context. Responsivity in general is defined as matching the delivery of programs to individuals' mode and style of learning. However, responsivity goes a bit deeper in that there are two types: (a) general responsivity, which suggests that cognitive-behavioral and cognitive social learning techniques are what works best for most people for behavior change, and (b) specific responsivity, which indicates that there are a variety of factors that may be barriers to or need to be considered in catering to specific individuals that may reduce the ability to target criminogenic needs (Bonta & Andrews, 2017).

Criminogenic needs and (for purposes related to this article) specific responsivity are infrequently measured in terms of desistance. Understanding how and to what extent people may be demonstrating incremental change and a movement away from crime or undesired behaviors (e.g., substance use) can provide more valuable information on the effectiveness of systems, programs, and success of individuals than whether someone engages in crime or uses substances in some period of time. This is different from recidivism, a yes/no measure of whether someone is continuing negative behaviors, and instead considers the how and the why in relation to getting to desistance.

An estimated one-third of individuals under probation supervision have a substance use disorder, as compared to an estimated 7% rate in the general population (Substance Abuse and Mental Health Services Administration. 2020). Similarly, a higher proportion of individuals involved in the criminal legal system suffer from addiction relative to the general population (Galvin et al., 2021; Fabian et al., 2021). Indeed, substance use disorders are a pressing public health crisis in both the general population and in the justice-involved population.

Desistance and Measurement

Desistance is largely defined by historical context, time, place, the interconnectedness of individuals, and each individual's agency—or choice (Rocque, 2021). In addition, it is a different way of thinking about the impact of community supervision and related programming relative to individuals serving a term of community supervision and, as well, relative to community supervision staffs' and program staffs' impact on individuals and effectiveness. Ultimately, desistance attempts to measure success and explain change rather than continuity of behavior–measuring individuals' movement towards the absence of undesired behavior relative to their prior behavior (Bucklen, 2021).

Desistance is a more complex concept than recidivism, and it is not how the criminal legal system has typically measured outcomes. Essentially, measures of desistance try to measure the lack of a specified activity rather than the mere presence or absence of it (Rocque, 2021; NASEM, 2022). It looks at measures related to sequence, time, place, and severity of offending behavior or other related behavior (such as substance use) and looks at outcomes in terms of success rather than a focus on failure. Because a goal of the criminal legal system is to reduce criminal activity, recidivism rates seem like a practical measure, with those who do not offend again as the measure of success, Klingele (2019) notes:

Even so, there is a difference between commending those who abandon crime entirely – whether by virtue of a criminal justice system intervention or otherwise – and saying that the criminal justice system fails whenever it does not fully transform law-breakers into models of perfect compliance. (p. 774)

Desistance, or moving away from crime or other undesirable behavior is a process, one that is not always linear and one where success can look different for different people. Behavior change in general, of course, is rarely linear.

Consider the example of my frequent New Year's resolution to work out more at the gym (let's say, go to the gym four to five times a week)—a resolution that is not infrequent in the general public (and pretty much my resolution every year). Now, consider the difficulty and other contexts of my environment (or others' environments) in meeting this resolution. We may have children we are responsible for, a full-time job, short windows of time to engage in exercise, periods of lack of motivation, potential financial impacts from the cost of being a member of a gym, car problems, and injury, among others. If I start going to the gym a couple of times a week for the first few months of the year, and then I don't go for a couple of months (for whatever reason), and then I decide to make walking more of a physical health priority and finish out the year walking two to three times a week, did I fail at my New Year's resolution?

Researchers focused on desistance would suggest this is not failure–that I made changes throughout the year that helped improve my physical health, even if I did not strictly go to the gym four to five times a week and even if there was a period of time that I did not go to the gym. This example is meant to explain that the focus of measuring success is best measured and more deeply understood in terms of incremental change and potential change in other areas. In regard to my example, the overall goal of physical activity is one way to reduce the consequences of a sedentary job. Despite the time period where I was more sedentary, the inclusion of more physical activity improved my life in other ways too–my mental health, my choices in food, and feeling better physically than I have in years past. Change is not always linear. In terms of desistance among community supervision, it is markers of desistance that may be a better gauge of effectiveness of community supervision and program outcomes, but also success for individuals (Klingele, 2019; NASEM, 2022).

