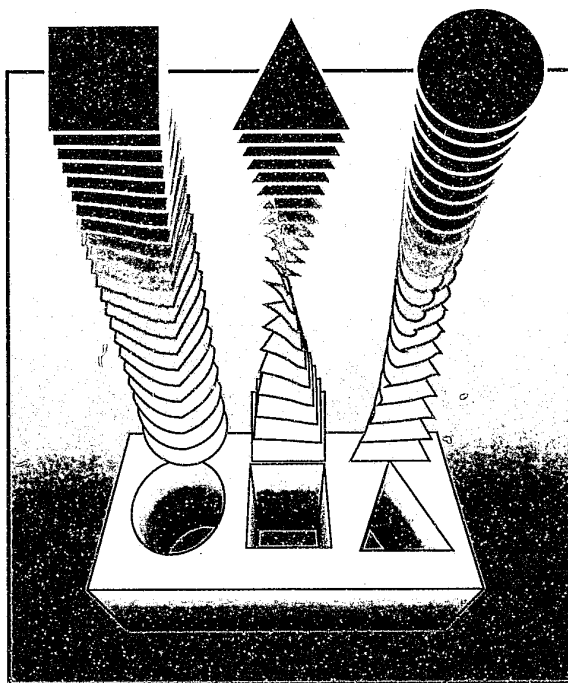


# RESTRUCTURING INTENSIVE SUPERVISION PROGRAMS: APPLYING "WHAT WORKS"



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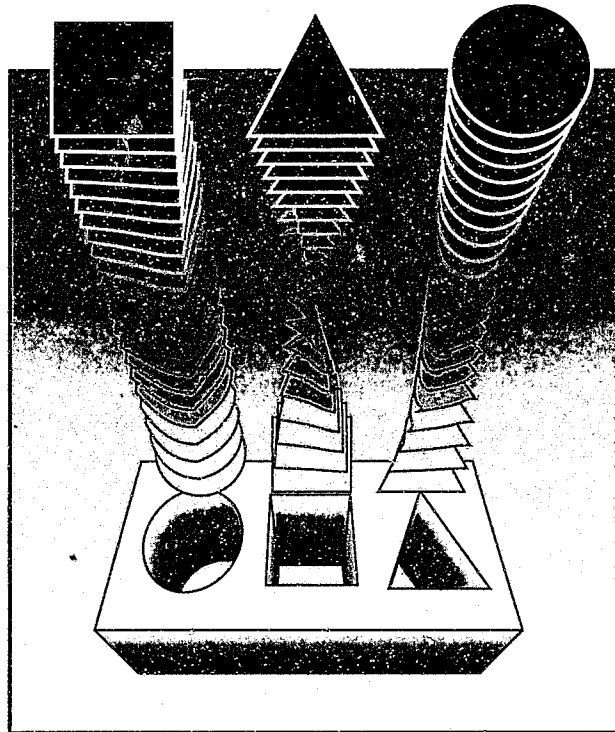
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by the  
AMERICAN PROBATION AND PAROLE ASSOCIATION



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**RESTRUCTURING INTENSIVE SUPERVISION PROGRAMS:**

**APPLYING "WHAT WORKS"**

**Table of Contents**

|  | <u>Page No.</u> |
|--|-----------------|
| <b>MODULE I: Intensive Supervision: The Past, Present and Future</b>           |                 |
| Chapter I-1: The Evolution of ISPs . . . . .                                   | I-3             |
| Chapter I-2: ISP Research . . . . .  | I-15            |
| Chapter I-3: A Conceptual Framework for Effective ISPs . . . . .               | I-31            |
| References . . . . .   | I-43            |
| <b>MODULE II: Targeting an Appropriate ISP Population</b>                      |                 |
| Chapter II-1: Defining a High Risk and High Need Population . . . . .          | II-3            |
| Chapter II-2: Risk/Need Assessment . . . . .                                   | II-7            |
| Chapter II-3: Procedural Issues Affecting the Target Population . . . . .      | II-15           |
| References . . . . .   | II-25           |
| Appendices . . . . .   | II-27           |
| <b>MODULE III: Objectives-Based Management (OBM)</b>                           |                 |
| Chapter III-1: A Discussion of Programmatic Goals and Objectives . . . . .     | III-3           |
| Chapter III-2: Developing Individualized Objectives-Based Case Plans . . . . . | III-13          |
| Chapter III-3: Using OBM for Systematic Unit Evaluation . . . . .              | III-19          |
| Chapter III-4: Using OBM in Organizational Planning . . . . .                  | III-23          |
| References . . . . .   | III-29          |

---

---

**MODULE IV: Effective Supervision Strategies**

Chapter IV-1: Principles of Effective Intervention . . . . . IV-3  
Chapter IV-2: The Role of Punishment in ISP . . . . . IV-9  
Chapter IV-3: The Effective Use of Positive Reinforcement . . . . . IV-15  
Chapter IV-4: The Line Officer's Role in the Prototypical ISP . . . . . IV-21  
References . . . . . IV-29

**MODULE V: Community Involvement**

Chapter V-1: The Current Context of Community Involvement . . . . . V-3  
Chapter V-2: The Benefits of Community Involvement . . . . . V-7  
Chapter V-3: Strategies for Involving the Community . . . . . V-13  
References . . . . . V-27

**MODULE VI: Managing Program Constraints**

Chapter VI-1: Involving Key Stakeholders in ISP's Mission . . . . . VI-3  
Chapter VI-2: Cultivating Effective Community Services . . . . . VI-11  
Chapter VI-3: Fiscal Considerations . . . . . VI-24  
References . . . . . VI-35

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## RESTRUCTURING INTENSIVE SUPERVISION PROGRAMS:

### APPLYING "WHAT WORKS"

#### Forward

Intensive Supervision Programs (ISPs) in probation and parole emerged in the 1980s as a promising solution to prison crowding. Numerous variations of these programs exist across the nation, but common elements include reduced case-loads and high levels of surveillance. Varying degrees of treatment and services are offered to offenders in ISPs, but intervention has generally taken a back seat to surveillance and enforcement components.

After a decade of experimentation with ISP the results are in. The research suggests that ISPs are not achieving their stated goals of alleviating prison crowding, reducing costs or enhancing public safety. They are, however, providing a sentencing option for the courts and an intermediate punishment.

Despite these mixed results, probation and parole practitioners firmly grasp on to what they believe to be a "new and improved" form of community supervision; ISPs are thought to be what probation and parole ought to have been all along. Additionally, the judiciary, parole boards, prosecutors and law enforcement all support ISPs. Never before has a probation and parole program enjoyed this high level of support and commitment from such a broad constituency.

Because of this commitment, and the fact that ISP is fulfilling a very practical need within the criminal justice system, it is believed that ISP has a place in correctional programming. What is needed, however, is to find a way to modify ISPs so that they positively impact recidivism rates. Only through recidivism reduction will we enhance public safety and reduce the prison population and correctional costs.

A knowledge base has now been established from which probation and parole agencies can enhance their programs and begin achieving their stated goals. Recent research on correctional interventions suggests that participation in rehabilitative programming does reduce recidivism. The recent ISP research also suggests a possible relationship between rehabilitative programming and recidivism reduction. These combined bodies of research provide a powerful agenda for correctional programming.

The purpose of this manual is to provide guidelines for developing a *Prototypical ISP* that incorporates lessons learned from research and practical program experience. Module I describes a conceptual framework for the Prototypical ISP; the remaining modules provide *how-to* information for developing critical elements of effective ISPs. An overview of each module is provided on the following page.

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**Module I: Intensive Supervision: The Past, Present and Future** - This module summarizes the evolution of ISP, the current status of ISP and recent research results. It concludes with a description of a conceptual framework for the *Prototypical ISP*. The proposed framework suggests that ISPs change the way in which they are intensive by shifting the emphasis of ISPs from exclusive incapacitative and punitive measures to a more integrated approach of interventions and risk-control strategies.

**Module II: Targeting an Appropriate ISP Population** - This module discusses the importance of targeting a high risk/need population for ISPs. It provides information on the most effective predictors of recidivism and methods for assessing risk and need. It also examines agency policies that impact the proper identification of this population.

**Module III: Objectives-Based Management (OBM)** - This module describes an objectives-based management system that keeps the entire organization focused on the desired results of the *Prototypical ISP*: reduced recidivism and enhanced public safety. It emphasizes the importance of clarifying ISP's goals and objectives, outlines methods for developing individualized case plans for high risk/need offenders, and describes how information from these individual case plans can be aggregated for use in unit evaluation and organizational planning.

**Module IV: Effective Supervision Strategies** - This module provides a detailed examination of key principles of effective correctional intervention,

applicable to the ISP itself, and to specific offender services (e.g., drug/alcohol treatment; mental health counseling). Other issues explored within this module include the role of punishment in ISP, the effective use of positive reinforcement and the line officer's role in the *Prototypical ISP*.

**Module V: Community Involvement** - This module discusses the importance of community involvement to ISPs, and provides concrete strategies for involving citizens in ISP's mission. The information within this module is drawn from experiences in community policing and prison siting. Several innovative programs within community corrections are also described.

**Module VI: Managing Program Constraints** - This module suggests methods for managing internal and external factors which impact ISP operations. Techniques are recommended for assessing and gaining stakeholder support, cultivating effective services and promoting the financial benefits of ISP.

By building on the knowledge base created by recent ISP experimentation, community corrections agencies can develop and implement ISPs that promote long-term behavioral change in offenders *and* provide short-term risk control, both of which are necessary ingredients for public safety. The incorporation of lessons learned from research and practical program experience will enhance community corrections' credibility and keep ISP as a major component within correctional programming.

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**MODULE I**

**INTENSIVE SUPERVISION:  
THE PAST, PRESENT AND FUTURE**

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**MODULE I**

**INTENSIVE SUPERVISION:  
THE PAST, PRESENT AND FUTURE**

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**MODULE OVERVIEW**

Probation and parole practitioners firmly grasp on to what they believe to be a "new and improved" form of community supervision; Intensive Supervision Programs (ISPs) are what probation and parole ought to have been all along. The discouraging results of recent ISP research, however, suggest that ISPs are not achieving their stated goals.

The typical response to a wavering program in corrections is to abandon or stagnate. Neither of these responses is appropriate: to abandon ISPs would be to relinquish hope and vision; to stagnate would be an irresponsible continuation of ineffective practices. It is clearly a critical time for ISPs. The response to this period of uncertainty will define probation and parole for the next decade.

Before an answer to this predicament can be formulated, an examination of past and

present practices must occur. This module will lead its readers down the path that ISPs have followed, examine the status of today's ISPs, and explore a conceptual framework proposed to increase the chances for effective ISPs. This module is composed of three chapters:

- Chapter I-1: The Evolution of ISPs;
- Chapter I-2: ISP Research; and
- Chapter I-3: A Conceptual Framework for Effective ISPs.

Upon completion of this module the reader will have a better understanding of how ISPs evolved into what they are today and a clear picture of changes needed to increase their chances for success.

## CHAPTER I-1

### THE EVOLUTION OF ISPs

#### Introduction

Intensive Supervision is not a new concept. The ISPs of today, however, would be unrecognizable to practitioners of the sixties and early seventies. They have changed dramatically from rehabilitation-oriented programs, in which a probation or parole officer's role was assistance and advocacy, to control-oriented programs, in which the officer's role is primarily surveillance (O'Leary, 1987; Clear and Hardyman, 1990; Lawrence, 1991). ISPs have changed with the prevailing societal norms rather than because of lessons learned through the systematic evaluation of practices. Accordingly, the ISPs of today are having no better impact on recidivism than earlier efforts. This chapter will examine both early ISPs and today's ISPs and the correctional ideologies upon which they were based. Specifically, upon conclusion of this chapter the reader will be able to:

- compare and contrast the early ISPs with today's ISPs;
- list three major findings from the evaluations of early ISPs;
- describe the justice model of corrections;
- list and define the three primary

purposes of today's ISPs; and

- describe the three major models of today's ISP.

#### Early ISPs: The Search for the Magic Number

ISPs in the 1960s and early 1970s were characterized as the "search for the magic number" (Clear and Hardyman, 1990). This first wave of ISPs was designed primarily as a probation management tool to examine the effectiveness of various caseload sizes (Petersilia and Turner, 1990). This experimentation was based on the assumption that smaller caseloads would allow for increased contact and lead to greater success (Banks et al., 1976). Several studies were conducted to examine this hypothesis, two of which are reported below.

**The San Francisco Project** involved caseload experimentation with federal probationers and parolees in the late 1960s (Neithercutt and Gottfredson, 1974; Carter and Wilkins, 1976; Banks et al., 1976). Offenders were randomly assigned to four levels of supervision ranging from caseloads of 20 to 130. Each caseload type offered varying levels of intensity. The project results indicated that the smaller caseloads did achieve increased levels of supervision as measured by the number of

contacts by probation and parole officers. Despite this increased level of supervision, the outcomes (i.e., violation rates) were almost identical for all four types of caseloads. Furthermore, smaller caseloads appeared to produce **more** technical violations.

**California's Special Intensive Parole Unit** involved caseload experimentation with parolees under the supervision of the California Department of Corrections (Neithercutt and Gottfredson, 1974; Carter and Wilkins, 1976). The project, beginning in 1953 involved four phases. Phase one examined outcome differences between experimental caseload sizes of 15 and control caseload sizes of 90. The offenders supervised in caseload sizes of 15 were reassigned to caseload sizes of 90 after three months of intensive supervision. The results failed to reveal better parole adjustment for offenders initially placed in the smaller sized caseloads. Phase two compared caseload sizes of 30 with caseload sizes of 90. This time offenders in the smaller sized caseloads were reassigned after six months. Still, differences in outcomes were not significant. Phase three compared caseload sizes of 35 and 72. The results reflected somewhat better performance for offenders in the caseload size of 35, particularly for medium-risk offenders. Phase four examined these relationships further by studying high-risk offenders and offender-officer interactions. Low maturity parolees were assigned to control-oriented officers and high maturity cases were assigned to casework-oriented officers. The experimental caseload sizes

were 15 and 30 and the control caseload size was 70. The only variable found to impact parole outcome was the amount of time the agent devoted to supervision.

The overall findings from these studies indicate that "mere manipulation of caseload size is irrelevant to success or failure under correctional supervision in... contrast to the nature of the supervision experience, the classification of offenders, officers, and types of treatment..." (Carter and Wilkins, 1976; Banks et al., 1976).

### **The Age of Rehabilitation**

In addition to the caseload experimentation, this era was also noted as being "the age of rehabilitation" (O'Leary, 1987). Probation and parole programs operated under the "Rehabilitative Ideal" which focused on individual offenders and sought to reduce recidivism through interventions aimed at changing offenders' attitudes and behaviors (Sechrest et al., 1979). The medical model of corrections was also associated with this era. Rehabilitative interventions were designed to effect long-term cures of crime and delinquency, even after the offender was released from supervision, rather than to provide short-term suppression of the symptoms (Harland and Rosen, 1987). During this era, probation and parole officers acted as counselors and advocates (Lawrence, 1991). It was their job to diagnose the problem that contributed to offenders' criminal behavior and provide them with services that would resolve it (Petersilia and Turner, 1990). Punishment and community protection

were not seen as the primary goals of these early ISPs.

### **The Decline of Rehabilitation**

Three main conclusions were derived from the early ISP experiments (Clear and Hardyman, 1990):

- 1) Intensive Supervision was difficult to achieve because other duties interfered and because officers were unsure of what more to do with this extra time.
- 2) When intensive levels of supervision were achieved, close contact did not guarantee greater success--offenders in ISP had similar or marginally lower arrest rates and more technical violations.
- 3) Intensive supervision produces an interaction effect--more intense controls were actually found to have been harmful to lower risk offenders who tended to be targeted for ISP.

Adding to these bleak conclusions was Martinson's "nothing works" proclamation in 1974 which was an overstatement about the failures of rehabilitation. He presented results of 231 evaluations of treatment programs conducted between 1945 and 1967 and stated "with few and isolated exceptions the rehabilitative efforts that have been reported so far have had no appreciable effect on recidivism" (Lipton, Martinson and Wilks, 1975). Eighteen ISPs were included in this study. This research article received considerable attention and had a powerful impact on corrections (Palmer, 1978). The

combination of the findings from the studies of early ISPs and Martinson's claims led to disillusionment and the abandonment of rehabilitation and ISPs.

### **Emergence of the Justice Model and Just Deserts**

In the mid to late '70s, as rehabilitation was declining, the "justice model" or "fair punishment model" of corrections emerged with an emphasis on justice and fairness (Lawrence, 1991). The individual's past conduct was the determining factor in the sentence imposed (von Hirsch, 1976). Tailoring criminal sanctions to individuals or to predictions and beliefs was seen as unfair (Harris, 1984). This model shifted concern away from the judgement of individuals to the management of aggregates (Feeley and Simon as cited in Shichor, 1992). The system became more oriented toward "people processing than people changing" (Shichor, 1978). Within this context the helping or service role was seen as inappropriate; the sanction was based on what the offender *did*, not on what he or she *might* do (Harris, 1984). This again challenged the role of rehabilitation in corrections.