Desistance and Substance Use

One way to think about desistance from substance use is through a harm reduction lens. Substance use is a chronic, relapsing condition, in which there are many pathways for change and recovery. It is also a common criminogenic need among those serving a term of community supervision. Harm reduction more generally is a set of principles or strategies that work to reduce mitigate the harms (of any behavior, including criminal offending and drug use, among others). This includes respecting individuals' agency (or choice) by meeting people "where they are" (National Harm Reduction Coalition, 2020). This framework also includes understanding that behavior (particularly drug use, including those who use substances that are under community supervision) is complex and multifaceted, but that the overall goal is to increase quality of individuals lives and their communities in a non-judgmental and non-coercive way that also empowers individuals to see themselves as the primary agents of change (National Harm Reduction Coalition, 2020).

Desistance and Specific Responsivity

Specific responsivity factors, only indirectly associated with criminal offending according to research, are important factors for consideration of system, program/staff, and individual success. Specific responsivity can be thought of as barriers (system, program, or individual) that reduce an individual's ability or desire to engage in community supervision or things like substance use treatment and recovery services more generally. Specific responsivity includes factors such as the following (see Bonta & Andrews, 2017):

- The individual has access to transportation.
- The program or community supervision is provided in an individual's native language.
- The program or community supervision is culturally competent to account for cultural differences.
- The program is affordable (if the individual is required to pay).
- The individual has access to daycare or supervision of their child(ren) to attend the program or community supervision meetings and requirements.
- The program or community supervision is adapted for individuals with limited intellectual or cognitive functioning.
- The program or community supervision is adapted for individuals who may have difficulties reading or writing.
- The individual feels comfortable in a group setting or individual setting for receipt of services.
- The program or community supervision is responsive to age and gender-specific needs.
- The community has access to services that can provide not just cognitive-behavioral or cognitive social learning programs, but the quality of those programs and the ability of those programs to adapt to specific responsivity needs mentioned above.
- The community has programming available and/or sufficient capacity.

Motivation to change is a frequent responsivity factor among system-involved individuals and is a particular barrier for individuals in reducing substance use or meeting their goals in this area. In general, motivational interviewing is a mechanism and technique used to facilitate change in behavior, especially with clients who may be apathetic or averse to changing their behavior (McMurran, 2009; Miller & Rollnick, 2013). In one meta-analysis, McMurran and Theodosi (2007) identify the issues of participant recruitment, completion, and retention in programs. An issue relevant to these findings is the level of motivation or readiness to change in engaging in programs (McMurran, 2009). In McMurran's (2009) systematic review of motivational interviewing in treatment for those convicted of a criminal offense, she found use of motivational interviewing can increase retention in treatment as well as enhance individuals' motivation to change. Use of motivational interviewing has not only become more common in treatment settings, but tools that probation and parole officers can use with clients to enhance motivation to change and reducing the ambivalence to change (Armstrong et al., 2016).

What to Consider for Measurement

With these frameworks in mind, what are ways community supervision and related programming can measure success for the individuals they serve, but also in terms of the systems and programs that provide these services and how staff impacts outcomes? Figure 1 provides examples of questions to consider in relation to developing measures of desistance for individuals with substance use disorders under community supervision. It is important to note that any measure should be clearly defined and be transparent in regard to what and how the data is being collected and how the measure is being calculated. Further, being able to measure markers of desistance can be enhanced by considering success not just in one domain (NASEM,2022).

Figure 1

Considerations for Measuring Desistance in Community Supervision for Individuals with Substance Use Disorders: System, Program/Staff, and Individual Success

Time (Individual): What are the number of days between substance use, or periods of abstinence is there a longer time between periods of substance use? What is the time between criminal offending events - is there a longer time between criminal offending events?

Frequency or Deceleration (Individuals): What is the frequency of substance use, whether that be in the number of times substances are used in a day, a week, a month, or other time frame is there a reduction in the frequency with which someone is engaging in substance use?

Severity or De-escalation (Individual): Have individuals changed the way in which they use substancese.g., intravenous, oral, nasal, etc.. are individuals using more safely? What is the severity of criminal offending over time is there a decrease in severity?

Related Progress (Individual): Are there improvements regarding individuals' motivation to change substance use and/or criminal offending behavior over time? What does an individual's progress look like in terms of education or employment over time are individuals maintaining employment for a longer period of time? What are the quality of individuals relationships to support systems?

Capacity (Systems) What is the capacity of substance use and recovery support programs given the need for treatment and recovery supports, is there capacity in the community to serve individuals under community supervision? Does programming and treatment meet the needs of individuals under community supervision who use substance?