"Just deserts" encompasses some ideas of the justice model with an emphasis on imposing a proportionate criminal sanction and concern for reducing sentencing disparity; but while the liberal advocates of the justice model emphasized fairness, conservatives emphasized retributive and "deserved" punishments (Benekos, 1990). O'Leary and Clear (1984) state "in many cases the level of punishment that emerged from the desert movement was never

envisioned by its original proponents. Rather than restricting the severity of penal sanctions the sentencing movement of the late 1970s increased them."

### **The Era of Deterrence and Incapacitation**

This ideology led the 1980s into an era where deterrence and incapacitation were seen as primary goals of sentencing. The perception that rehabilitation had failed to reduce crime suggested that other methods were needed. The principle of deterrence claims that increased severity of punishment will reduce crime by creating special deterrence for the individual experiencing the punishment and general deterrence for others who observe the punishment (Shichor, 1992).

Incapacitation was seen as more of a preventive method: "if you can't change people you can certainly control them" (O'Leary, 1987). This was the leading penal principle in the 1980s which led to the prison crowding crisis (Shichor, 1992).

Because of the crowded prisons it became necessary to find a way to control offenders in the community and once again, intensive supervision emerged (Clear and Hardyman, 1990). To gain credibility this new wave of ISPs was designed very differently from the early ISPs. They were based on deterrent and incapacitative principles with strict surveillance and public safety as priorities over rehabilitation.

### **Today's ISPs**

There is not much consensus on what ISPs should accomplish or on which offenders should participate in the program and the appropriate point of eligibility (Byrne, 1986; Harland and Rosen, 1987). There is, however, a prominent use of incapacitative and punitive measures (NCCD, 1990). Although there are a handful of ISPs exhibiting an orientation toward rehabilitation, treatment and service components are generally ancillary to surveillance and enforcement strategies. The following represents a composite of today's typical ISP based on a review by the American Probation and Parole Association of ISP manuals from across the nation.

### **Stated Purpose of ISP**

The primary intent of ISPs varies with community standards and concerns. Today's ISPs appear to encompass three primary purposes: diversion from prison, provision of an intermediate sanction and probation/parole enhancement.

**Diversion from prison:** Prison crowding and related legislation generally serve as the impetus for programs of this type. Turner and Petersilia (1992) see diversion from prison as the *practical* argument that has been most often used to support the development and implementation of ISPs. Theoretically, only those offenders who would otherwise be sentenced to, or remain in, prison are considered for placement into ISP. These programs are applicable to probationers as both front-end and back-end alternatives (i.e., through direct sentencing to ISP or through a

modification of the sentence after incarceration). In addition, these programs are also applicable to parolees in the form of back-end alternatives whose aim is to reduce the length of offenders' stay in prison or jail by providing a mechanism for early release, or by delaying parole violators' return to prison (Byrne, Lurigio and Baird, 1989). Sentencing judges and parole boards generally control the placement of offenders in this type of program. Programs that have prison diversion as their primary purpose also claim that they save public funds.

**Provision of an intermediate sanction:**

Programs of this type are most often associated with the probation population as front-end alternatives where offenders are placed into ISP by the Courts. In both probation and parole settings, programs with this orientation may be used in lieu of revocation. The argument for ISPs serving this purpose is based on *principle*; they provide courts with a sentencing option and a punishment that may better fit the crime and achieve the sentencing objective of just deserts (Turner and Petersilia, 1992). Intermediate sanction programs are designed for those offenders who are too high-risk for traditional probation but who may not require incarceration.

**Probation/parole enhancement:**

Programs with surveillance and service enhancement as the primary purpose generally offer ISP as one category of probation and parole supervision. This type of program is used administratively to

assign high-risk offenders already on probation or parole to intensive supervision. This type of ISP makes no claims of alleviating prison crowding or of saving public funds (Tonry, 1990) but instead claims increased public safety as the key goal (NCCD, 1990).

In addition to the three primary program purposes outlined above, many programs suggest that they are designed to achieve the objectives of punishment, public safety, and rehabilitation. The majority of ISPs, however, have not been developed solely out of concern for any of these objectives, but in response to prison crowding and shrinking corrections budgets.

**Offender Selection**

Research has shown offender selection to be one of the most problematic areas of ISP. The three issues addressed in program operations manuals and related literature include: the target population and the methods for identifying the target population; the various impact points; and who controls ISP placement.

**Target population:** The target population refers to the group of offenders that the ISP is designed to serve. The typical selection criteria for ISPs includes:

- high risk as determined by the use of a risk instrument during assessment;
- non-violent felony offenders;
- drug/alcohol abusers;



- offenders receiving a recommendation for incarceration in a pre-sentence investigation or who are eligible for early release;
- lengthy criminal history; and
- willingness to participate in ISP.

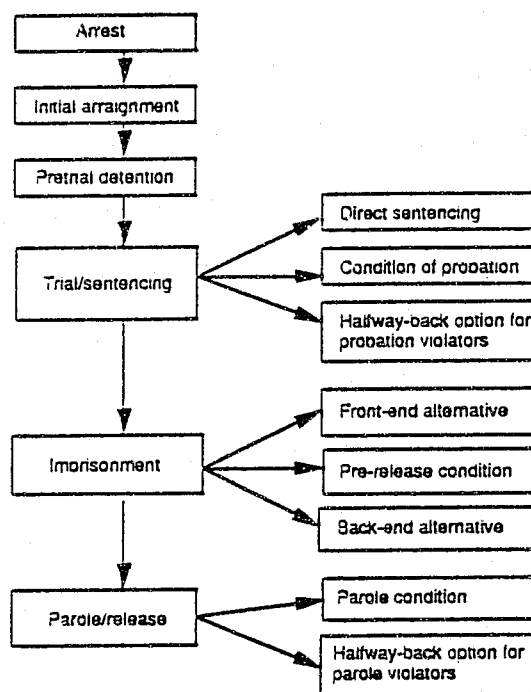
Most ISPs exclude some types of offenders: generally those who have committed murder, rape, or a violent offense involving a weapon and those who have excessively violent prior records. Some ISPs consist of generalized caseloads; that is, the offenders may have a range of problems with the common denominator being that they all indicate high risk. Other ISPs consist of specialized caseloads of specific types of offenders that all have a similar problem or need (i.e., sex offenders; drug/alcohol involved offenders).

Many methods are used to identify offenders within the appropriate target population. The most prevalent methods are statistical risk/needs analysis, personal interviews and offender application processes.

**Impact points:** As can be seen in Figure I-1, offenders are placed into ISPs through "multiple entry points" (Byrne, Lurigio, and Baird, 1989). The point at which an offender is selected for participation is dependent on whether a program is designed as a prison diversion program, an intermediate sanction, or a probation/parole enhancement program. Front-end placement (prior to incarceration) of offenders is generally used by enhancement or interme-

mediate sanction ISPs. Early release mechanisms, split sentencing and halfway-back options are utilized for ISPs which admit offenders from the back-end. Back-end programs usually have diversion as a primary goal. Additionally, within all three types of programs, offenders are often placed in ISP in lieu of revocation.

*Figure I-1*



*Key decision points where ISPs are being used. (Source: Byrne and Kelly, 1989: 20)*

**Control of ISP placement:** Authority over who places offenders in ISP varies and is generally associated with the impact point where the placement occurs. Control of entry into ISP may rest with the judiciary, parole board, legislature, or an "administrative decision making model" (Byrne, 1986). Judges and parole boards

use their discretionary powers to place an offender in all three types of ISPs. In most cases, when target populations are legislatively mandated it is for diversionary purposes. Probation/parole enhancement ISPs make use of case management tools to ensure that offenders are placed into the appropriate level of supervision once the judge or parole board has made the decision regarding probation or parole placement.

### **Common Program Elements**

Virtually every program includes the following elements:

- frequent contact with offenders;
- smaller caseloads;
- a system of phases or levels;
- curfews, house arrest or electronic monitoring;
- drug and alcohol testing;
- performance of community service work;
- graduated sanctions;
- treatment and other interventions; and
- required employment, employment seeking activities or schooling.

Every ISP reviewed required contact to be increased from that of standard probation or parole practices. Program conditions ranged from contact with offenders several

times per week to monthly contact. The vast majority of ISPs mandate smaller caseloads ranging from 10 to 50 cases per officer.

Most programs encompass three phases, or levels, which last a specified period of time. The levels are generally designed so that restrictions are reduced as offenders progress throughout the program.

Most jurisdictions use curfews, house arrest or electronic monitoring to restrict offenders' activities and limit the amount of time they spend away from their homes.

Drug tests generally are conducted a specified number of times per offender at each program level. ISPs generally respond to positive urine tests by imposing one sanction on a menu of progressive sanctions, including revocation.

Most ISPs require community service for all offenders, though some reserve it as a sanction only when other conditions have not been satisfied.

Many ISPs employ graduated sanctions as a means of dealing with violations. Sanctions may range anywhere from an increase in contact standards to revocation and return to prison. A typical range of sanctions includes verbal or written warnings, increased contact, increased drug or alcohol testing, additional hours of community service, a more restrictive curfew, reduction in level, house arrest and incarceration. A few ISPs outline specific responses to violations, but most simply state that breaches of program conditions will elicit punitive responses.

Very few ISPs have a rehabilitative or service orientation. Treatment components and other service-oriented components generally receive lower priority than surveillance and enforcement strategies. A handful of programs, however, emphasize components aimed at addressing offender needs as a means of achieving public safety.

Treatment and other services provided in ISPs may include requirements for participation in self-help groups such as Alcoholics or Narcotics Anonymous, more formal treatment for drug and alcohol addiction, and classes that help offenders with decision-making or job-hunting skills. Employment, training and education are common ISP components. Most ISPs refer offenders to outside service providers, and a few include in-house programs.

### **Program Descriptions**

The ISPs in Georgia, New Jersey and Massachusetts are representative of today's typical ISP. These programs have been duplicated across the country and have been the subject of much evaluation. While each program has unique features, they all portray the surveillance orientation referred to above. Furthermore, they demonstrate the diverse goals of ISP and the various methods of offender selection.

**Georgia's IPS:** Georgia implemented the first of the new wave of ISPs in 1982. The model, a front-end intermediate sanction program developed in response to prison crowding, has been duplicated across the country. The following infor-

mation was taken directly from Georgia Department of Corrections' Operating Procedures for Intensive Probation Supervision (IPS).

*Statement of Purpose.* "The purpose of the IPS Program is to provide a publicly-acceptable sentencing option for selected offenders, primarily felons, who may be supervised in the community in lieu of serving a prison sentence. IPS may also serve as a sentencing alternative for those offenders who need greater supervision than can be afforded under regular probation supervision."

*IPS Staffing.* Georgia's IPS uses a team approach to supervision. One probation officer and one surveillance officer are responsible for a caseload of 25 offenders. The Probation Officer's primary duties include: coordinating screening procedures to determine offender eligibility; identifying treatment needs and coordinating services; serving as court liaison; insuring proper case documentation; collecting fines, restitution and fees; and supervising all team activities. The Surveillance Officer's primary duties include: enforcing the conditions of probation; providing 24-hour surveillance capabilities; conducting urinalysis and breathalyzers; and assisting the probation officer as directed. Team supervision was devised by Georgia and many agencies have adopted the method for their ISPs.

*Offender selection.* Offenders can be placed in IPS at three impact points: at the time of the initial sentencing; in lieu of revocation; and through post-sentencing

modifications. Placement in IPS is dependent on a judicial decision which is often based on a recommendation from IPS staff. Primary consideration is given to non-violent felony offenders presenting no unacceptable risk to the safety of the community but who have need or risk factors exceeding the resources of basic supervision.

*Program components.* Georgia's IPS operates under a system of phases. The following chart shows the specific supervision activities and requirements for each phase.

Phase one actually includes two tracks, the Standard Track and the Home Confinement Track, with placement being determined by individual characteristics. In addition to the conditions imposed in the Standard Track, the Home Confinement Track requires offenders to be in their residence except for pre-approved activities including employment-related activities, attendance at treatment and counseling programs, and activities related to their personal welfare.

In addition to these supervision requirements, throughout the program officers must conduct: verification of employment, full time enrollment in school, or job seeking activities; monthly record checks; and random urinalyses.

Offenders who show a positive response to supervision as exhibited by stable employment, program participation, absence of major violations, and improved control of substance abuse are moved to the next phase. Upon completion of phase two, the

goals of each case are reviewed to determine if the offender requires placement in phase three or if a transfer to regular supervision is feasible.

**PHASES**

|                       | One           | Two           | Three                 |
|-----------------------|---------------|---------------|-----------------------|
| Length                | 3 mos<br>min. | 3 mos<br>min. | Optional              |
| Weekly contacts       | 4-7           | 3             | 2                     |
| Curfew                | 10pm          | 11pm          | officer<br>discretion |
| Community Service hrs | 48            | 48            | 0                     |

**New Jersey's ISP:** New Jersey followed Georgia's lead with the implementation of an ISP in 1983. However, New Jersey developed a back-end program to ensure true diversion from prison. The following information was taken from a 1992 progress report from New Jersey's Administrative Office of the Courts and the ISP program operations manual.

*Statement of Purpose.* ISP is a component of the Probation Services Division of the New Jersey Administrative Office of the Courts. ISP was created to:

- 1) reduce the number of offenders serving state prison sentences by permitting them to be resentenced to an intermediate form of punishment;

- 2) improve the utilization of correctional resources by making additional bed space available for violent criminals; and
- 3) test whether or not supervising selected offenders in the community is less costly and more effective than incarceration.

New Jersey describes their ISP as a "realistic and unique form of punishment, designed around a concept of social control within the community."

*ISP staffing.* Unlike Georgia, one probation officer is responsible for all case activities. Officers must be available on a 24 hour basis. ISP officers are actively involved in screening offenders for program participation and in determining their eligibility.

*Offender selection.* Only those offenders sentenced to a state prison term are eligible for program consideration. Offenders convicted of a homicide, robbery or sex offense are ineligible. The program is geared toward offenders with self-motivation who are willing to make a personal investment in the program. To ensure that they capture the appropriate population, New Jersey has implemented the stringent selection process described below.

Applications stating basic identifying information and the offender's plans upon their release, must be submitted 30 to 60 days after execution of an offender's custodial term. Upon receipt of the application, ISP staff review the offender's

presentence report to ensure eligibility based on the nature of the crime. Once eligibility is determined, applicants are interviewed by program staff. Program staff then contact various parties to gather and confirm information and to invite recommendations. Based upon the compiled information a case plan is devised and an assessment report is prepared. This information is provided to the *ISP Screening Board* which consists of a representative of the Department of Corrections, the Director of ISP and a public member appointed by the Chief Justice. After determining eligibility based on the written materials, the Screening Board conducts an interview with the offender to ascertain their sincerity and motivation. If the offender is still deemed appropriate for the program, the materials are forwarded to the *ISP Resentencing Panel* which includes three judges appointed by the Chief Justice. Once the panel has determined the offenders' appropriateness for ISP they have the authority to conditionally release the offender from prison and place him/her in ISP for a 90 day period. If successful during that 90 day period, the offender is granted another 90 day trial period. If again successful, the Resentencing Panel resentsences the offender to the original sentence of incarceration minus time served; suspends the imposition of the sentence; and officially places the offender in ISP.

This complex process is designed to ensure the selective placement of offenders in ISP. The two 90-day trial periods give the offender an opportunity to prove that they can safely function in the community and

achieve their personal objectives. If at any time during this process the offender is deemed ineligible or fails to comply with the conditions of ISP, the motion for release is denied or the offender is returned to prison.

*Program components.* Like Georgia, New Jersey's ISP focuses on a high level of control. The standard program components include: 16 hours of community service per month; a minimum of two drug screens per month; required employment and verification; a curfew of 10:00 p.m.; twenty supervision contacts per month; the use of a community sponsor and network team; required treatment or counseling; and the occasional use of home detention.

New Jersey's ISP places an emphasis on meeting treatment needs and working with community members to enhance the offenders' chances for successful reintegration. Counseling is described as the cornerstone of the program. Offender needs assessments and referrals to counseling are ongoing processes for all ISP participants.

Community sponsors and network teams are unique to New Jersey's ISP. ISP offenders must identify an individual within the community to serve as their community sponsor and other citizens willing to assist them who become part of a network team. The goal of involving these citizens is "to help the participant achieve his or her goals, make the plan of supervision a reality, and assist the ISP officer in ensuring that the objectives of the program are met."

All violations are reported to the resentencing panel to determine the appropriate action. The most commonly applied sanctions are increased curfew restrictions, additional community service hours, increased treatment requirements, home detention and short-term incarceration.

New Jersey has developed re-entry guidelines that slowly reduce the controls and restrictions placed on the offender. This re-entry process is designed to wean the offender off of the system and to ensure successful reintegration.

**Massachusetts' IPS:** The Massachusetts IPS was designed as a probation enhancement program. Thirteen pilot programs were implemented across the state in 1985. The following information was taken from *Research In Corrections* (Byrne, Lurigio and Baird, 1989).

*Statement of purpose.* The purpose of Massachusetts' IPS is to provide better supervision to high-risk offenders already on probation. It is an administrative model designed to provide a case management/ risk control technique.

*Offender selection.* Offenders placed on probation in Massachusetts are placed in one of four supervision levels based on a risk/needs classification system. To be placed in IPS probationers must rate "high-risk."

*IPS Staffing.* Like New Jersey, one probation officer is responsible for all duties associated with their caseload. These duties include assessment, referral and surveillance.

*Program components.* The Massachusetts IPS stresses both strict enforcement of conditions and referral for services to address offender needs. Officers are required to conduct a full investigation of each offender during the first 30 days on probation. Personal interviews with the offender and collateral contacts are conducted to determine the offender's needs. Specific problem-oriented case plans are then developed which include referrals to services for all identified high need areas. Officers are required to have ten contacts per month with each offender and to conduct a record check every 30 days. Mandatory case review occurs four and ten months after IPS placement. Needs assessment, referrals to services and follow-up are emphasized in three main areas: substance abuse, employment and counseling. The Massachusetts IPS uses a strict four-step revocation process requiring administrative review and judicial sanctions for noncompliance.

### Conclusion

This brief examination of past and present ISP practices provides the reader with a general idea of how ISPs evolved into what they are today. It is important to recognize that today's ISPs are not necessarily grounded on principles of effectiveness. Rather than being instrumental practices that change offender behaviors or reduce recidivism, current punitive and incapacitative practices are expressive--they reflect the mood of the era.

While the above portrayal of current ISPs cannot account for each and every ISP,

and their individual intricacies, evidence from the literature and the ISP manuals reviewed suggests that it accurately describes the prominent program design. The three programs outlined above have served as models for ISPs across the nation. They illustrate several program variations. Like these programs, jurisdictions across the nation modify the ISP concept and adapt the program to meet their needs. The fact remains, however, that the emphasis is on controlling the offender in the community through the use of punishment and surveillance-oriented measures.

The most important lesson to be learned from this review of early and current ISPs is the need for a systematic evaluation of practices. Chapter I-2 includes summaries of several ISP evaluations which include findings that, once again, bring the field of community corrections to a crossroads.

## CHAPTER I-2

### ISP RESEARCH

#### Introduction

Just as Martinson's famed "Nothing Works" proclamation led to the questioning and abandonment of rehabilitative practices, empirical research is causing policymakers to question the efficacy of continuing ISPs. This chapter will describe several ISP evaluations and discuss their major findings. Specifically, upon completion of this chapter the reader will be able to:

- list four major findings from ISP research;
- discuss three research limitations requiring consideration when interpreting and applying research findings; and
- discuss three specific ways in which the research findings may impact future ISP development in your jurisdiction.

#### Major Evaluative Research

The early evaluations of ISP were generally favorable, suggesting that ISPs were diversionary, and resulted in cost savings and lower rates of recidivism. Despite methodological problems in these evaluations, the positive findings were the catalyst for the development of similar programs across the nation. Later evaluations failed to reveal these positive results.

Below is a summary of several ISP research studies. Brief program descriptions, the evaluation methods and the major findings are reported. These summaries are followed by a general discussion of the research limitations and cautionary comments for their interpretation and application.

#### **Georgia**

The Georgia Department of Corrections conducted an evaluation of the IPS as described in Chapter I-1. The evaluation addressed several major questions (Erwin and Bennett, 1987).

**Did the program divert offenders from prison to an alternative operation?** To address this question, the evaluators analyzed a set of factors that are predictive of sentencing decisions. They concluded that offenders in IPS were more similar to prison inmates than to regular probationers. Other evidence suggesting that IPS played a role in reducing prison admissions was a ten percent reduction in the number of felons sentenced to incarceration from 1982 through 1985 and a ten percent increase in the number of offenders placed on probation.

**Was risk to the community reduced?** To determine program effectiveness in reducing risk to the community, the researchers



sampled groups of IPS offenders, regular probationers, and prison releasees who had matching characteristics. These offenders were tracked for 18 months. Technical violations, new arrests, convictions and incarcerations were recorded. The findings suggested that IPS offenders committed more technical violations than regular probationers but fewer and less serious crimes than both comparison groups.

**How much did the program cost?**

Estimates of cost savings were based on incarceration costs and supervision costs only. It was estimated that each case diverted from prison resulted in a savings of \$6,775.

**What kinds of cases were most successful in the IPS program?** Offenders convicted of drug and alcohol related offenses responded most positively to the IPS as evidenced by their 90 percent success rate.

**New Jersey**

Frank Pearson (1987) from the Institute for Criminological Research at Rutgers University conducted an evaluation of New Jersey's ISP as described in Chapter I-1. The evaluation addressed several issues.

**Program implementation:** After monitoring ten program components from the program's inception, Pearson concluded that the actual program operation closely matched the original plans. "The intensity of the supervision of program participants by ISP officers has met or exceeded the program objectives."

**Use of correctional system resources:**

The New Jersey ISP was developed in response to prison crowding. Therefore, a major research question concerned the effect the program had on the availability of prison space. To determine this, ISP cases were compared to a matched sample of approximately 100 felons who were sentenced to prison for ISP-eligible crimes (before the program was instituted) and who then served a period of parole. The ISP group served an average of 109 days in prison per person. The comparison group served an average of 308 days in prison per person. Pearson therefore concluded that ISP saves about 200 prison days per participant or about 62,000 offender-days of prison time per year based on the 311 offenders entering ISP.

**Cost savings:** The evaluator calculated the average cost per ISP offender, including 109 days in prison and 449 days in ISP, to be \$13,000. The average cost for the comparison group, including 308 days in prison and 896 days on parole was approximately \$20,000. This translates into an estimated savings of \$7,000 per offender.

Pearson also discussed other possible cost benefits. 93.3 percent of the ISP offenders were employed producing increases in the payment of taxes, child support, and restitution.

**Rates of recidivism:** Twelve percent of the offenders in ISP were convicted of a new crime at the end of two years, compared to 23 percent of the offenders in the matched group. Pearson acknowledges that because they were unable to randomly

assign offenders to an experimental or control group, it was difficult to determine whether the results were truly because of the intensive supervision and treatment provided by ISP or because of the selective screening process of ISP. Considering these limitations, Pearson concludes that ISP at least did not increase recidivism rates.

### **Massachusetts**

Byrne and Kelly (1989) conducted an evaluation of Massachusetts' IPS as described in Chapter I-1. The evaluation focused on the degree of program implementation and the program's impact on recidivism. The evaluators also examined which elements were most closely related to reduced recidivism. To examine these research questions the evaluators compared practices and outcomes in courts with IPS to those in courts without IPS both before and after the implementation of IPS. The outcomes stand in contrast to earlier evaluations.

**Program implementation:** An examination of probation officer contact chronologies revealed that the program was not fully implemented as designed. "Only 27.2 percent of the IPS offenders were supervised in a manner which reflected a high degree of compliance with the original program model" (Byrne and Kelly, 1989). Although the program was not fully implemented, the data suggested that the quantity and style of supervision changed significantly from before IPS implementation to after program implementation. This change did not occur in courts where IPS was not

implemented. An important finding concerned the sentencing practices within courts with IPS: a larger proportion of IPS offenders received split sentences, and IPS offenders were more likely to receive two or more special conditions.

**Recidivism:** No overall differences were found in offender recidivism between the experimental and control courts. However, data revealed that as the level of supervision increased, recidivism was found to decrease significantly in both courts.

**Elements related to reduced recidivism:** To examine factors contributing to this reduction in recidivism, the researchers measured offender change by comparing the probation officer's initial assessment in the areas of substance abuse, employment, and marital/family relationships with an assessment at the end of a one-year follow-up period. Those offenders who showed initial improvement in employment and substance abuse had lower rates of recidivism. The evaluators concluded that IPS had an indirect impact on recidivism through its direct impact on offender change. Byrne and Kelly suggest that these findings "offer strong support for crime control through treatment."

### **Florida**

The Florida Community Control Program (FCCP), initiated in 1983, was designed as an alternative to imprisonment as authorized by state statute. The operations manual describes the program as a "punishment oriented" program that "allows selected offenders to serve their

sentences confined to their homes under 'house arrest' instead of in prison." In addition to house arrest, offenders are mandated to do public service work; required to pay monthly supervision fees; mandated to fill out "daily activity logs" to account for their time and activities; required to maintain regular and paid employment; ordered to submit to urinalysis; and required to participate in self-improvement programs.

An evaluation conducted by Wagner and Baird (1993) describes FCCP as the single largest intensive supervision prison diversion program in the nation with a high degree of control exerted over participants; caseloads ranging between 20 and 25 offenders per officer; and an expectation that officers conduct a minimum of 28 supervision contacts per month per offender. Another important factor is that FCCP is a sentencing option within the state sentencing guidelines implemented at the same time as FCCP (NCCD, 1989).

The FCCP evaluation addressed four major research questions. The findings are reported below.

**Diversion:** To examine prison diversions that were truly attributable to community control, NCCD compared rates of incarceration before (1981) and after (1986-87) FCCP implementation. This longitudinal perspective revealed an increase in incarceration rates for most offense categories despite the availability of the diversion program. Further examination of these rates suggested that the sentencing guidelines called for a

greater use of prison and, therefore, adversely affected the diversionary potential of FCCP. Considering the impact of the sentencing guidelines, the evaluators attempted to determine the diversionary impact of FCCP in 1987, by comparing the criminal history profiles of offenders sentenced to FCCP with those sentenced to prison and non-prison sanctions. The offense histories of those sentenced to FCCP were significantly more serious than the average offender sentenced to probation or jail and less serious than those sentenced to prison. Furthermore, based on sentencing policies and known offender characteristics, the predicted sentence for 28 percent of the FCCP sample was prison which the evaluators state "clearly represent diversions." Based on these same factors, the evaluators then estimated the sentences that FCCP participants might have received if FCCP did not exist. The results indicate that "over half (52.3%) in Community Control would have been sentenced to prison had the Community Control Program not been implemented." Overall, the results suggest that FCCP did not prevent prison crowding but that the situation would be much worse without the program. Over 50% of FCCP placements were diversions from prison which the evaluators consider "an unqualified success."

**The provision of intensive supervision:** Before program affect can be measured, evaluators must determine if the program is being implemented as designed. Using a time study, NCCD determined that offenders in FCCP were receiving the level of supervision and surveillance

specified in the contact standards. Furthermore, this contact far exceeded the level of supervision provided to offenders on traditional probation caseloads.

**Impact on offender behavior and correctional costs:** To determine the impact on correctional behavior and costs, NCCD examined post-sentence outcomes and service costs for "very similar offenders" sentenced to regular probation, jail followed by probation, FCCP, and prison. The evaluators attempted to match research subjects on key characteristics related to criminal risk. The results suggest that while FCCP significantly increases the rate of technical violations as compared to offenders placed in other sentencing options, there is no apparent difference in the new offense rate. The evaluators attribute the higher level of technical violations for FCCP offenders to the increased likelihood of detection resulting from the higher levels of supervision.

To estimate costs the evaluators gathered case-specific information from each subject's initial sentencing and the close of the 18-month follow-up. They considered the cost per day for each sentencing option and the cost of incarceration for new sentences. It was estimated that the net cost savings were \$2,746 per case. These findings took into account the additional costs associated with net-widening.

**Effect on regular probation:** To assess the impact of FCCP on regular probation, the risk classification of offenders entering probation in 1985 was compared with those entering probation in 1989. Although the offenders diverted from

probation to FCCP did have higher risk scores than regular probation cases, the risk scores of those offenders entering probation in 1989 were essentially the same as those entering probation in 1985. This relative stability of the probation population's risk combined with a dramatic increase in the overall probation population (and therefore larger caseloads) suggests that less control is exerted over offenders on regular probation. Although the evaluators do not attribute an increase in revocations on regular probation during this time frame to the implementation of FCCP, they do acknowledge this increase as possibly having a significant impact on prison admissions.

### **California**

In 1986, the Bureau of Justice Assistance provided funding for a multi-site demonstration of ISPs. Stipulations for participation in this demonstration included the development of an ISP based on the Georgia model and the participation in an independent evaluation requiring random assignment of cases to either ISP or a comparison group (Petersilia and Turner, 1991). RAND was selected to conduct the evaluations. Below are brief descriptions of three California ISPs that participated in the evaluation, as described by Joan Petersilia and Susan Turner (1990). All three counties developed probation enhancement programs. Although agencies were supposed to follow the Georgia model, jurisdictional variations dictated program adaptations and modifications.

**Contra Costa County.** This program was developed to address a serious drug prob-

lem within the jurisdiction. The goals of the ISP are: to reduce probationer recidivism; to reduce drug trafficking, drug abuse, and drug-connected offenses in the project area; to increase the employment of ISP participants; to increase the amount of restitution paid; and to quickly revoke the program status of ISP participants who violated their probation conditions.

Offenders are selected for participation in the program by the ISP Unit Supervisor. To be eligible offenders must have been convicted of a felony or misdemeanor, non-violent, drug offense. The caseload size for Contra Costa's ISP is 40. The program consists of three phases with contact standards ranging from eight per month in phase one to three per month in phase three. Other program components include employment verification, drug testing and counseling.

**Ventura County.** This program focuses on identifying offender needs and making appropriate referrals to local services. Teams supervise caseloads of 38. The goals of Ventura County's program are: to reduce the probationer's opportunity to commit crimes, and to quickly detect new crimes; to hold offenders more accountable by requiring victim restitution, community service, and, if appropriate, participation in victim-sensitivity sessions; to support offender resocialization, particularly as it relates to criminal behavior; and to improve the credibility of probation as a sentence. The program targets felony offenders that are classified as high risk or that have been convicted of a particularly serious crime. ISP screening is conducted by ISP staff after sentencing. Major program components include drug testing

and a victim-oriented educational program. Support services such as job training, treatment programs and parenting skills are strongly emphasized. Ventura County's ISP lasts a minimum of nine months and, like Contra Costa, operates under a system of phases. Phase one requires 6-8 contacts per week and one drug test. As the offender progresses through each phase the number of contacts and drug tests are reduced.

**Los Angeles County.** Two Los Angeles County programs were examined: one that uses electronic monitoring (ESP) and one that depends on human surveillance (ISP). The stated programs goals are: to establish effective supervision and control of high-risk probationers; to reduce recidivism through programs for offender resocialization; to enforce victim restitution conditions ordered by the court; to maximize surveillance of probationers by coordinating efforts with other criminal justice agencies and community resources; and to return all probation violators to court expeditiously for appropriate disposition. Offenders selected for the program have been convicted of felonies and scored as high risk/high need. Eligibility is determined after the offender is sentenced. The program components of ISP and ESP are identical except for the electronic monitoring. ESP offenders are placed on electronic monitoring for a minimum of 90 days. Caseloads for both programs average 33 offenders per probation officer. The programs are three phase programs lasting approximately one year.

**Evaluation method:** Each site was responsible for identifying offenders that met their program eligibility criteria. Once it was determined that an offender was eligible RAND randomly assigned him/her to either the ISP program or the control probation program. Comparisons were then made between the two groups. The research questions and findings are reported below.

**Program implementation:** The evaluators examined the degree to which the program was delivered as planned and the extent that ISP differed from the control probation programs. Supervision rates were calculated from case review forms completed at six and twelve months after random assignment. These forms, completed by ISP officers, documented the nature and type of services received and each probationer's adjustment and recidivism. Rates were calculated by dividing the number of contacts by the number of days under community supervision, with the latter being determined by maintaining street-time calendars on each offender. At each site ISP participants had significantly more supervision contacts and drug tests than did offenders in the control programs. Each program was implemented as planned. Ventura County's program was found to be the most intensive.

**Effect on criminality and social adjustment:** The evaluators used officially recorded technical violations and arrests as indicators of recidivism. At the end of the one-year follow-up period, approximately 40 percent of the ISP offenders in each site had technical violations and one-third had

new arrests. The only significant difference between the experimental and control programs was that Ventura's ISP offenders were less likely to be arrested than the offenders in the control group. However, when the average number of arrests per year of street time was used as the criterion, the difference was no longer statistically significant.

An examination of participation in treatment programs reveals varying rates across the programs: less than 20 percent of the ISP/ESP offenders in Los Angeles County participated in counseling sessions; in Contra Costa County approximately 40 percent of the ISP participants received counseling; and in Ventura County nearly 80 percent of the ISP offenders participated in counseling. Petersilia and Turner reported:

*"While the overall level of treatment and program participation was generally low, statistical analyses revealed a relationship between such participation and recidivism. Greater participation in counseling, employment, restitution, and community service was associated with lower levels of recidivism (both technical violations and new arrests). This result held true even when the offender's risk-of-recidivism level was statistically controlled."*

**Cost:** The costs associated with responding to violations, court reprocessing, and subsequent incarceration drove up the estimated program costs. The average cost was \$7,240 to \$8,902 per offender per year.

The evaluators note several differences between these evaluation outcomes and the previously described evaluation outcomes. Specifically, California experienced higher

failure rates than other programs; and there were no differences in the outcomes between ISP offenders and control group offenders. The evaluators attribute the higher failure rates in California to the fact that they selected a higher risk offender population than other programs. Because previous evaluations have not used random assignment their comparisons between ISP and the control groups may be misleading. The differences revealed may have resulted more from the populations than the programs. Random assignment allows stronger conclusions about the program effect to be made.