Accessibility (Systems) Of those who need or want treatment or programming, what is the accessibility of these programs and factors that may impact an individual's ability to access these programs? (e.g., affordability, distance, responsiveness in terms of learning styles, daycare provisions)?

Fidelity (Systems/Staff): How frequently are staff using motivational interviewing techniques to support client behavior change? With what consistency are staff using evidence-informed practices in group or individual sessions with clients?

Conclusion

The push to measure success–or desistance–is a collective call those in this field to improve what we understand about individual behavior change and community supervision and program effectiveness rather than focusing on an aspect of failure that may not fully capture reality. However, challenges remain in regard to defining, developing, and implementing these measures in practice. Challenges to measuring desistance include,

- Gaining access to the necessary data or developing data collection practices to capture new information (or more information);
- Clearly defining and developing valid measures of desistance and translating this to various audiences (Bucklen, 2021);
- Identification of what to measure and making sure outcomes are related to process and programs (e.g., do the activities identified relate to or support change in terms of outcomes? How are technical violations considered in terms of desistance?); and
- Determining how to measure the impacts of policies that may impact individuals' outcomes while serving a term of community supervision (e.g., use of incarceration, technical violations, use of conditions of supervision that may impede or support desistance, among others).

What we do know is that a stand-alone measure of whether someone does or does not offend after receipt of a program or community supervision is insufficient to make determinations of system, program, or individual success. It does not provide for the context of behavior more holistically and too frequently is used as a measure of success or failure which may be attached to funding and support of alternatives to incarceration such as community supervision and related programs. There are limits to using recidivism as a primary metric, but this does not mean to exclude it. It means thinking about success through a different lens—the lens of incremental change, movement away from crime or other undesired behaviors, and a focus on success.

References

- Armstrong, G. S., Atkin-Plunk, C., & Gartner, N. R. (2016). Perceptions of motivational interviewing: Validation of the client evaluation of motivational interviewing scale with probation clients. Criminal Justice and Behavior, 43(8), 1095 – 1106.
- Bonta, J., & Andrews, D. A. (2017). The psychology of criminal conduct. (6th Ed.). Routledge.

- Bucklen, K. B. (2021). "Desistance-focused criminal justice practice." NCJ 301501, in Desistance from crime: Implications for research, policy, and practice. Washington, DC: U.S. Department of Justice, National Institute of Justice.
- Fabian, K., Shively, R., & Aufderheide, D. (2021, January/February). Co-occuring disorders in the incarcerated population: Treatment needs. Corrections Today.
- Galvin, M. A., Davidson, K. M., & Kleiman, M. (2021). Substance involvement and probation outcomes: Evidence from a cohort study. Journal of Drug Issues, 52(3), 329-348. https://doi.org/10.1177/00220426211062560
- Klingele, C. (2019). Measuring change: From rates of recidivism to markers of desistance. The Journal of Criminal Law & Criminology, 109(4), 769 - 817. https://www.jstor.org/stable/48572943
- McMurran, M. (2009), Motivational interviewing with offenders: A systematic review. Legal and Criminological Psychology, 14, 83-100. https://doi.org/10.1348/135532508X278326
- McMurran, M., & Theodosi, E. (2007). Is offender treatment non-completion associated with increased reconviction over no treatment? Psychology, Crime, and Law, 13, 333–343.
- Miller, W. R., & Rollnick, S. (2013). Motivational interviewing: Helping people change (3rd edition). Guilford Press.
- National Harm Reduction Coalition. (2020). Principles of harm reduction. Retrieved on November 1, 2023 from https://harmreduction.org/about-us/principles-of-harm-reduction/
- National Institute of Justice. (2021). Desistance from crime: Implications for research, policy, and practice. Author.
- National Academies of Science, Engineering, and Medicine. (2022). The limits of measuring recidivism: Measuring success after prison. The National Academies Press.
- Rocque, M. (2021). "But what does it mean? Defining, measuring, and analyzing desistance from crime in criminal justice," NCJ 301498, in Desistance from crime: Implications for research, policy, and practice. Washington, DC: U.S. Department of Justice, National Institute of Justice
- Substance Abuse and Mental Health Services Administration (2020). National survey on drug use and health (NSDUH) . Washington, DC: U.S. Department of Health & Human Services.

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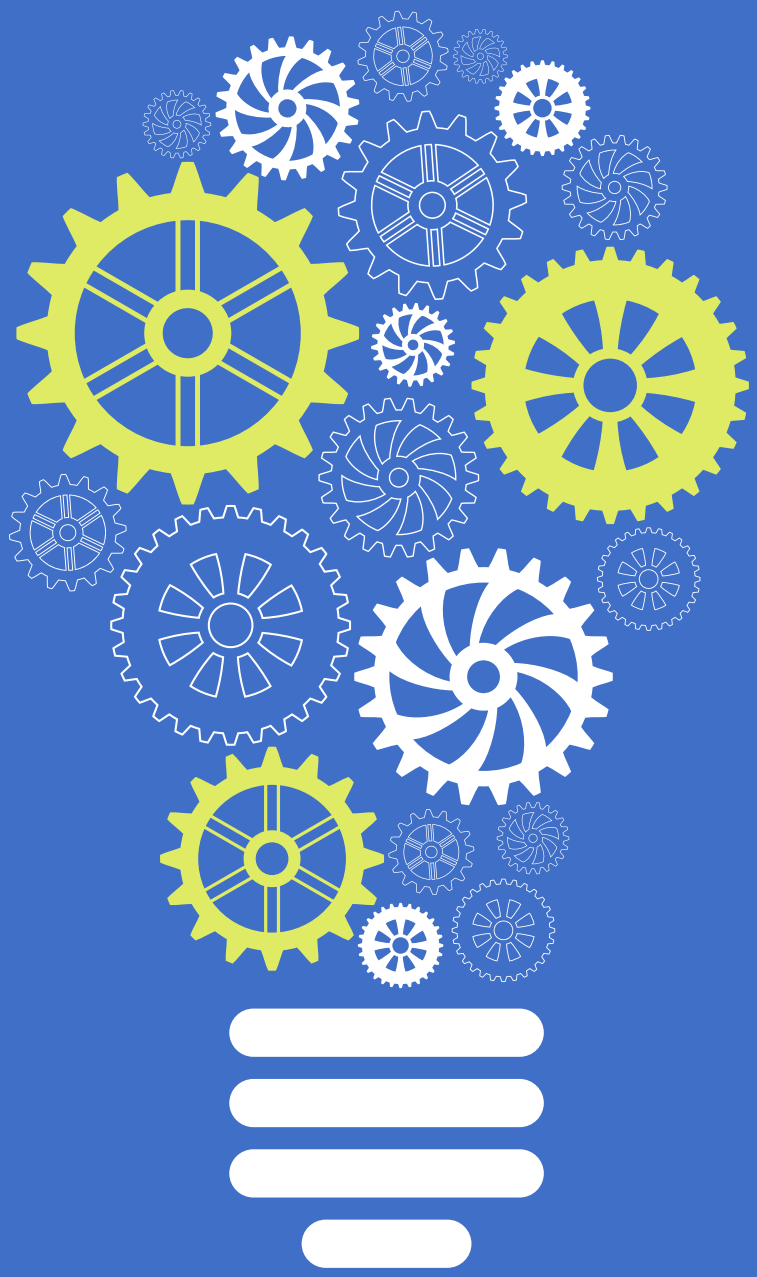

FINANCIAL OBLIGATIONS, DIVERSIONARY PROGRAMS, AND COMMUNITY SUPERVISION: CRITICAL ISSUES AND INNOVATIVE STRATEGIES

Introduction

Probation, as an alternative to incarceration, has undergone significant transformation over the years. With the evolving landscape of criminal justice and rehabilitation, probation has adapted to incorporate innovative techniques aimed at reducing recidivism and promoting successful reintegration into society (Schaefer, 2017). Continuing to explore innovative techniques used in probation and highlighting their impact on both individuals under supervision and the criminal justice system can shed light on the promising path forward for probation in the 21st century.

Probation has evolved from its early inception as a mere alternative to incarceration to a multifaceted system that incorporates innovative techniques for an individual's supervision, rehabilitation, and community reintegration. The primary goal of probation is to provide individuals under supervision with the opportunity to remain in the community and support their rehabilitation while holding them accountable for their actions, reducing recidivism, and ensuring public safety. Over time, probation has embraced various innovative approaches to achieve these objectives (Annison, 2013).

Florida Community Corrections has continued incorporating evidence-based practices (EBPs) to guide decision-making and intervention strategies. These practices are grounded in empirical research and have effectively reduced recidivism (Florida Department of Corrections 2022). Cognitive-behavioral interventions, motivational interviewing, and substance use treatment and recovery programs have remained at the forefront of supervision (Wang 2014).