### **Texas**

The ISP in Texas was developed by the Texas Board of Pardons and Paroles (TBPP) in response to prison crowding and the Ruiz v. Estell prison litigation case that ordered, among other things, less crowding (Turner and Petersilia, 1992). The mission of the ISP, as stated in the operations manual, is "to identify releasees currently under supervision who have the highest probability of returning to prison and to provide a level of supervision designed to prevent that return."

To be eligible for ISP, offenders must: have been released from prison on or after January 1, 1986; have had a salient factor score indicating a high risk criminal history; and a reassessment risk score indicating a high risk supervision history.

The Texas ISP emphasized specific deterrence and incapacitation over rehabilitation (Turner and Petersilia, 1992). Major program components included: 10 personal

supervision contacts per month; required employment, full-time schooling or verified job search efforts; increased client services; and a range of intermediate sanctions for responding to violations. The program lasted from 9-12 months.

RAND was selected to evaluate the ISP in Dallas and Houston, Texas. As in the California study, they randomly assigned eligible offenders to either the ISP or routine parole supervision. Assignment began in August 1987 and continued through July 1988. 679 parolees were tracked for a period of one year, beginning on the day of assignment. RAND's evaluation of the Texas ISP examined several research questions (Turner and Petersilia, 1992). These questions and the findings are reported below.

**ISP participants:** Participants were found to be quite serious offenders as indicated by their prior criminal records and risk-of-recidivism scores. This population appeared to be more seriously criminal than participants in other studies.

**Program implementation:** Data collection forms similar to those used in the California evaluation revealed that the average number of contacts fell short of the 10 contacts per month outlined in the ISP manual. The program was more fully implemented in Houston than in Dallas. The data showed that the ISPs were more intensive than routine parole.

**Effects on employment and program participation:** Few ISP or routine parolees in Dallas received any counseling or training during the one year follow-up

period. In Houston, participation for all offenders was higher and ISP participants were significantly more likely to participate in counseling. The data revealed that ISP offenders were no more likely to be employed in either site.

**Effects on offender recidivism:** Officially recorded recidivism was the major outcome measure in this study. The evaluators note that this may introduce bias because of the higher arrest probability for ISP offenders under stringent surveillance. The results indicated that ISP did not decrease new arrests, but did increase technical violations. ISP offenders in Houston were more likely to have technical violations filed because the program was more fully implemented, increasing the likelihood of detection. There were no significant differences in arrests between ISP and routine parolees in either site. Thirty to forty percent of all parolees experienced a new arrest.

**Use of intermediate sanctions:** To assess the degree to which intermediate sanctions were imposed as planned, the evaluators classified the disposition of each technical violation and new arrest as: 1) no sanction imposed; 2) intermediate sanction imposed; or 3) incarceration imposed. The analysis of this data revealed that intermediate sanctions were used frequently in response to technical violations, more so than with routine parolees, and particularly in Houston.

**Costs:** To examine the cost of ISP versus routine parole, RAND estimated the total amount of money spent on each offender during the one year follow-up period. In

this estimation, they considered the costs of each type of sanction or service used by the study sample and using information from the data collection forms, "billed" each offender for each sanction or service used during the follow-up period. RAND concluded that ISP did not produce a subsequent reduction in imprisonment costs and that it cost 1.7 times as much as routine parole supervision.

The researchers conclude that the Texas ISP did not achieve its practical objectives of reducing prison crowding, costs and recidivism, but that it did serve as an intermediate form of punishment.

### **Wisconsin**

The High Risk Offender (HRO) project in Madison, Wisconsin was implemented in 1984. The program objective was "to significantly reduce criminal activity among high risk offenders serving probation or parole terms in the community by supervising them very closely" (Wagner, 1989). All offenders placed on probation or parole within that jurisdiction were screened for participation in HRO. In contrast with most other community corrections programs, HRO only accepted high-risk offenders with a history of assaultive behavior. Two person teams were assigned to caseloads of 30 offenders. The key supervision strategies included: the imposition of specialized probation and parole rules entailing the restriction of activities associated with the offender's past criminal history; mandatory daily activity scheduling including employment, schooling, or counseling; police registration and surveillance;



frequent supervision contacts; and strict enforcement of supervisory rules through the imposition of sanctions or revocation. Dennis Wagner's evaluation (1989) of HRO addressed two questions regarding program performance. These questions and findings are reported below.

**Can agents accurately identify "high risk" offenders?** To establish a reference group for the evaluation, the agents were asked to repeat the offender selection process with case files on offenders released from prison during 1983. These were unknown cases to the agents. Each case met the minimum criteria for high risk clients: each had been convicted of a violent offense and had scored "high risk" on the Wisconsin case classification instrument. During this exercise agents identified 56 of these offenders as being good candidates for high risk supervision. The next step involved a review of the conviction rates for the 12 month period following each offender's prison release. The rejected cases had a new conviction rate of 17 percent while those 56 cases identified as appropriate for HRO had a conviction rate of 27 percent. The agents' ability to select the highest risk cases was confirmed through this process.

**Does intensive community supervision reduce either the incidence or seriousness of criminal activity?** The 56 offenders identified through the selection exercise were used as a comparison group to determine HRO's impact on criminal activity. These groups were described as "reasonably similar." Both groups were observed for one year following their release from prison. The offenders in the

comparison group were released to regular maximum parole supervision in 1983. The offenders in the HRO group had been released during 1985 and 1986. New criminal offenses and parole violations were recorded for both groups. 45 percent of the HRO offenders and 41 percent of the offenders in the comparison group were returned to prison. The important difference, as noted by the evaluator, is that only three percent of the HRO offenders were convicted of a new felony; the other 42 percent were returned because of technical violations. In contrast, 27 percent of the offenders in the comparison group were returned to prison for a new felony conviction and 12 percent were returned because of technical violations. Based on the assumption that technical violations are precursors to criminal activity, Wagner concludes that HRO effectively suppresses criminal behavior by pre-empting it.

### **Colorado**

The Colorado Judicial Department's Specialized Drug Offender Program (SDOP) is operational in 16 of the 22 judicial districts. It is a comprehensive program for the rehabilitation of drug offenders which emphasizes drug screening and primary treatment referrals. Offenders are referred to the program at the presentence phase or prior to revocation actions. An internal screening board assesses the appropriateness for the program. The program staff then complete the Addiction Severity Index and analyze prior treatment efforts, psychological information, and educational data to determine whether the offender is appropriate for placement

within the program.

The SDOP involves two phases each consisting of 120 days. The second phase is less restrictive. Offenders are assigned to either an intensive supervision component or to a cognitive reasoning and rehabilitation group. Both groups are subject to two drug screens per month, one home visit per month and weekly treatment monitoring. Three face-to-face contacts per month are required for the offenders in the intensive supervision component. Offenders in the cognitive group attend two group sessions per week. These two hour sessions focus on problem solving skills, social skills, negotiation skills, management of emotions, creative thinking, values enhancement, critical reasoning and cognitive exercises. These sessions are designed to impact the offender's thinking.

Johnson and Hunter's (1992) evaluation of Colorado's SDOP compared three types of offender treatment within two county probation departments: regular probation; SDOP, non-cognitive (i.e., the intensive supervision component); and SDOP with cognitive. Eligible offenders were randomly assigned to one of the three treatments. The evaluation focused on loss rates (i.e., revocations granted or pending; absconsions; and warrants) and the program's ability to meet offender needs. In order to analyze these factors the evaluators pre-tested each client shortly after assignment and tested them again approximately five months later. The testing instrument asked offenders to report the frequency in which they committed twenty offenses in seven major categories; includ-

ed ten measures of factors associated with law-abiding behavior; and included eight measures of factors associated with criminal behavior. Evaluators also examined offenders' risk/need scores, case management classification, and scores from the Addiction Severity Index. The findings are reported below.

**Loss rates:** The researchers found that both SDOP treatments resulted in lower revocation rates, with the cognitive group having slightly lower loss rates. The SDOP non-cognitive appeared to be more effective with younger, antisocial offenders who had high needs assessment scores. The SDOP with cognitive seemed more effective with offenders who had an extreme drug or alcohol problem and offenders who were at least thirty years old.

**Meeting offender needs:** Offender needs were determined by pre-test scores on positive and negative attributes. The positive attributes (i.e., those associated with law-abiding behavior) included:

- belief that criminal behavior/drug use is wrong;
- favorable attitudes toward police;
- favorable attitudes toward courts and judges;
- belief that your probation officer is supportive;
- belief that others regard you positively;

- perceived prospects for achieving life goals;
- problem-solving ability;
- empathy for others;
- awareness and sympathy toward victims of crime; and
- self-control.

The negative attributes (i.e., those associated with criminal behavior) included:

- acceptance of rationalizations for criminal behavior;
- tolerant attitudes toward drug use;
- sense of powerlessness/fatalism;
- normlessness/accepting illegitimate means;
- susceptibility to peer influence toward deviance;
- general susceptibility to external influence;
- exposure to criminal friends; and
- access to criminal resources.

An offender identified as having a specific need was presumed to have that need met if he or she was not revoked and if he or she scored within an acceptable range on that same measure in the post-test.

There was considerable variation in the extent to which the three types of treatments met offender needs. For 16 of the 18 dimensions, the success rates of the two SDOP treatments surpass those of regular probation. Most notably, cognitive treatment appeared to reduce offenders' susceptibility to external influence. Success on the dimensions most associated with some form of drug use are far higher for both SDOP treatments than for regular probation.

### Research Limitations

There are many difficulties surrounding correctional research. Before discussing the policy implications of the research reported above, it is important to understand its limitations. Two major factors should be considered when analyzing these studies: the failure of most correctional research studies to meet the criteria of effective evaluations; and the political context in which these evaluations are conducted.

### **Failure to Meet Criteria of Effective Evaluations**

In a review of correctional research, Gottfredson and Gottfredson (1988) indicate that few studies meet the criteria for effective evaluations. This makes it difficult to draw firm conclusions about probation and parole practices.

The first major problem with this research, as outlined in a 1990 report from the United States General Accounting Office (GAO), involves the difficulty in establishing and ascribing program effect. To

demonstrate program effect it is necessary to ensure that the observed outcomes were unlikely to have occurred by chance alone. To accomplish this, studies must go beyond simple percentage comparisons and use tests of statistical significance.

To ascribe the observed outcomes to the effects of the program it is necessary to eliminate the possibility that the outcomes could have resulted from other factors. For instance, in Erwin's (1987) evaluation of the Georgia IPS, it was difficult to determine whether the positive results for recidivism rates of IPS offenders were the result of the program activities or because of the program's tendency to select low-risk offenders who would have most likely succeeded without ISP. To make such determinations, studies must use comparison groups that are matched on other characteristics related to law violating behavior (GAO, 1990). A randomized experimental design where offenders with matched characteristics are randomly assigned to ISP or to a control group (e.g., to regular probation or parole) is preferable. The RAND research and the Colorado evaluation have been the only attempts at randomization. Even when evaluators attempt randomization, however, it is often difficult to achieve (Petersilia, 1989). In her study of eleven ISPs Petersilia cited resistance from program staff, legal and ethical issues, and judges overriding the random assignment as factors limiting the ability to achieve true randomization.

Compounding the problems with comparison groups and randomization is the difficulty of keeping distinct differences

between the treatment received in the experimental group and the treatment received in the control groups (Petersilia, 1989). In order to conclude that a program had its desired effect, researchers must be assured that the proposed treatment occurred in each of the groups (i.e., offenders in ISP truly received an increased level of surveillance and treatment as compared with offenders on regular probation). Most of the evaluations summarized above describe both treatments and differentiate between the treatments. However, often research studies provide detailed accounts of what occurs in the experimental group (ISP) and fail to adequately describe the type of treatment applied to the comparison group of offenders on regular supervision (Gottfredson et al., 1977).

A second problem with ISP research as discussed in the 1990 GAO report was the reliability and validity of outcome measurements. Validity refers to the accuracy of the measurement while reliability refers to the consistency of the measure and the ability for it to repeat the same result. Recidivism, often the sole criterion for program success, suffers from validity problems. Because recidivism represents only officially recorded crimes, it underestimates the true incidence of criminal behavior. ISP, by virtue of the closer contact between officers and offenders increases the likelihood of criminal behavior being detected. Therefore, the validity of recidivism as an outcome variable becomes an important issue when examining these evaluation results. Likewise, a risk/needs measurement or a drug/alcohol assessment tool may lack in reli-

ability because of the multiple users and possible introduction of bias. When using these instruments, agencies must ensure that training is provided to promote their consistent and correct use.

The third problem mentioned in the GAO report concerned the interpretation of results. The problems outlined above make it difficult to summarize overall findings (Gottfredson et al., 1977). Furthermore, cross program generalizations limit researchers' ability to draw overall conclusions (GAO, 1990; Petersilia, 1989). Petersilia indicated that although each of the sites agreed to develop programs based on the Georgia model, in essence RAND conducted eleven separate evaluations because of the impact of jurisdictional variations and program adaptations. Another problem with interpreting the results concerns the short follow-up periods of these evaluations. They make it impossible to determine the persistence of program effects (GAO, 1990). The last problem associated with interpreting results is the lack of a clear definition of success (GAO, 1990). This is best illustrated by the fact that some practitioners and researchers see high rates of return to prison for technical violations as a success because they are pre-empting criminal behavior and therefore protecting the public (Nidorf, 1991; Wagner, 1989); and others see these rates as a clear indication of program failure.

### **The Political Context**

Correctional research is conducted within a political context (Byrne, 1990). Those with a vested interest in positive evaluation

results include:

- local policymakers;
- program sponsors (e.g., the Bureau of Justice Assistance, local granting agencies);
- evaluation sponsors (e.g., the National Institute of Justice);
- evaluators from both private organizations (e.g., RAND, NCCD) and universities;
- program management and staff;
- program competitors (jails, halfway houses, boot camps);
- contextual stakeholders (e.g., service providers, community groups); and
- offenders (Rossi and Freeman, 1982).

It is difficult to please all audiences. As an evaluation design is strengthened in one area such as scope, to please some audiences, other areas such as cost or timeliness suffer affecting other audiences (Brinkerhoff et al., 1983).

Other evidence of the political arena in which correctional research takes place is the tendency for people to extract and manipulate the research results to show support for their current programs and policies (Byrne, 1990). Cressey refers to this ability to discount or attack the results of research as a "vocabulary of adjustment" (as cited in Byrne, 1990). An example of this is the previously referred to

debate over the return to prison for technical violations. During a 1992 presentation for the American Probation and Parole Association, Dr. James Byrne referred to another example of this type of manipulation: the conclusion that although ISPs are not achieving other stated goals, they are providing an intermediate punishment, and thus the research results offer support for the continuation of the current incapacitative policies.

### Summary of Findings

While there are inherent problems in the research, the importance of these evaluations to probation and parole practices cannot be ignored. An infallible research design does not exist (Brinkerhoff et al., 1983). Clearly, RAND's experimental design offers the most hope. Program developers are encouraged to analyze the research findings carefully, recognizing their limitations and building on the knowledge base that they provide. In summary, the significant findings from these later evaluations include:

- ISPs did achieve intensive levels of supervision;
- ISPs failed to alleviate prison crowding;
- there were no significant differences between recidivism rates of ISP offenders and offenders within the evaluations' comparison groups;
- ISP is more costly than originally thought; and
- there appears to be a relationship be-

tween greater participation in treatment and employment programs and lower recidivism rates.

### Conclusion

The evaluation results from early ISPs and the new wave of ISPs would lead one to believe that intensive supervision, in any form, doesn't work. Remember, however, that many of the early ISPs did not achieve intensive levels as did the current ISPs. Therefore, intensive supervision that focuses on offender rehabilitation has not been truly tested.

Additional research that needs to be considered when determining the future of ISPs includes:

- research suggesting that prison does not provide specific or general deterrence (Carter and Wilkins, 1976; Shichor, 1992); and
- other research on correctional interventions suggesting that participation in rehabilitative programming does reduce recidivism (Gendreau and Ross, 1987; Gendreau and Andrews, 1990; Andrews et al., 1990).

The first body of research should cause policymakers to question the rationality of the current attempt by ISPs to establish "prison-like controls." The community is an even less likely setting to successfully carry out these practices. The latter body of research (to be discussed more extensively in Module IV), combined with the ISP research suggests that impacting recidivism requires a strong rehabilitative com-

ponent. As has been demonstrated, this component is often ignored in today's ISPs.

The research findings reported here provide the first step in developing a knowledge base about what works in intensive supervision. ISP practices must continue to be monitored and evaluated in order to make firm conclusions about which practices effectively impact offender behavior and recidivism. At this point, however, agencies can begin incorporating these findings and improve the chances for their ISP's success.

## CHAPTER I-3

### A CONCEPTUAL FRAMEWORK FOR EFFECTIVE ISPS

#### Introduction

While the research results are quite discouraging, the combination of the ISP research results and results from other studies of correctional treatment suggests that it may not be the *intensive* concept, but rather the activities conducted within that concept, that need to be revisited. This chapter will discuss a shift in emphasis and a conceptual framework that appears to offer the best chance for promoting long-term behavioral change and reduced recidivism. Upon conclusion of this chapter the reader will be able to:

- discuss the three key points in the conceptual framework for a prototypical ISP;
- discuss the arguments both for and against developing ISPs as prison diversion programs;
- discuss the arguments both for and against developing ISPs as intermediate sanction programs; and
- list three reasons supporting the development of ISPs as enhancement programs.