The significance of innovation in probation cannot be overstated, given its profound impact on the criminal justice system, society, and the individuals (e.g., rehabilitation), families, and communities (Goswami, 2005). Florida recently introduced pioneering initiatives to support the successful reintegration of individuals into society while maintaining a solid commitment to public safety. Below are descriptions of the initiatives Florida Community Corrections has implemented to meet the primary goals of community supervision – rehabilitation, accountability, and public safety.

F.A.C.E. I.T.

The first 30 to 90 days of supervision is a pivotal period for an individual under supervision. Effective communication between the probation officer and individual is critical and can be the start of a successful probationary term (Viglione et al. 2017). A breakdown in communication can disrupt the individual's reintegration into the community. This disruption may result in the individual being removed from the community, hindering their progress toward rehabilitation and successful reentry. By recognizing the critical importance of communication in the early stages of supervision, stakeholders can collaboratively work towards creating an environment that supports compliance, rehabilitation, and community reintegration, ultimately contributing to the overall success of the probationary term.

A recent study by the Office of Research and Data Analysis determined that approximately 22% of the individuals on supervision were referred to the sentencing or releasing authority for failing to comply with supervision within three months of being sentenced (D. Ensley, personal communication, October 18, 2023). This supports the importance of effective communication that clearly outlines the role of probation officers and expectations for individuals being supervised in the community.

Additionally, community involvement and partnerships have become integral to the success of modern probation programs. Probation officers collaborate with community organizations, service providers, and faith-based institutions to offer individuals access to education, employment opportunities, and social support networks. Restorative justice practices, including victim-offender mediation, empower the community to play a role in rehabilitation and foster empathy and accountability among individuals under supervision (Coates, 2000).

In response, Florida Community Corrections started the F.A.C.E. I.T. Program in December 2021 (the acronym is described below). The program was originally intended to be facilitated with individuals sentenced to supervision and their families within the first 30 to 60 days after being placed on supervision. As the program grew, it expanded to county probation, jails, and state institutions.

The program is a two-hour class emphasizing accountability and responsibility by reflecting on the various inputs and orientations an individual can hold. Each letter of the acronym identifies one of these essential domains and encompasses the idea of "facing" challenges and being empowered to overcome them.[1]

F- Family, Friends, Faith-based Organizations

Research indicates that specific support elements significantly influence the success of an individual's rehabilitation journey (Canton, 2013). Family support is one of the most pivotal among these crucial factors. When individuals receive assistance from their families, friends, and support networks, it paves the way for them to attain self-sufficiency. Furthermore, faith-based organizations contribute by offering moral backing, guidance, encouragement, and supplementary resources, thereby bolstering the prospects of success in their rehabilitation endeavors.

A- Attitude

Attitude encompasses an individual's emotional and behavioral stance toward people, objects, or situations, serving as a lens through which they perceive life. Rather than being a passive occurrence, attitude is a conscious choice each person makes. Individuals' outlook on life and how they react to various life events significantly shape their cognitive patterns. A positive attitude is frequently recognized as pivotal to personal success. The advantages of cultivating a positive attitude are boundless. As motivational speaker Zig Ziglar aptly stated, "Your attitude, not your aptitude, will determine your altitude" (cited by Kruse, 2012). Possessing a positive outlook on life is indeed an invaluable asset. This outlook is paramount in determining the extent of success one can attain across all facets of life. Notably, a positive attitude is not a random occurrence; it is characteristic of individuals who maintain an optimistic perspective and serve as a cornerstone of their achievements.

[1]Readers can learn more about the program from a recent podcast, entitled "Death or Prison", hosted by Lean on Me USA, Inc.: https://www.youtube.com/watch?v=G5AFG5xyiv4

C- Communication

Effective communication stands as a critical element for achieving success. This proficiency encompasses listening attentively, engaging in meaningful dialogues, and conveying messages through non-verbal cues. To thrive, individuals on probation must recognize the significance of effective communication when interacting with probation officers, counselors, community members, their families, and friends.

E- Employment and Education

Securing employment is paramount in ensuring an individual's probation success. Individuals under supervision who are gainfully employed are better suited to fulfill obligations like victim restitution, covering court costs, and completing treatment programs. Extensive research underscores the role of employment as a deterrent against criminal activities (Capece, 2022). While attaining employment is a crucial milestone, maintaining it is very important. Within each Judicial Circuit, an Employment Specialist is available to assist individuals under supervision. This assistance includes preparing for job interviews, conducting research to identify suitable employment opportunities, aiding individuals in completing job applications and crafting resumes, fostering partnerships with employers, collaborating with the Department of Economic Opportunity, and forging connections with educational and vocational institutions. Additionally, Employment Specialists work to establish a roster of employers to whom they can refer individuals under supervision, further facilitating their path toward successful rehabilitation.

I-Improvement

Individuals who consistently demonstrate a commitment to self-improvement achieve success. They regularly introspect, asking themselves, "Have I progressed as much this month as I did the previous one?" If someone's mindset, abilities, knowledge, and outlook have remained static over time, it may indicate a need for growth. This absence of progress can lead to feelings of frustration and dwindling motivation. Striving for advancement across all aspects of life catalyzes achieving success.

T- Take Responsibility

Success is not an entity but rather an ongoing journey. To attain success, an individual must take responsibility, not just for the crime they committed, but for fulfilling all the letters in F.A.C.E. I.T. When faced with unexpected challenges, these individuals do not perceive them as roadblocks but as stepping stones to success. The cornerstone of this journey lies in acknowledging that responsibility rests squarely on the individual's shoulders. The trajectory of success is both initiated and concluded by the act of taking responsibility.

Throughout the course, participants receive continuous reinforcement of the letters within F.A.C.E. I.T. More than 6,000 individuals have completed this class in the probation setting and numerous incarcerated individuals in county jails or state correctional institutions. Additionally, approximately 5% more individuals have successfully surpassed the initial 90-day period without being referred back to the sentencing or releasing authority (D. Ensley, personal communication,

October 18, 2023).

S.O.T.E.C.

Probation innovation emphasizes community involvement, forging partnerships with local organizations, employers, and support networks. This collaborative approach empowers the community to play a role in rehabilitation, reducing the burden on probation officers and promoting social reintegration (Kelman, 2012). Taking a proactive approach contributes to safer communities.

In the wake of the COVID-19 pandemic, Correctional Probation Officers started observing a rise in anonymous reports through calls and emails, indicating individuals under supervision might own weapons or illicit substances. Furthermore, many new officers were hired who had limited experience conducting well-structured searches. Consequently, Florida Community Corrections initiated a more comprehensive approach to address and enhance responses to these apprehensions called S.O.T.E.C. (Searching Offenders to Ensure Compliance).

S.O.T.E.C. is a special team responsible for conducting searches of individuals on probation, parole, or other forms of community supervision. These search teams play a crucial role in ensuring compliance with the conditions of supervision and promoting public safety. Partnerships with law enforcement are essential for probation search teams to ensure the legality, safety, and effectiveness of their operations. The collaborative efforts enhance the overall capabilities of probation officers and contribute to the successful supervision of individuals under probation.

The positive results have been excellent. S.O.T.E.C. has been instrumental in monitoring and enforcing conditions of probation or parole imposed on individuals under supervision. Numerous searches have uncovered weapons, illegal drugs, and money. In one search, probation officers found numerous handguns, 284 grams of marijuana, 80 grams of cocaine, and more than $9,600 in cash. In a separate search, probation officers uncovered substantial quantities of methamphetamine, multiple prescription narcotic pills without prescriptions, and several high-value items confirmed to be stolen. In another search, probation officers seized over 1,000 grams of marijuana, more than 2,000 grams of cocaine, and $4,565 in cash. The S.O.T.E.C. Team consistently reports successful searches like these nearly every week.

S.O.T.E.C. has been very effective in monitoring compliance, detecting contraband, and promoting public safety. These special teams require specialized training and must adhere to legal guidelines to balance enforcement and rehabilitation. Law enforcement

partnerships also play a vital role in the rehabilitation process by fostering a supportive environment for individuals under probation. By working together, law enforcement and probation officers can create opportunities for rehabilitation, addressing the root causes of non-compliance and contributing to the overall success of supervised individuals in reintegrating into society.

Most importantly, S.O.T.E.C. has helped enhance stakeholder support and community trust, both of which are fundamental to the success of probation departments. Continuing initiatives like this will help maintain these relationships and enhance the effectiveness of probation, thus contributing to safer communities and the successful rehabilitation of individuals under supervision.