#### Defining Effectiveness

As can be seen by the program descriptions and program evaluations in Chapters I-1 and I-2, there is little consensus on the goals of ISP or on which outcomes constitute a success. Some researchers and practitioners see returning offenders to prison for technical violations or new arrests as evidence that they are more effective; the increased surveillance allows them to detect violations and criminal activity that may have gone unnoticed on traditional caseloads. They translate this into maintaining public safety. If programs only want to achieve this short-term, in-program crime control, then this line of reasoning may, in fact, hold true. But those offenders who are returned to prison are eventually released and the public is, once again, at risk.

The common denominator in the major goals of ISP is that they are dependent on reduced recidivism. Increased public safety and prison diversion cannot be achieved if offenders become involved in further criminal activity. While there are numerous intermediate variables that can be examined to determine program effectiveness, the bottom line measurement of success is the program's impact on recidivism.



Within the prototypical ISP, *effective* refers to the ISP's ability to promote long-term behavioral change that leads to a reduction in recidivism and enhanced public safety.

The following three recommendations provide a conceptual framework for ISPs that improves their chances for effectiveness.

### Focus on the Provision of Intensive Services

The first major principle in the proposed conceptual framework concerns a change in the way programs are *intensive*. As seen in Chapters I-1 and I-2, the majority of today's ISPs are intensive in punishment, surveillance, and incapacitation. Based on the research suggesting a correlation between participation in rehabilitative programs and recidivism reduction, a more effective strategy may include the provision of intensive services and treatment.

Each of the following research studies suggest the positive impact of services and treatment on recidivism.

- Findings from the study of correctional treatment programs between 1981 and 1987 suggest that "combining supervision with counseling, employment, restitution, and community service resulted in lower recidivism rates" (Andrews et al., 1990).
- Evidence from ISPs studied by Peterilia and Turner indicate that those programs with more of a rehabilitative

component may lead to positive behavioral changes in the offender (1990).

- A recent quasi-experimental study on a program in Oregon that combines electronic monitoring with drug treatment indicated that those offenders who completed the drug treatment program had lower recidivism rates (Jolin and Stipak, 1992).
- The evaluation of the Massachusetts' IPS suggests that those offenders showing initial improvements in employment and substance abuse had lower recidivism rates (Byrne and Kelly, 1989).
- A Specialized Drug Offender Program focusing on improving offenders' cognitive skills resulted in lower rates of recidivism than other probation programs (Johnson and Hunter, 1992).

These findings suggest that perhaps ISPs should spend time enforcing participation in meaningful treatment programs rather than enforcing a curfew.

The reliance on incapacitative and punitive techniques as a means of crime control usually stems from misperceptions about what the public wants and demands. Public opinion polls suggest that policy makers vastly overrate the public's desire for punishment (Doble, 1987; Cullen, Cullen and Wozniak, 1988; Tilow, 1992). What the public seems to want is public safety which can be achieved through better risk control. Clear (1986) suggests that treatment is just as legitimate a means of risk control as incapacitation. In fact, considering the aforementioned research

findings, the provision of assistance and services for offenders may be a *more* meaningful form of crime control.

Shichor (1992) states that current correctional trends are influenced by an "anti-rehabilitation" movement. Advocates of deterrence and incapacitation criticize rehabilitation for failing to reduce recidivism while they themselves cannot show significant improvements. Why should past events alone serve as justification for punishments while rehabilitation is judged by its future effectiveness? Furthermore, proponents of the justice model seem to have lost sight of their original intentions. As stated by Cullen and Gilbert (1982) "it is ironic that liberals who mistrust the state to administer rehabilitation in a just and humane manner are now placing their total faith on the same state to punish justly and humanely."

These points provide strong support for returning to rehabilitation as a means to affect offender change and reduce recidivism.

### **Exercise a Balanced Approach**

The second principle within the proposed conceptual framework is that ISPs exercise a balanced approach to the supervision of offenders. Although a focus and emphasis on treatment and services is advocated, ISPs must provide the full range of probation and parole activities which are designed to meet the objectives of risk-control and reform. Harland and Rosen's (1987) reference to medical and mental health analogies explicates the need for a balanced approach: "The discovery and

application of drugs that can help control (treat) epilepsy and schizophrenia are not taken as grounds in the helping professions for abandoning simultaneous efforts to experiment with approaches that might produce a more enduring solution (cure)." While the long-term goals of the prototypical ISP include a cure for the disease of criminal behavior (i.e., long-term behavioral change) the importance of treating and controlling the symptoms is not forgotten. The prototypical ISP encompasses a balanced approach toward achieving both short and long-term goals.

Maloney, Romig and Armstrong (1988), who devised the Balanced Approach for the juvenile justice system, discuss three objectives that are easily transferrable to the adult system:

- accountability refers to measures taken to ensure that offenders are held responsible for the damages, injury, or loss incurred because of their actions;
- competency development refers to providing the offender with skills and knowledge needed to become a productive and responsible citizen; and
- community protection acknowledges that equal emphasis must be placed on ensuring public safety.

Adult probation and parole activities and objectives are generally categorized as intervention, surveillance and enforcement. Within this context, intervention includes the entire gamut of treatment and services provided to offenders to enable them to become productive and responsible citizens.

Surveillance involves those activities which relate to monitoring offender behaviors as well as the social environment of the offender. Surveillance provides a mechanism for short-term offender control and public protection. The enforcement component speaks to holding offenders accountable for their actions. Drug screening directly confronts offenders with their past drug use and is an important accountability measure. Payment of restitution or community service work are means of holding the offender strictly accountable for their crime.

Bazemore (1992) discusses the failure of agencies to operationalize the Balanced Approach despite the claim that they have adopted the theory or concept. He states that "advocates must clarify what outcomes are in fact intended by the three objectives, how these outcomes are to be measured, and what activities are most likely to get us there." For example, the focus should not be on intervention activities (i.e., the number of substance abuse treatment sessions attended) but on a visible reduction in drug use as measured by drug tests or assessment instruments. Determining which activities are most likely to help us achieve the desired outcome is dependent on individualized assessment.

Another example of failing to operationalize the Balanced Approach concerns the current tendency for agencies to define surveillance by counting the number of home visits or curfew checks. The more important aspect of surveillance concerns monitoring the offender's social surroundings. The importance of monitoring the

social milieu rests on the potential positive/negative effect on the offender of factors such as family problems or shifts in employment trends. Monitoring these factors allows officers to recognize situations that are often precursors to crime, take measures to improve the situation, and possibly prevent crime.

While the Balanced Approach has been designed for juvenile justice agencies, its concepts can certainly be adapted for adult probation and parole. In addition to providing the best strategy for achieving program goals, the balanced approach has broad public appeal (Bazemore, 1992). It satisfies the public's concerns for safety while providing assistance to offenders. The balanced approach combines the best of all correctional philosophies, rather than being another swing of the correctional pendulum.

### Develop Enhancement ISPs

The third and final principle within the proposed conceptual framework, concerns the development of enhancement ISPs rather than intermediate sanction or diversion ISPs. Major issues of target populations, selection methods, degree and methods of supervision provided, and evaluation design are all directly impacted by the primary purpose of the program (NCCD, 1990). Declaring the primary program purpose is therefore a major step in program development. Before providing supporting arguments for designing ISPs as enhancement programs, it is important to acknowledge the problems intrinsic to each program design and the perceived benefits of diversion and

intermediate sanction programs as outlined by their respective proponents.

### Problems Intrinsic to ISP Design

**Diversion from prison:** A critical review of the research conducted on ISPs to date clearly indicates that diversion programs are not meeting their primary goal of relieving prison crowding. Tonry (1990) states that due to net widening and high revocation rates the "net effect of a front-door ISP program may be to increase prison population." He further suggests that even back-door programs, where offenders are placed into ISP after serving a brief term of incarceration (e.g., New Jersey's ISP), have difficulty achieving prison diversion due to judges sentencing borderline cases (who would have otherwise received probation) to prison and "welcoming an application for intensive supervision." The failure to divert offenders from prison negates the possibility of saving funds. Furthermore, there is no evidence to suggest that this type of program reduces recidivism or enhances public safety.

**Provision of an intermediate sanction:** In his article *Stated and Latent Functions of ISP*, Tonry (1990) states that the evidence from evaluation research implies that the only commonly stated goal being realized is the provision of an appropriate, intermediate form of punishment. However, he does not couch this goal achievement in positive terms. Rather, he refers to the punitive nature of ISP as meeting latent goals of professional and political aims by providing the intrusive sanctioning experience promised to proponents, and

emphasizes the failure of these punitive ISPs to meet other stated goals of reduced recidivism, costs and prison crowding. Other problems with ISPs designed as intermediate sanctions concern the court's role in their administration. A program designed as a front-end sentencing option for the court, removes the control of ISP admissions from those who are most qualified to make those decisions: probation personnel. While many judges follow the probation department's recommendations, too often political and public pressures are the driving force behind sentencing decisions. This leads to inappropriate placements from both ends of the spectrum: those individuals whose risk/need factors indicate that they could be safely managed within the community on traditional probation, and those individuals whose risk/need factors indicate that they require incarceration. The other problem associated with the court's role in ISPs designed as intermediate sanctions, involves the movement toward ISPs of this type being placed in the context of sentencing guidelines. Judges resist this movement as it limits their discretion in sentencing decisions. Hence, judicial support for the program is inhibited.

**Probation/Parole enhancement:** Data suggests that probation and parole enhancement programs may actually compound prison crowding. Heightened surveillance experienced by offenders assigned to ISP leads to an increased detection of technical violations often resulting in revocation (Tonry, 1990). The lack of a corresponding decrease in rates of new arrests or convictions (NCCD, 1990) calls into question these

program's claim of increased public safety. Furthermore, the program design inherently negates the possibility of evaluations revealing a cost-savings since comparisons are made between ISP and regular probation. These findings suggest that enhancement ISPs, as currently designed, have "limited potential to improve the overall management of offender populations by state corrections (NCCD, 1990)."

Most programs whose primary purpose is probation/parole enhancement or the provision of intermediate sanctions, also claim to serve as an indirect means to divert offenders from prison. Programatically, all three types of programs emphasize control and accountability and require frequent contacts and restrictive conditions (NCCD, 1990). The bottom line, as indicated in the research reviewed in Chapter I-2, is that none of the programs, as currently designed, are achieving their primary or secondary goals.

### **Proponents of Diversion and Intermediate Sanction Programs**

Supporting arguments specific to diversion and intermediate sanction ISPs can be found throughout the literature. NCCD argues that, based on available data, "ISP holds its most promise when designed as an alternative to incarceration." They base this argument on the potential for improved outcomes at a lower overall cost; comparisons are made to those incurred by incarceration rather than to the costs of regular probation supervision. Other experts offer their support for the

continuation of ISPs within the context of intermediate sanctions. Tonry and Will (1988) offer five basic reasons for developing intermediate sanctions in general:

- the need for alternatives;
- the need for just deserts;
- the need for fairness and equity;
- the need for intermediate punishments; and
- the need to distinguish general and specific sentencing aims.

Petersilia also offers support for developing ISPs as intermediate sanction programs. Upon completion of the multi-jurisdictional, randomized experiment with ISPs, she concludes, "if jurisdictions are primarily interested in providing the much-needed flexibility in sentencing decisions by imposing an intermediate punishment that more closely fits the crimes of offenders, then ISP holds promise. If, however, they are primarily interested in reducing recidivism and system costs, then ISP programs, as currently structured, will likely fall short" (1991).

### **Supporting Arguments for Enhancement ISPs**

While diversion and intermediate sanction programs offer potential solutions to pressing problems, it is recommended here, that ISPs be designed as probation/parole enhancement programs. The following factors led to this recommendation.

**Limited diversionary impact:** No other agency has been more responsive to the prison crowding crises than probation (Clear and Hardyman, 1990). Other causes of prison crowding, however, inhibit the potential impact of ISPs and other intermediate sanctions. These causes include changes in criminal statutes, increased use of shock incarceration and split-sentences, and an increase in the mid-twenties age group who are most "prison-prone" (Byrne, Lurigio and Baird, 1989; Bureau of Justice Statistics, 1988; Irwin and Austin, 1987). Until we systematically address each of these factors, the prison population will remain at crisis levels. The value of diverting appropriate offenders from prison cannot be negated. But the multiple causes of crowding and the discouraging research results for prison diversion make it clear that the further expansion of ISPs cannot be justified in terms of the diversionary impact alone (Byrne, 1990).

**Probation and parole crowding:**

Rosenfeld and Kempf (1991) suggest that while prison crowding remains an important issue, the focus of crowding should be extended to the entire system of correctional control. Probation and parole populations are now growing at a faster rate than prison populations (Cochran, 1989; McGarry and Adams, 1989; Bureau of Justice Statistics, 1992). Unfortunately, there has been no corresponding increase in the probation and parole budget (Byrne, Lurigio and Baird, 1989). The combination of these two factors, and the more serious offender under community supervision today has limited probation and parole to reactive supervision strategies

(Cochran, 1989). Probation and parole officers spend their time putting out fires, and responding to violations of probation rather than assisting offenders in an effort to prevent violations or criminal behavior. This current reactive posture is making community supervision both the primary cause **and** solution to prison crowding (Byrne, Lurigio and Baird, 1989).

**Current threat to public safety:** The unfortunate facet of the current focus on prison diversion and intermediate sanction ISPs lies in the subordination of public safety as a goal of ISP. The public is probably more endangered by a crowded probation and parole system than the crowded prison system; it is the offenders under community supervision who are actually "at-risk" (Cochran, 1989; Rosenfeld and Kempf, 1991). Clear and Hardyman (1990) argue that the current proclivity to target low-risk prisoners for diversion to ISP inadvertently endangers the public by draining valuable supervision resources that could be used with the high-risk probation and parole population. Ironically, this latter population left to their own devices, becomes reinvolved in criminal activity and is ultimately imprisoned, compounding the very problem we are trying to correct. This cyclical quandary will only be resolved if probation and parole focus on the effective management of their offender population.

While probation and parole enhancement ISPs have revealed no better results than other types of ISPs, their framework offers the most potential for fulfilling the public safety obligation. Public safety is *the* driving force behind their development.

Restructured to incorporate intensive intervention strategies and a balanced approach to supervision, enhancement ISPs can be more effective at promoting the long-term behavioral change that leads to enhanced public safety.

**Probation and parole's mission:**

Providing an intermediate sanction which fulfills the need for just deserts is beyond the domain of probation and parole. The basic concept of just deserts is to provide a punishment that fits the crime. The standard mission of probation and parole is to protect society and to rehabilitate the offender. Toward this end, the role of probation and parole may include holding the offender accountable by enforcing the punitive conditions rendered by the court or parole board, but it does not include *punishing* the offender. In their article *Punishment vs. Rehabilitation: A Proposal for Revising Sentencing Practices*, De Luca et al. (1991) propose a two-stage sentencing scheme in which punishment is provided by the prison, and rehabilitation is provided by parole. They support this proposal by stating "the more defined approach for each phase of the sentence increases the effectiveness of each. By separating punishment from rehabilitation, the effectiveness of rehabilitation is enhanced since punishment is contradictory to rehabilitative activities." The arguments offered by De Luca et al., coincide with the contentions herein: punishment should be removed from the domain of community supervision; and a defined approach increases the likelihood of program effectiveness. To base a probation and parole program on the premise of punishment and just deserts undermines the

mission of probation and parole.

**Specific benefits of enhancement ISPs:**

One benefit of enhancement ISPs is the ability of probation and parole to control the referral, screening and intake process, and to target those high-risk/need offenders who are most appropriate for ISP. Another benefit concerns the alleviation of some of the pressure to develop "prison-like" controls within the community. A current public relations strategy used to support the development of diversion ISPs is to assure the public that those prisoners who are being diverted into ISP will be subject to the same tight controls of prison. By targeting offenders already on community supervision, more meaningful types of control and surveillance can be justified. Officers can spend their time and agency resources on supervision activities that address offenders' risk factors such as participation in an employment assistance program or a drug/alcohol treatment program, rather than on maintaining electronic monitoring systems or perfunctory daily contacts.

**Conclusion**

Markley (1989) says it best with, "in an ideal world, a marriage of programs and research would seem inevitable. The best we can say today is that we are dating." ISPs must reflect research findings, and focus on the provision of intensive services and treatment. The proposed conceptual framework incorporates the lessons learned from ISP and related research.

The theoretical foundation provided by enhancement ISPs is more amenable to the

type of intensive intervention program advocated here. It supports probation and parole's mission; public safety and offender rehabilitation become a priority. Because other system improvements are dependent on the effective management of the probation and parole population, the entire criminal justice system, including crowded prisons, will benefit from this shift in priority.

This module has provided an overview of past and present practices and a broad theoretical foundation for the prototypical ISP. The remaining modules will provide nuts-and-bolts information on how to develop and implement an effective ISP.