Bike Team

Traditionally, probation officers have relied on car patrols and office-based supervision to engage with individuals under supervision (CBS News, 2016). However, integrating bicycle patrols into probation services offers several unique advantages that can enhance the effectiveness of probation programs. Officers conducting community-based supervision practices through Florida Community Correction bicycle patrols offers numerous benefits in terms of community engagement, cost-efficiency, and the promotion of healthier lifestyles for probation officers and individuals under supervision.

Florida Community Corrections has recently launched its inaugural “Bike Team” in Tampa, which was strategically chosen for its urban location. The team successfully underwent a comprehensive 32-hour national training program, equipping them with a range of techniques to elevate the supervision of individuals under their care. This innovative initiative has already shown several favorable

outcomes. The Bike Team undergoes specialized training, ensuring officers are well-prepared to address the distinctive challenges and responsibilities associated with patrolling on bicycles.

The first advantage of the Bike Team is the increased level of community engagement. The Bike Team is more approachable and visible within the community, fostering positive relationships with the public and individuals under supervision. This increased interaction builds trust, improves communication, and creates a sense of accountability among individuals under supervision.

Another advantage is that the Bike Team offers a cost-effective alternative to traditional car patrols. Maintaining bicycles is significantly cheaper than maintaining patrol cars, which require fuel, maintenance, and insurance. Additionally, bicycles provide probation officers with greater mobility and access to areas inaccessible by car. Officers can easily navigate through parks, alleys, and crowded urban areas, making engaging with individuals in remote or hard-to-reach locations easier. This flexibility enhances the ability to locate and supervise individuals effectively.

In the future, Florida Community Corrections hopes to expand the Bike Team to other areas of the state to enhance probation services in various ways, including increased community engagement, cost-efficiency, improved mobility, and a focus on healthier lifestyles for officers and individuals under supervision. While there are challenges, the advantages of having bike teams on probation outweigh the drawbacks. Integrating bike teams into probation programs can promote positive outcomes for the criminal justice system and the communities it serves. As probation services evolve, bike teams represent a forward-thinking approach to supervision and community engagement.

Mobile Probation Unit

Florida's newest supervision resource is the addition of the Mobile Probation Unit (MPU). The evolution of the MPU began when the Palm Beach County Jail was struggling with overcrowding issues. A review was conducted of those who were housed in their facility, and it was determined a great number of those were being held on a Violation of Probation (VOP). Furthermore, many violations were due to the individual under supervision failing to report to the Probation Office as instructed. To assist in alleviating jail overcrowding, and boost reporting compliance, the MPU was implemented.

The MPU is a 24-foot vehicle that includes a staging area with tents, folding tables, and folding chairs. It also features designated areas within the bus to facilitate meetings between probation officers and individuals under supervision. To ensure convenience and safety, specific reporting sites have been identified where the MPU can be centrally positioned. These sites offer public facilities, ample parking, and measures for enhanced public safety. Collaborating with stakeholders is frequently advantageous as it allows the MPU to be stationed in areas where proximity to other essential services or the residences of individuals under supervision can be maximized.

The MPU has been a great success in providing a valuable resource to those under supervision, bringing services to the community allows success for those we supervise. Recently, Florida added a second MPU in Sarasota County. Due to this forward-thinking approach, Florida Community Corrections has been chosen to be honored with a 2023 Government Productivity Tax Watch Award.

The MPU offers several advantages, both for the individuals under supervision and the overall efficiency of the probation system. Mobile probation units can reach individuals in areas traditional probation offices might underserve. This is especially important in rural or remote communities where transportation to a central office can be a significant barrier

for individuals under supervision. The MPUs provide greater convenience for individuals who can report to a location closer to their homes or workplaces, reducing the time and effort required for reporting with a desired outcome of higher compliance rates. Many individuals need reliable transportation or face financial constraints that make regular trips to a probation office challenging. Mobile units mitigate these transportation barriers, ensuring individuals under supervision can quickly meet their reporting requirements.

The MPU also promotes community integration. Individuals report to a location within their own neighborhoods, making them feel more connected to their communities and fostering a sense of responsibility and belonging.

In the future, Florida Community Corrections hopes to add additional MPUs to the fleet as well as diversifying the role. Staging a mobile unit in a location damaged by a natural disaster allows easier access after a stressful event. The MPUs can also be used to stage an area when conducting joint operations with another law enforcement stakeholder, thus contributing to the principles of community policing by fostering positive relationships between law enforcement and the community. Finally, the MPU serves as a visible, approachable presence in the neighborhood.