**MODULE I**  
**REFERENCES**

## MODULE I

## REFERENCES

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**MODULE II**

**TARGETING AN APPROPRIATE ISP POPULATION**

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## MODULE II

### TARGETING AN APPROPRIATE ISP POPULATION

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#### MODULE OVERVIEW

Defining, identifying and selecting the target population is one of the most problematic areas of ISP. The inappropriate selection of offenders has numerous ramifications including net widening and the ineffective allocation of resources.

This module attempts to answer difficult questions such as:

- 1) Which type of offender benefits most from ISP?
- 2) How are those offenders best identified?
- 3) What other procedural issues influence offender selection?

This module is composed of three chapters:

- Chapter II-1: Defining a High Risk and High Need Population;
- Chapter II-2: Risk/Need Assessment; and
- Chapter II-3: Procedural Issues Affecting the Target Population.

Effective offender selection policies are an important first step in ISP development. They directly influence an ISP's ability to achieve its stated goals. The information included in this module will provide agencies with a basic understanding of this important issue and facilitate the development of sound offender selection policies.

## CHAPTER II-1

## DEFINING A HIGH RISK AND HIGH NEED POPULATION

*This chapter was written by Paul Gendreau, Ph.D., a professor within the Division of Social Sciences at the University of New Brunswick at Saint John. Dr. Gendreau has had extensive involvement with the evaluation of correctional treatment programs.*

**Introduction**

Most ISPs claim to target a high risk and high need population for participation in ISP. Further examination of these populations, however, indicates that they are often low risk offenders (Clear and Hardyman, 1990). Factors that limit agencies' ability to correctly target this population include the direct assignment of offenders to ISP by courts and parole boards without taking their level of risks and needs into consideration, and a general lack of knowledge about what constitutes high risk or high need.

This chapter discusses the importance of targeting a high risk/need offender population for ISP; offers basic definitions of risks and needs; and categorizes and ranks recidivism predictors. Specifically, upon conclusion of this chapter the reader will be able to:

- state three major reasons for selecting a high risk/high need target population for participation in ISP;

- explain the difference between risks and needs;
- discuss the importance of assessing and targeting needs;
- list and describe ten categories of recidivism predictors; and
- list the five strongest recidivism predictors.

**Why High Risk and High Need?**

Most ISPs exclude certain types of offenders (i.e., violent offenders) to the extent that the target populations of ISPs have been reduced to low risk offenders (Clear and Hardyman, 1990). The ramifications of this practice are twofold.

First, because of this exclusionary criteria, many high risk/need offenders are placed on regular supervision caseloads and, therefore, do not get the necessary level of supervision and services. This increases their propensity for becoming involved in further criminal activity (Clear and Hardyman, 1990).

Second, Clear and Hardyman (1990) note the possibility of an "interaction effect" occurring when ISPs target low risk offenders, with the additional controls



actually being harmful to them. In addition to increasing program failures unnecessarily, by mistakenly targeting low risk/need offenders, valuable ISP resources are squandered. Lower risk offenders often have the wherewithal, with fairly minimal support from the probation/parole officer or some other agency/persons, to begin to lead a prosocial lifestyle on their own.

Research has indicated that the prospect for positive change through the provision of intensive supervision is greater for a high risk/need population than it is for a low risk/need offender population (Gendreau and Ross, 1987; Andrews, Bonta and Hoge, 1990). There is mounting evidence that intensive services reduce recidivism of higher risk offenders by twenty to fifty percent while producing virtually no effect for lower risk individuals (Andrews, Bonta and Hoge, 1990).

For all of these reasons it is important that ISPs have a clearly established high risk and/or high need target population. The accurate assessment of higher risk cases is crucial.

### **Differentiating Between Risk and Needs**

Basic to any definition of risk and need is an understanding of the principle of case classification. Simply put, case classification consists of a set of guidelines that specifically attempt to link types of clients, in this case probationers and parolees, with the clinical and administrative decisions of the probation or parole officer. Essential to the case classification process is that of

prediction; that is, the ability to make decisions about the offender's future behavior based on past and present factors. It is these past and present factors that are defined in terms of risks and needs.

### **Defining Risks**

Risks are measurable attributes of offenders and their situations which are predictive of future adjustment while under supervision or after the supervisory period has terminated. These measurable attributes are either static or dynamic in nature. A static risk factor is a characteristic of the offender that is fixed in time (e.g., age and number of previous convictions). While good predictors of an offender's future contact with the law (recidivism), the probation/parole officer is powerless to affect change in these areas.

### **Defining Needs**

Needs are a subset of risk factors. They are dynamic factors that are amenable to change. An offender's attitude toward work, authority figures or substance abuse are three such examples. If prosocial changes occur in these spheres it is likely the offender's risk for re-offending will lessen. Assessment of those needs that are criminogenic are, therefore, crucial for the purposes of offender rehabilitation.

The next section discusses which risk factors (including the subset of needs) are the most effective predictors.

## Predictors of Recidivism

There has been an extensive amount of research on the predictors of recidivism. Approximately 400 studies are available which encompass the entire range of offenders and the various types of recidivism measures, e.g., arrest, re-conviction, parole violation, and self-reports of criminal behavior.

The predictors lend themselves conceptually to being categorized in the following manner:

**Achievement levels** - educational, social and vocational attainment such as: grade completed; employment history; occupational skills; financial status; marital status; and accommodation.

**Behavioral history** - a history of antisocial behavior, law violations, convictions, and incarcerations starting at an early age (e.g., chronic stealing, lying, and truancy up to and including adulthood) and the type and variety of offense.

**Biological factors** - gender and race.

**Cognitive functioning** - intellectual abilities (verbal/performance I.Q.), aptitudes, neuropsychological indices.

**Companions** - current association with known offenders and/or substance abusers.

**Family history** - problems in the family of origin (e.g., parenting skill deficits such as no supervision or inconsistent use of punishment), criminality and substance abuse among parents or siblings, and social

stressors on the family that appeared to contribute to the delinquency of family members.

**Personality (antisocial)** - personal characteristics of aggression; antisocial attitudes towards authority, education and employment; poor use of leisure time; extraversion; hostility; impulsivity; neutralization (i.e., rationalization of criminal behavior); psychopathy; sensation-seeking or risk taking; and substance abuse.

**Personality (personal distress)** - alienation, anxiety, depression, feelings of inadequacy, mental disorder and low self-esteem.

**Physical health** - past or current level of hospital visits, injuries, and physical handicaps.

**Social class** - occupational status or educational level.

## **Predictive Ability**

The obvious question to be asked is how effective are these classes of predictors in their ability to predict recidivism? Recent statistical summations of the literature conclude that strong predictors of recidivism are:

- behavioral history;
- companions;
- family history; and
- personality (antisocial).

Moderate predictors of recidivism include:

- achievement levels;
- biological factors; and
- cognitive functioning.

Weak predictors of recidivism include:

- personality (personal distress);
- physical health; and
- social class.

From the perspective of the risk-need dimension, the moderate to strong predictors for risks that are basically static in nature are behavioral history, biological factors, cognitive functioning, and family history; and for needs, that are dynamic in nature, they are achievement levels, companions and personality (antisocial). If the family is still a relevant component in the case of an offender then aspects of family history will also apply.

### **Conclusion**

Understanding which factors are most predictive of recidivism is the first step in targeting the appropriate ISP population. The following chapter addresses how, in very practical terms, risks and needs are commonly measured in criminal justice settings.

## CHAPTER II-2

### RISK/NEED ASSESSMENT

*This chapter was written by Paul Gendreau, Ph.D., University of New Brunswick at Saint John.*

#### Introduction

There are two ways by which risk is determined. One method is the "clinical" approach whereby the person carrying out the assessment does so from their own personal, theoretical framework based on intuition and subjective judgement. The other approach, one that has proven over thirty years of research to be the more reliable and accurate, is the "actuarial" model (Glaser, 1987; Clear and O'Leary, 1983; and Andrews, Bonta and Hoge, 1990). Actuarial models base their predictions on objective, standardized, and reliable measures of risk. The risks to be sampled should be those of proven validity, i.e., they predict recidivism. This chapter is concerned with actuarial models and their corresponding benefits. Upon conclusion of this chapter, the reader will be able to:

- list and describe three types of risk measures;
- conduct a risk/need assessment based on a hypothetical case file or interview;
- discuss three ways to increase the ability to predict recidivism;

- discuss three ways to initiate strategies for reducing recidivism during the assessment phase;
- discuss three ways agencies can approach an ideal risk measurement system; and
- develop a strategy to "sell" the use of a risk/need instrument to co-workers based on the benefits discussed.

#### Data Sources

Before examining various means of risk assessment it is necessary to consider the data sources available to the probation/parole officer. First, a meaningful amount of the information required for most risk/need assessment tools can be gathered from existing file information. This assumes that the file data on hand is current (within the last six months) and verifiable. Often times, however, existing file data is limited in scope, particularly when the probation/parole officer must comprehensively survey needs and problems in the family of origin. When the information within the case file is limited, the probation/parole officer will have to gather the necessary information from a personal interview. Again, the veracity of the information gathered from the offender should be checked where reasonable doubt exists. It should be noted, however, that

once past the conviction stage it has been found that offenders' self-reports correlate very highly with corresponding file data. It is absolutely crucial that the personal interview, with reliance on file data, be structured and standardized. Some good examples of commonly used risk inventories are summarized in the next section.

### Standardized Assessment Instruments

Three types of risk measures are described. The first type, the Salient Factor Score (SFS81), places its emphasis on risks that are primarily static in nature. The second type includes: the Illinois Initial Risk Level Evaluation Scale; the Statistical Information on Recidivism Scale (SIRS); and the Wisconsin Risk Assessment Instrument. This type includes more needs in their protocol. The third category consists of three measures: the Level of Supervision Inventory (LSI); the Psychopathy Check List (PCL-R); and the Socialization Scale (SOC) of the California Personality Inventory. These measures place as much emphasis on needs as they do on static risk factors. All of the above measures, albeit some more than others, have produced satisfactory predictive validities of recidivism.

#### **Type I**

The SFS81 is "user friendly" in that scores can be tabulated quickly and, for the most part, from file data. (See Appendix A.)

#### **Type II**

The Illinois, SIRS and Wisconsin measures require a personal interview to obtain adequate information on some of their items. In limited fashion, they also assess needs, e.g., offenders' attitudes and level of substance abuse.

The Illinois measure consists of ten items: five regarding previous criminal history; two regarding substance abuse; and one each on employment, address changes and offenders' attitudes (Gulley, 1986).

The SIRS is used by the Canadian Federal Parole Board. Of its fourteen items, nine concern information on the types of previous convictions and incarcerations. There is one item each on parole forfeiture, escapes, marital status, number of dependents, and interval at risk (Nuffield, 1982).

The Wisconsin may be the most widely used risk assessment tool in the U.S. (See Appendix B.)

#### **Type III**

Type III measures attend to needs as much as static risks. However, they differ in their conceptualization and in their format.

The LSI is a standardized interview that is made up of 54 items. It takes about 40 minutes to complete. It was designed for use in probation. A good deal of research

has been published recently on the LSI. It has been demonstrated to successfully predict re-conviction, re-incarceration, parole success and prison adjustment (Bonta and Motiuk, 1985). (See Appendix C.)

The PCL-R emanated from the substantial research literature on the construct of psychopathy (Hare, 1980). It is beginning to be used extensively in corrections where there is particular concern over the so-called violent psychopathic offender. Its items breakdown into two factors:

- a) selfishness, callous and remorseless use of others; and
- b) chronically unstable, antisocial and socially deviant lifestyle.

It requires a well-trained interviewer and the assessment time is at least an hour (Hare, 1990).

The California Personality Inventory is a popular psychological personality test, very similar to the MMPI (Gough, 1969). One of its scales, Soc (socialization) has received a good deal of attention as a predictor of recidivism. The scale includes several dozen items in a true/false format. The Soc requires an offender to have a modicum of reading ability and can be completed in about 20 minutes.

Before concluding our brief review of Type III risk measures, two other needs bear mentioning for probation/parole officers interested in developing risk measures. Risk taking (Zuckerman, 1969) and neutralization attitudes towards criminogenic behaviors (Shields and

Simourd, 1991) appear to be potentially useful for the prediction of recidivism.

### Increasing the Ability to Predict Recidivism

No matter what method is used to assess risk, there are three basic procedures that can be employed to increase one's ability to predict recidivism.

- 1) Combine different measures of risk. Using the SFS or LSI plus the Soc scale or assessment of risk taking attitudes would be of obvious benefit as different types of risks are being tapped. This should enhance the prediction of recidivism.
- 2) Accumulate more than one measure of recidivism, e.g., besides re-conviction also gather self-reports of criminal activity.
- 3) Increase the length of time for which recidivism rates are examined. A six month follow-up is minimal, 1-2 years are recommended and, if at all possible, a 3-5 year follow-up is preferred.

### Other Considerations when Predicting Recidivism

The following recommendations will not only increase a probation/parole officer's ability to predict risk, but will also initiate strategies that can reduce recidivism.

**1) Assess community resources and values including:**

- the number and appropriateness of community-based resources;
- the level and type of employment opportunities; and
- community receptivity to offender programming.

This feature is often neglected. Sometimes it is difficult to obtain reliable information on these factors. Nevertheless, knowledge of these factors may contribute to the offender's ultimate successful integration into the community independently of his/her personal characteristics.

**2) Assess the personal characteristics and relationship styles of the probation/parole officer.**

It is a truism to assert that some probation/parole officers relate more effectively to certain types of offenders, but how often are concrete practical steps taken within probation and parole agencies to follow some guidelines in this regard? For example, a highly impulsive or lower functioning probationer will function better with a probation/parole officer who is firm but fair and prefers to operate with a good deal of structure. Some personal characteristics of probation/parole officers that should be noted are age, conceptual level, gender, life experiences, and training level. Important relationship styles include clarity, empathy, fairness, being firm without being confrontational, problem solving and spontaneity. Attempts

should be made to take some of the above factors into account when assigning caseloads to probation/parole officers.

**3) Measure change.** The importance of this recommendation cannot be emphasized enough as it very much enhances the flexibility of any case classification system. As clients change so do the nature and continuum of services provided and supervision styles adopted by the probation/parole officer.

| RECIDIVISM RATES             | No Change | Improvement | Worse |
|------------------------------|-----------|-------------|-------|
| -----                        |           |             |       |
| Problem Area of Probationer: |           |             |       |
| Avoiding new crime           | 46%       | 36%         | 87%   |
| Drugs/alcohol                | 47%       | 39%         | 68%   |
| Employment                   | 43%       | 41%         | 61%   |
| Hostility                    | 49%       | 35%         | 72%   |
| Leisure time                 | 42%       | 35%         | 71%   |
| Peer relations               | 46%       | 32%         | 63%   |
| Schooling                    | 43%       | 31%         | 48%   |
| Self-efficacy                | 42%       | 30%         | 53%   |

The above data is from a probation office in Ontario where probation/parole officers routinely measured change in the needs of their probationers each six months. Take the category of "avoiding new crime." Probationers who showed no change on this dimension had a recidivism rate of 46 percent. That is the baseline statistic. However, those who found ways to avoid new crime by whatever means, either on their own volition and/or via the assistance of their probation/parole officer, reduced

their recidivism rate by 10 percent (36 percent vs. 46 percent) which is a 22 percent (10/46) improvement rate. On the other hand, probationers who deteriorated, i.e., gravitated to more potential high risk crime situations, increased their recidivism rate by 41 percent on average which is almost a doubling (41/47) of their chances of getting into trouble with the law.

### **The Ideal Measurement System?**

Proclamations that there is a "best way" to assess risk are, frankly, problematic. The question, however, is frequently asked by probation/parole officers. It deserves an answer no matter how tentative.

If a probation/parole agency is in the sad state of affairs where probationers can only be seen initially for a few minutes then the SFS81, the Illinois and the Wisconsin instruments are the only choices. The consequences of this decision are clear; needs will be neglected which in turn mitigates against carrying out rehabilitative plans and meeting some of the goals of case classification described in the next section.

If, on the other hand, each probationer is available for a thorough interview at the onset, and periodically thereafter, then the LSI is recommended. Of all of the risk measures employed, the LSI is the one most closely linked, theoretically and practically, to a behavioral change model.

Depending on the willingness and flexibility of an agency to experiment, some adjunct measures might be considered. The Soc scale and possibly a risk taking or

neutralization measure could be added to the assessment protocol. The benefits of increasing the ability to predict recidivism should be realized. If there is a real concern about consistently violent offenders, the PCL-R would be useful.

The ideal system will also have an override provision. When special considerations apply, a comprehensive rationale or reasons for disagreeing with the risk assessment must be provided. An example would be that of a low risk offender, for whatever set of peculiar reasons, requiring extensive supervision or vice-versa.

Lastly, agencies must validate their assessment instruments and collect their own norms. Surprisingly, few systems do this routinely. Far too many just rely on "someone else's" norms and unthinkingly apply them within their jurisdiction. As a case in point, in some jurisdictions scores of 0-14 on the LSI are defined as low risk (i.e., 5-10 percent recidivism rate). But, in other parts of the country the cut-off for the low risk category could be higher or lower. Failure to generate one's own norms will lead to more misclassifications which will have serious negative consequences.

### **Assessment Objectives**

The previous sections have distinguished between risk and need, outlined the effective predictors of recidivism and discussed measures to consider using. Case classification is primarily for the purposes of bringing about, hopefully, positive change in the offender and also



for protecting the public. This section briefly describes some other advantages of case classification.

### **Accountability**

Risk assessment provides a means of accountability for offenders, officers and agencies. Offenders are assigned to appropriate levels of security and service delivery. Higher risk cases receive more of the latter. The type of supervision and services provided depends on the needs identified at the initial assessment. To illustrate, a case management decision for a higher risk probationer (LSI score=30) who has serious alcohol problems combined with family dysfunction would dictate that he/she immediately receive intensive services in these areas and be monitored accordingly. Needs that were not a problem would receive much less attention. Case management decisions like the above affect all levels of resource allocation and help defend the level of service delivery and related budgetary practices.

Case classification avoids multiple and sometimes confusing policies and practices. Systems that employ the "clinical", subjective model often end up having as many classification policies as there are managers and probation/parole officers.

Furthermore, standardized, objective risk assessment facilitates accreditation, audits, provides legal protection in the instance of decisions regarding controversial cases, and saves on paperwork and staff time in contrast to the lengthy social histories that

were prepared in the "old days."

### **Professionalism**

Actuarial risk assessments augment the accuracy of probation/parole officers' existing clinical judgment and expertise. The probation/parole officer is provided with more support for their professional judgments.

Probation/parole officer training is facilitated by the use of tangible, practical, methodologies and procedures. Misclassifications are more easily documented and self-corrected when actuarial methods are used.

### **Fairness/Equity**

Actuarial methods provide a verifiable check on arbitrary and idiosyncratic decisions which are much more prone to occur when probation/parole officers make decisions in the absence of standards. The ethics of professional intervention are that the least costly and intrusive services are offered. Low risk probationers need services the least. Risk assessment helps to guide these decisions.

### **Communication**

Debates over what to do with certain probationers (usually the unusual cases) are more removed from the personal arena. Probation/parole officers are more prone to discuss data rather than debate the personal worth of their subjective opinions. Actuarial methods can serve to highlight the fact that probation/parole officers often have a high consensus on

how to manage probationers.

### **Evaluation**

Any system that wishes to assess how their service or management systems are functioning will have readily available, reliable and valid data with which to compare outcomes. Risk measures can be changed to meet new demands. Probation/parole officers can modify them, e.g., add items, to see if the measure improves. This has been done several times with a measure like the LSI.

### **Conclusion**

Effective supervision of offenders begins with accurate assessment of their risk and needs. As can be seen, actuarial risk assessment offers many benefits in addition to determining risks. It is important for administrators and line staff alike to recognize these benefits. Only then, will risk measures be used in a consistent and appropriate manner.

## CHAPTER II-3

## PROCEDURAL ISSUES AFFECTING THE TARGET POPULATION

**Introduction**

Several other factors influence offender selection for ISP in addition to a risk/need measurement system. This chapter addresses various procedural issues that either directly or indirectly affect the target population for ISP. It also discusses the importance of having policies and procedures regarding impact points, assessment responsibilities, timelines and placement decisions.

Upon completion of this chapter, the reader will be able to:

- list three impact points for the prototypical ISP;
- discuss two benefits of enhancement ISPs in regards to ISP placement decisions;
- discuss the difference between a specialized and a generalized caseload and considerations in their development;
- list five factors that require consideration when establishing the ISP caseload size; and
- develop agency specific policies and procedures regarding:

- impact points;
- selection criteria;
- risk/need assessment; and
- ISP placement.

**Impact Points for ISP Placement**

Chapter II-1 outlined the various points in the criminal justice system where ISP placement can occur. The primary purpose of the program (i.e., prison diversion, provision of an intermediate sanction, or probation/parole enhancement) *should* influence the point at which offenders are placed into ISP (Byrne, 1986; NCCD, 1990). In line with the recommendation for ISPs being developed as probation/parole enhancement programs, and the need to effectively manage the *existing* probation and parole population, it is recommended that ISP placement occur at the point of probation/parole intake, *after* the court or parole board has made a decision for probation/parole placement.

When the decision to place an offender in ISP is made after placement on probation/parole, ISP has less chance of becoming: an issue during plea bargaining; a means of relieving crowded court dockets; or a decision based on public sentiment or political motivations.

Other impact points for enhancement ISPs include:

- ISP placement in response to violations of regular probation/parole supervision; and
- ISP placement throughout the period of supervision where an offender's reassessment indicates a level of risk/need that requires intensive supervision.

An appropriate response to a violation of traditional probation or parole may be placement in ISP in lieu of revocation. However, ISP placement need not wait until a violation has occurred. Developed as enhancement programs, ISPs provide probation and parole agencies with flexibility in dealing with the entire offender population. With regular reassessments occurring, probation and parole officers may be able to identify offenders whose level of risk and need has increased due to changes in their life circumstances. ISP placement in these circumstances is proactive. Because of small caseload sizes and additional funding for services, ISPs have the potential to be more effective in addressing offenders' risks and needs.

Agency policy and procedures should outline the offender pools from which to select ISP participants. For example, the standard operating procedures for the Georgia Department of Corrections' Intensive Probation Supervision Program clearly indicate from which pool offenders will be selected for IPS (see Figure II-1).

Figure II-1

**IPS SENTENCING.** Sentencing methods available for placement of an offender into the IPS program are: direct sentencing; revocation sentencing; and post-sentencing.

- A. **Direct Sentencing.** An offender placed under the IPS program through a direct sentence should meet the established criteria for program inclusion. It is helpful for sentencing judges to know and understand the selection criteria for the program before direct sentencing occurs. Before final acceptance into IPS occurs, it is recommended that the offender be screened for suitability. If the offender appears unsuitable for IPS, a recommendation for an alternative sentence should be made to the judge. If the court prefers that the sentence to IPS stand, the offender will be taken into the program and the factors indicating the offender's lack of suitability will be documented in the field notes.
- B. **Revocation Sentencing.** When an offender already under basic probation supervision is not performing satisfactorily, as evidenced by technical violations of probation or commission of minor new offenses, a return to court for a probation revocation hearing may result. In many instances, a more stringent alternative, such as IPS, can be imposed in lieu of a prison sentence. If the probationer appears to be a likely candidate for IPS, the current supervising Probation Officer should consult with the IPS unit Probation Officer to determine the prospective candidate's suitability for IPS. Information to be analyzed in determining a recommendation for IPS placement should be consistent with program inclusion criteria and caseload capacity, along with a review of those negative behaviors that are the basis for returning the probationer to court.
- C. **Post-Sentencing.** Post-sentence diversion to IPS occurs when offenders, having already been sentenced to incarceration, are screened to determine their acceptability for IPS program placement. Such screening is usually accomplished by IPS staff, who, if determining the sentenced offender to be suitable for IPS inclusion, recommend to the sentencing court that the original sentence be amended to Intensive Probation Supervision, following those guidelines established in III.B.16-0006. If, after screening, the offender seems more suitable for another alternative program, that recommendation should also be made.

### Establishing Selection Criteria

Once the pool of offenders has been identified from which to select ISP participants, selection criteria must be established. Top priority should be given to the needs of the offender pool. ISPs should be developed to meet those needs that are not being met through traditional caseloads. In this context, *needs* encompass both the risk and need factors as described previously.

The only essential criteria is high risk and/or high need. Other selection criteria should be flexible enough to accommodate the changing needs of the offender population. For example, please see the selection criteria established by the Community Justice Assistance Division in Texas (see Figure II-2).

### Specialized vs. Generalized ISPs

A jurisdiction with a number of offenders with diverse risk factors and no specific need may want to develop their ISP accordingly; a general ISP with a variety of interventions, surveillance and enforcement strategies available. A jurisdiction that identifies a prevalent problem among their offender pool (i.e., drug/alcohol abuse, chronic unemployment, sexual deviance, mental retardation) may want to establish a *specialized* ISP caseload; probation and parole officers are hired for their expertise in the identified area of need, and either in-house programs addressing that need are developed or appropriate outside services are obtained. The development of a specialized caseload is dependent on:

Figure II-2

The Community Justice Assistance Division in Texas has developed guidelines for the development and management of ISP programs by probation agencies across the state. They define ISP as a program designed for managing high risk/need offenders. In addition to scoring high risk/need, offenders must have one or more of the following indicators of need to be selected for participation in ISP:

1. One or more prior commitments to prison or jail;
2. One or more convictions;
3. Documentable chronic unemployment problem;
4. Documentable alcohol dependency problems;
5. Documentable drug dependency problems;
6. Documentable limited mental capacity problem (example: mental retardation, learning disability); and/or documentable emotional/ mental health problems (example: severe depression, severe anxiety);
7. Seriousness of the current offense; and
8. Behavior in serious conflict with conditions of probation.

Probation agencies are given the option to develop generalized caseloads that meet all of these diverse needs, or specialized caseloads that meet one specific need, depending on the makeup of their offender population.

- the size of the offender population;
- agency funding;
- staffing (number of staff, area and level of expertise); and

- other resources (i.e., community services).

Even if agencies are unable to develop a specialized caseload, however, the identification of a number of offenders with a similar need will be useful in supporting the development of community resources that meet this need. Some jurisdictions have the luxury of having both a general ISP for individuals with high risk factors and diverse needs, and specialized caseloads that address specific needs.

### Assessment Responsibilities and Timelines

Many agencies conduct a risk/needs assessment on all cases either at the presentence investigation (PSI) phase or upon probation/parole intake. The responsibility lies with probation/parole officers, or in the case of larger departments with the PSI or intake units. Other agencies, who do not have a risk/needs assessment system in place, refer an offender to ISP based upon other factors (e.g., an extensive criminal history) and ISP personnel are then responsible for risk/need assessment.

Intertwined with who is responsible for conducting the assessment is the matter of timeliness. The advantage to conducting the assessment during the presentence investigation stage, is that cases can be promptly assigned to the appropriate level of supervision. The disadvantage lies in findings suggesting that offenders are more honest after their conviction and sentencing. This more accurate information enhances case planning activities. When

the assessment is conducted during intake, the advantages and disadvantages are reversed. Too often, risk/need assessments are not conducted until the offender has been under supervision for a substantial period of time. This delays case assignment and case planning which both serve as a detriment to case supervision.

More important than who conducts the assessment is how well and how soon after placement the assessment is conducted. Persons responsible for risk/need assessments should be required to attend training on the instrument's use. Furthermore, detailed written procedures for completing a risk/need assessment should be available. Please see Appendix D for an example of such procedures.

Assessments should occur as soon as possible after placement on probation or parole and *no more* than ten working days after an offender has been placed on probation or parole.

The above considerations and other organizational factors should drive policy and procedure development for assessment responsibilities and timelines. The referral and screening policies of the Texas Department of Corrections, Pardons and Paroles Division (see Figure II-3 on the following page) provide a good example. The objectives of these procedures include:

- decreasing the number of ineligible referrals (i.e., the offender did not meet the risk or supervision criteria); and
- shortening the turn around time for referral cases.

Figure II-3

Offenders selected for participation in the Intensive Supervision Parole program are those currently under supervision who have the highest probability of returning to prison.

#### A. Eligibility

To be eligible for ISP, all cases must meet each of the Risk and Supervision criteria. The three measures which determine risk are:

1. The case must have been released on or after January 1, 1986.
2. The case must have had a salient factor score of 0 to 7 at the time of release from prison. This is the operational definition of high risk criminal history.
3. The current reassessment risk score must be 0 to 18. This is the operational definition of high risk supervision history.

All cases which meet the risk criteria are to be referred to ISP within ten (10) working days of eligibility; eligibility is usually triggered by the submission of a reassessment with a risk score of 18 or below. In practice, this means that officers have ten (10) days from the reassessment date to verify each of the six (6) supervision eligibility requirements. These are: 1) the discharge date must be at least six (6) months from the date of referral; 2) the case must not be in custody; 3) no pending felony charges; 4) no summons or warrant requested or pending; 5) the residence address must be verified; and 6) a home visit must have been made within five (5) working days from date of referral.

It is the responsibility of officers in the participating regions to refer all eligible cases. It is the responsibility of unit and parole supervisors to see that this policy is complied with on a day-to-day basis. Finally, it is the responsibility of the region supervisor to see that unit and parole supervisors comply with this policy.

#### B. Referral Process

Effective January 7, 1987, all referrals to ISP will be retained by the Parole Supervisor of each district office in the region office until the cases are reviewed for eligibility by an ISP staff person who will visit each office on a regular schedule. Accurate referrals will be assigned to either the ISP or the Control group the same day the files are reviewed if space is available in the ISP unit.

### Other Offender Selection Activities

In addition to risk/needs assessment, most ISPs conduct other various offender selection activities. These activities generally serve to further narrow the offender population for ISP and are driven by the program's purpose and the established selection criteria. They may involve a further examination of the offender's criminal history or current offense, a client management classification (CMC) interview, or verification of information through collateral contacts.

These activities serve other important purposes in addition to facilitating the selection process. For example, Colorado's Judicial Department uses an *Offender Selection Worksheet* when determining eligibility to "assure uniform application to individual cases." This worksheet also represents the first step toward maintaining data to track which types of offenders are being placed in ISP and which are most successful. Please see Appendix E for Colorado's offender selection procedures.

### Decisions for ISP Placement

Of all of the criminal justice players, probation and parole personnel are most qualified to make the decision regarding ISP placement. They have access to all of the pertinent information upon which participant selection should be based including: previous criminal records; presentence investigations and reports; risk/need assessments; and knowledge of past performance on probation/parole.

One benefit of probation/parole enhancement ISPs is that ISP personnel do have more control over program placement. By maintaining control of ISP placement, judicial and parole board discretion is limited and the chances for targeting the appropriate population are enhanced. Furthermore, this process clearly separates the court's role in imposing a punishment or sentence, from probation/parole's role in case management, rehabilitation and public safety.

**Gaining input from other criminal justice players:** When making decisions regarding ISP placement, probation and parole personnel should solicit input from other criminal justice players including:

- judiciary/parole board;
- local law enforcement personnel;
- the prosecuting attorney; and
- the victim.

Input from these players is crucial as ISPs depend on their support and cooperation to achieve their goals. Asking for and considering their input promotes buy-in.

If probation and parole hope to maintain control over who is placed in ISP, they must prove to the judiciary and the parole board the validity of their basis for selection and that public safety is a primary consideration. Furthermore, since many agencies must return to the court or parole board to move offenders from a traditional caseload to an intensive caseload or to add

supervisory conditions, their support is essential.

ISPs depend on local law enforcement for assistance with surveillance and arrest. Furthermore, law enforcement personnel may be very familiar with factors which contribute to the offender's success or failure, such as the offender's family and the neighborhood in which the offender resides. Offenders being considered for ISP participation by the Montana Community Corrections Bureau are screened by a committee composed of local criminal justice system personnel. At a minimum, the committee is comprised of the ISP officers and a representative from a local law enforcement agency.

ISPs also depend on the support of the prosecuting attorney as he/she influences the sentencing decision and is involved in violation and revocation proceedings.

By soliciting input from the victim, the ISP will convey concern for the victim's rights and safety and concern for the community as a whole.

**Dealing with inappropriate ISP placements or exclusions:** In an ideal world, ISP placement should rest solely in the hands of probation/parole personnel. However, since ISPs do not exist in an ideal world, policies must be in place regarding how to deal with inappropriate placements or exclusions, most of which are the result of direct sentencing by the court or direct placement in ISP by the parole board. Two steps can be taken to limit this problem.



First, ISP personnel should be responsible for providing comprehensive education to those who influence the placement of an offender into ISP (i.e., the judiciary, prosecutors, defense attorneys, paroling authorities). These educational efforts will facilitate appropriate program placements.

Second, when a case is found to be either too low or too high risk for ISP, policies should be in place that allow probation and parole to provide feedback to the court or parole board, asking for reconsideration.

Another source of inappropriate placement is internal referrals. Agencies need to guard against ISPs' being used as a dumping ground for difficult offenders. Internal mechanisms for rejecting cases that do not meet the high risk/need criteria must be outlined in the agency policies and procedures. When an offender is moved from a traditional caseload to an ISP caseload because of an increase in risk/need or a violation, the decision for moving an offender into ISP should be made jointly by the current probation/parole officer, ISP personnel and the unit supervisors.

While, in reality, ISP will be taking some inappropriate cases, these steps will assist probation and parole in maintaining control over the decision-making process for ISP placement. Probation and parole must take more initiative in this regard if they hope to target the appropriate offender population.

### **Caseload Size**

In the past, ISPs have been surveillance and activities-oriented. The new

generation of ISPs proposed within this curriculum, focuses on interventions supported by surveillance and enforcement strategies; is results-oriented rather than activities-oriented; and is working with a higher risk/need population. Common sense indicates that to implement this type of program, time becomes even more of an issue; one that necessitates small ISP caseloads. It is recommended that ISP caseloads range from 20 to 30 offenders per officer depending on the jurisdictional factors outlined below.

Caseload size has been an on-going area of discussion. A report from the American Probation and Parole Association's Issues Committee (1991) indicates that the diversity and pluralistic nature of the probation and parole field makes it difficult to state a standard caseload size that can apply uniformly to all probation and parole agencies. The report states that agencies should base their caseload sizes on:

- their basis for classification (risk, needs, offense);
- contact standards (type and frequency);
- hours of work, leave policies; and
- collateral duties.