Florida Community Corrections has quickly learned MPUs offer a more accessible, convenient, and community-oriented approach to probation supervision. They help address transportation and accessibility barriers, promote accountability, and can lead to improved outcomes for individuals under supervision while potentially increasing the efficiency and cost-effectiveness of probation services. Despite being in the early stages of implementation, the MPUs have already contributed to a notable 27% reduction in technical violations related to failing to report (FDC Bureau of Research and Data, 2023).

Conclusion

The future of probation lies in its continued evolution and adaptation to emerging trends in criminal justice and rehabilitation (Winkler, 2021). Integrating innovative approaches that promote equitable and just outcomes for all individuals involved in the criminal justice system remains a fundamental goal. Additionally, it will continue to keep probation officers engaged in one of the most important professions in the criminal justice system: Community Corrections.

While innovative techniques in probation have shown promise, they are not without challenges. Funding constraints, resistance to change, and the need for ongoing training and professional development for probation staff are hurdles that must be addressed.

The evolving innovative techniques used in probation underscore its commitment to rehabilitation, reduced recidivism, and enhanced public safety. As we move forward, continued research, collaboration, and adaptation will be essential to realizing the full potential of these innovations in probation and ensuring a fair and just society for all.

In conclusion, innovation in probation is vital because it transforms an antiquated punitive system into a rehabilitative, data-driven, and community-oriented one. By reducing recidivism, promoting cost-efficiency, and addressing the needs of individuals, innovative probation techniques contribute to a safer and more just society while fulfilling the mission of the Community Corrections profession.

References

- Annison, J. (2013). Innovation in probation practice: Past, present and future. Probation Journal, 60(3), 227-241. https://doi.org/10.1177/0264550513489761
- Canton, R. (2013). Probation: Working with offenders. Routledge.
- Capece, J. (2022). Community Supervision and Employment. The ANNALS of the American Academy of Political and Social Science, 701(1), 61-75. https://doi.org/10.1177/00027162221112565
- CBC News. (2016, February 24). Honouring Toronto's first bike patrol, after 27 years. Canadian Broadcasting Corporation. Retrieved from: https://www.cbc.ca/news/canada/toronto/programs/metromorning/toronto-police-bike-patrol-1.3460510#:~:text=One%20of%20the%20first%20members,about%20cycling%20in%20the%20city.
- Coates, R.B., Umbreit, M. & Vos, B. (2000). Restorative Justice Circles in South Saint Paul, Minnesota. Minnesota: University of Minnesota.
- Florida Department of Corrections. (2022). Florida Prison Recidivism Report: Releases from 2008 to 2020. Office of Strategic Initiatives. Florida Department of Corrections. https://fdc.myflorida.com/pub/recidivism/FDC%20Recidivism%20Report%202018%20Cohort.pdf
- Goswami, S., & Mathew, M. (2005). Definition of innovation revisited: An empirical study on Indian information technology industry. International Journal of Innovation Management, 9(03), 371-383.
- Kelman, S., Hong, S. and Turbitt, I. (2012) Are There Managerial Practices Associated with the Outcomes of an Interagency Service Delivery Collaboration? Evidence from British Crime and Disorder Reduction Partnerships. Journal of Public Administration Research and Theory,

23, 609-630.

- Kruse, K. (2012, November 8). Zig Ziglar: 10 Quotes that Can Change Your Life. Forbes Magazine. https://www.forbes.com/sites/kevinkruse/2012/11/28/zig-ziglar-10-quotes-that-can-change-your-life/?sh=4f6d07fd26a0
- Schaefer, L., Cullen, F. T., & Manchak, S. M. (2017). The role of place in probation and parole. Unraveling the crime-place connection: New directions in theory and policy, 22, 191-215.
- Viglione, J., Rudes, D. S., & Taxman, F. S. (2017). Probation officer use of client-centered communication strategies in adult probation settings. Journal of Offender Rehabilitation, 56(1), 38-60.
- Wang, X., Hay, C., Todak, N. E., & Bales, W. (2014). Criminal Propensity, Social Context, and
- Recidivism: A Multilevel Analysis of Interactive Relationships. Criminal Justice and Behavior, 41(3), 300-317. https://doi.org/10.1177/0093854813507055
- Winkler, Joe 2021. Probation- Past, Present, & Future. Perspectives, vol. 45, 23-33.

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