Other considerations requiring examination when determining caseload size include demographic factors. Population density and the size of the geographical area in which services are provided affect the nature of supervision. For example, whether it is an urban or a rural setting

will affect the extent of contact due to the required travel.

In addition to these variances, the differential supervision required for individual offenders (a key strategy in effective supervision) makes it difficult to establish a standard caseload size. The workload concept (i.e., assigning the amount of time required to complete specific tasks, including case supervision) accounts for differential supervision and provides a more accurate and fair description of officer caseloads (APPA Issues Committee, 1991). While there will still be varying levels of supervision required among ISP participants, the fact that they will all be high risk/need will help to narrow the range. In the ISP manuals reviewed, the hours assigned to the supervision of a high risk/ need case ranged from three to eight hours per month; with the mode being four hours per month. A New York State survey (Thibault and Maceri, 1990), accounting for jurisdictional variances across the state, found that the supervision of intensive cases ranged from 3.0 to 4.5 hours, with 116 work hours available during each work month. The 116 hours represents the time available after subtracting civil service leave and holidays, travel, staff and professional meetings, form preparation and court hearings. Using New York State as an example, these numbers translate to caseload sizes ranging from 20 to 38 cases.

ISPs should have a mechanism in place to inform the parole board or the court that the ISP caseload size is at capacity. Exceeding the caseload size will interfere with program objectives. Maine has

instituted legislation specifically aimed at keeping caseloads small:

*Title 17-A, 1263-5: If, at the time the defendant is scheduled to be released to the Intensive Supervision Program, the ratio of prisoners to Intensive Supervision Program officers would exceed 25 to 2, the Department of Corrections shall petition the court to relieve it of its obligation to place the defendant in the Intensive Supervision Program until it can place the defendant in the program without exceeding the ratio of 25 to 2.*

The literature clearly indicates that small caseloads alone do not mean better supervision (Banks, et al., 1976; Neithercutt and Gottfredson, 1974; Carter and Wilkins, 1984). There is no "magic number" that provides for optimum supervision. Other factors including officer skills and quality of supervision must be combined with small caseloads to achieve effective supervision. Agencies must be willing to evaluate these factors and adapt accordingly.

### Conclusion

The factors discussed within this chapter represent the basic procedural issues agencies must address when selecting offenders for participation in ISP. These very important first steps will assist agencies in the effective allocation of ISP resources and more importantly, they set the stage for the effective supervision of high risk/ need offenders.

While within this chapter we primarily addressed procedures for the upfront offender selection, the assessment of offenders is an ongoing process as will be seen in the remaining modules.

**MODULE II**

**REFERENCES**

## MODULE II

## REFERENCES

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**MODULE II**

**APPENDICES**

**SALIENT FACTOR SCORE (SFS81)****ITEM A. PRIOR CONVICTIONS/ADJUDICATIONS (ADULT OR JUVENILE)** \_\_\_\_\_

None = 3; One = 2; Two or three = 1; Four or more = 0

**ITEM B. PRIOR COMMITMENT(S) OF MORE THAN 30 DAYS (ADULT OR JUVENILE)** \_\_\_\_\_

None = 2 One or two = 1; Three or more = 0

**ITEM C. AGE AT CURRENT OFFENSE/PRIOR COMMITMENTS** \_\_\_\_\_

Age at commencement of the current offense: 26 years of age or more = 2\*\*\*;

20-25 years of age = 1\*\*\*; 19 years of age or less = 0

\*\*\*EXCEPTION: If five or more prior commitments of more than thirty days, (adult or juvenile), place an "x" here ( ) and score this item = 0

**ITEM D. RECENT COMMITMENT FREE PERIOD (THREE YEARS)** \_\_\_\_\_

No prior commitment of more than thirty days (adult or juvenile), or released to the community from last such commitment at least three years prior to the commencement of the current offense = 1; Otherwise = 0

**ITEM E. PROBATION/PAROLE/CONFINEMENT/ESCAPE STATUS VIOLATOR THIS TIME** \_\_\_\_\_

Neither on probation, parole, confinement, or escape status at the time of the current offense, nor committed as a probation, parole, confinement, or escape status violator this time = 1; Otherwise = 0

**ITEM F. HISTORY OF HEROIN/OPIATE DEPENDENCE** \_\_\_\_\_

No history of heroin or opiate dependence = 1; Otherwise = 0

**TOTAL SCORE** \_\_\_\_\_

Source: P.B. Hoffman (1983), "Screening for Risk: A Revised Salient Factor Score." *Journal of Criminal Justice*, II, 539-547; see also *Federal Probation*, 1980, 44-52.

| <u>WISCONSIN ASSESSMENT OF CLIENTS RISK SCALE</u>  |   | SCORE |
|--|---|-------|
| Number of Address Changes in Last 12 Months:<br>(Prior to incarceration for parolees)  | 0 None<br>2 One<br>3 Two or more  | _____ |
| Percentage of Time Employed in Last 12 Months:<br>(Prior to incarceration for parolees)  | 0 60% or more<br>1 40%-59%<br>2 Under 40%<br>0 Not applicable   | _____ |
| Alcohol Usage Problems:  | 0 No interference with functioning<br>2 Occasional abuse; some disruption with functioning<br>4 Frequent abuse; serious disruption; needs treatment | _____ |
| Other Drug Usage Problems:<br>(Prior to incarceration for parolees)  | 0 No interference with functioning<br>1 Occasional abuse; some disruption with functioning<br>2 Frequent abuse; serious abuse; needs treatment      | _____ |
| Attitude:  | 0 Motivated to change;<br>3 Dependent or unwilling to accept responsibility<br>5 Rationalizes behavior; not motivated to change                     | _____ |
| Age at First Conviction:<br>(or Juvenile Adjudication)   | 0 24 or older<br>2 20-23<br>4 19 or younger   | _____ |
| Number of Prior Periods of Probation/Parole Supervision:<br>(Adult or Juvenile)  | 0 None<br>4 One or more   | _____ |
| Number of Prior Probation/Parole Revocations:<br>(Adult or Juvenile)   | 0 None<br>4 One or more   | _____ |
| Number of Prior Felony Convictions:<br>(or Juvenile Adjudications)   | 0 None<br>2 One<br>4 Two or more  | _____ |
| Convictions or Juvenile Adjudications for:<br>(Select applicable and add for score. Do not exceed a total of 5. Include current offense)                                     | 2 Burglary, theft, or robbery<br>3 Worthless checks or forgery  | _____ |
| Conviction or Juvenile Adjudication for Assaultive Offense within Last Five Years:<br>(An offense which involves the use of a weapon, physical force or the threat of force) | 15 Yes<br>0 No  | _____ |
| <b>Total</b>   |   | _____ |

Source: S.C. Baird, Heinz, R.C. & Bemus, B.J. (1979) The Wisconsin Case Classification/Staff Deployment Project: A Two Year Follow-Up Report, Wisconsin: Health & Social Services.



LEVEL OF SUPERVISION INVENTORY (LSI)-VI*Score Sheet***CRIMINAL HISTORY**

- \_\_\_ 1 Any prior convictions, adult/number ( )
- \_\_\_ 2 Two or more prior convictions
- \_\_\_ 3 Three or more prior convictions
- \_\_\_ 4 Three or more present offenses/number ( )
- \_\_\_ 5 Arrested under age 16
- \_\_\_ 6 Ever incarcerated upon conviction
- \_\_\_ 7 Escape history--institution
- \_\_\_ 8 Ever punished for institutional misconduct/number ( )
- \_\_\_ 9 Charge laid or parole suspended during prior
- \_\_\_ 10 Official record of assault/violence

**EDUCATION/EMPLOYMENT**

When in labor market:

- \_\_\_ 11 Currently unemployed
- \_\_\_ 12 Frequently unemployed
- \_\_\_ 13 Never employed for full year
- \_\_\_ 14 Ever fired

School or when in school:

- \_\_\_ 15 Less than grade 10
- \_\_\_ 16 Less than grade 12
- \_\_\_ 17 Suspended or expelled at least once

When homemaker, pensioner: #18 only  
When school, work, unemployed #18, #19, #20 apply.

- \_\_\_ 18 Participation/performance ( )
- \_\_\_ 19 Peer interactions ( )
- \_\_\_ 20 Authority interactions ( )

**FINANCIAL**

- \_\_\_ 21 Problems ( )
- \_\_\_ 22 Reliance upon social assistance

**FAMILY/MARITAL**

- \_\_\_ 23 Dissatisfaction with marital or equivalent situation ( )
- \_\_\_ 24 Non-rewarding, parental ( )
- \_\_\_ 25 Non-rewarding, other relatives ( )
- \_\_\_ 26 Criminal - family/spouse

**ACCOMMODATION**

- \_\_\_ 27 Unsatisfactory ( )
- \_\_\_ 28 Three or more address changes last year/number ( )
- \_\_\_ 29 High crime neighborhood

**LEISURE/RECREATION**

- \_\_\_ 30 No recent participation in an organized activity
- \_\_\_ 31 Could make better use of time ( )

**COMPANIONS**

- 32 A social isolate
- 33 Some criminal acquaintances
- 34 Some criminal friends
- 35 Few anti-criminal acquaintances
- 36 Few antisocial friends

**ALCOHOL/DRUG PROBLEMS**

- 37 Alcohol problem, ever
- 38 Drug problem, ever
- 39 Alcohol problem, currently ( )
- 40 Drug problem, currently ( )
- 41 Law violations
- 42 Marital/family
- 43 School/work
- 44 Medical
- 45 Other clinical indicators

Specify: \_\_\_\_\_

**EMOTIONAL/PERSONAL**

- 46 Moderate interference
- 47 Severe interference
- 48 Psychiatric treatment, past
- 49 Psychiatric treatment, current
- 50 Psychological assessment indicated

Area: \_\_\_\_\_

**ATTITUDE/ORIENTATION**

- 51 Supportive of crime
- 52 Unfavorable toward convention
- 53 Poor, toward sentence
- 54 Poor, toward supervision

\_\_\_\_\_ **TOTAL LSI SCORE**

Source: D.A. Andrews, Kiessling, J.J., Mickus, S.G., Robinson, D. (1985). The Level of Supervision Inventory: Risk/Needs Assessment in Community Corrections. Ottawa: Carleton University; Bonta, J., Motiuk, L. (1985), Criminal Justice & Behavior, 12, 333-352.

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| STATE OF NEVADA<br><br>DEPARTMENT OF PAROLE AND PROBATION | NO: _____ ISSUE: _____<br>Effective: _____ Page ___ of ___ |
| CHAPTER: SUPERVISION                                      | SUBJECT: CLASSIFICATION OF<br>PROBATIONERS AND PAROLEES    |

V. POLICY:

A. Initial Risk and Needs Assessment: It shall be the policy of this Department that within thirty days of the receipt of any new case, the supervising officer will complete the Initial Risk and Needs Assessment (P&P Form 32). The offender shall be placed within a specific level of supervision, i.e., Maximum, Medium, or Minimum group. The scoring data shall be entered into the Department's computer system.

B. Reassessment of Risk and Needs: After a period of six months and continuing at six-month intervals, a standardized Reassessment of Risk and Needs (P&P Form 32) shall be completed by the case supervision officer to reassess the offender's supervision classification level. This reassessment shall also be entered into the Department's computer system.

C. Termination Data Assessment: At the time that supervision of the offender is terminated through discharge, revocation or other reason, the case supervision officer shall complete a Termination Data Form (P&P Form 31). This information shall also be entered into the Department's computer system.

D. Override: It shall be the immediate Unit/District Supervisor's responsibility to review and approve any override of an offender's classification level of supervision when individual case circumstances warrant such action. Such factors and the override decision shall be documented in the case chronological record.

VI. PROCEDURES:

A. Initial Risk and Needs Assessment: After reviewing the Presentence Investigation Report and/or other relevant case material, within thirty days of assignment the supervising case officer will complete the scoring of the initial Risk and Needs

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|------------------------------------|--|-----------------|
| STATE OF NEVADA                    | NO: _____  | ISSUE: _____    |
| DEPARTMENT OF PAROLE AND PROBATION | Effective: _____                                     | Page ___ of ___ |
| CHAPTER: SUPERVISION               | SUBJECT: CLASSIFICATION OF PROBATIONERS AND PAROLEES |                 |

form, placing the offender at a supervision level. The third page of Form 32 will be submitted to the appropriate supervisor for approval and forwarded to Central Office for entry of data into the computer. The following guidelines shall be utilized in completing the form:

1. Identifying Information:

- a. Case Name as stated in the Presentence Investigation Report, Compact or parole documents;
- b. File Number as assigned by the District;
- c. Social Security Number: This is the mandatory control number for the computer; the primary Social Security Number shall be used when multiple Social Security Numbers are reported by an offender. In the event the Social Security Number is unknown or absent, the statistical clerk in Central Office will assign a fictitious Social Security Number designated with '999' being the first three digits. This assigned Social Security Number shall remain the primary computer control number throughout the case history;
- d. Assessment Date is the actual date the form is completed;
- e. Officer's Name is the supervision officer assigned to the offender, or if none, enter 'minimum bank';
- f. Parole/Probation Officer CID Number: The computer identification number of the supervision officer assigned to the offender, or if none, enter the number for 'minimum bank';
- g. Criminal Case Number: The Criminal Court case number or the State Interstate Compact file number;
- h. Date of Birth: The primary date of birth used by the offender in available records;

|   |  |
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| STATE OF NEVADA<br><br>DEPARTMENT OF PAROLE AND PROBATION | NO: _____ ISSUE: _____<br><br>Effective: _____ Page ___ of ___ |
| CHAPTER: SUPERVISION                                      | SUBJECT: CLASSIFICATION OF<br>PROBATIONERS AND PAROLEES        |

- i. District and Unit: The District and Unit of case supervision assignment.
2. Risk Assessment (Page 1 of Form 32): An explanation of the following categories on Risk Assessment are:
  - a. Residence: Count only the number of residence changes in the twelve-month period preceding the assessment date. Exclude any custody incarceration time (in other words, count only twelve months 'street time');
  - b. Employment: Consider only verified full-time employment where the offender has a legitimate occupation and fulfills a minimum of thirty-five hours per week during the previous twelve-month period. Exclude any custody incarceration time (in other words, count only twelve months 'street time'). Those offenders who are completely disabled, full-time students, housewives, retired, or in residential treatment programs preventing outside employment, are to be scored as "not applicable". Part-time students who also work may be considered as "full-time" employees;
  - c. Alcohol Usage Problems:
    - (1) Score as "0" if the offender has no alcohol related arrests or legal difficulties within the five years preceding assessment;
    - (2) Score as "2" if the offender has less than four minor arrests for alcohol related offenses during the five years preceding assessment, or if there are other minor verified indications of alcohol abuse;
    - (3) Score as "4" if the offender has serious current or past alcohol related offenses; if there is a serious pattern of misbehavior related to alcohol abuse; if the offender has lost employment, had marital problems, failed a treatment program; or if there are any other verified indications of serious alcohol abuse.

|   |   |                                 |
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| STATE OF NEVADA<br>DEPARTMENT OF PAROLE AND PROBATION | NO: _____<br>Effective: _____                           | ISSUE: _____<br>Page ___ of ___ |
| CHAPTER: SUPERVISION                                  | SUBJECT: CLASSIFICATION OF<br>PROBATIONERS AND PAROLEES |                                 |

d. Drug Usage Problems:

- (1) Score as "0" if there are no arrests or any other information to indicate a drug usage problem;
- (2) Score as "1" if the offender or any other information indicates some usage of drugs, but no significant disruption of lifestyle, home or employment;
- (3) Score as "2" if the offender or any other information indicates some use of drugs and there is evidence of disruption in lifestyle, home or employment;
- (4) Score as "4" if the offender or any other information indicates a frequent use of drugs and there is a serious disruption of lifestyle, home or employment;

e. Attitude: Scoring in this category is based upon the officer's impressions of the offender after reviewing the Presentence Investigation Report and other relevant data. Caution should be exercised in this area since 'rationalizing behavior', to a certain degree, can normally be expected from most people. However, the offender who 'rationalizes' to the point of denying reality may be inhibiting the rehabilitative process and continue a criminal behavior pattern. An example might be the 'sex offender' who explains away his crime by blaming it on the victim;

f. Age at First Arrest: Should include all juvenile offenses, i.e., status offenses, as well as adult crimes;

g. Number of Prior Periods of Probation/Parole Supervision: Should include all types of probation or parole, both as juvenile and adult;

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|---|---|---------------------------------|
| STATE OF NEVADA<br>DEPARTMENT OF PAROLE AND PROBATION | NO: _____<br>Effective: _____                           | ISSUE: _____<br>Page ___ of ___ |
| CHAPTER: SUPERVISION                                  | SUBJECT: CLASSIFICATION OF<br>PROBATIONERS AND PAROLEES |                                 |

- h. Number of Prior Probation/Parole Revocations: Should include all types of probation or parole revocations, both as juvenile and adult;
- i. Number of Prior Gross Misdemeanor/Felony Convictions: Should include all adjudicated matters in juvenile courts and all 'deferred prosecution' matters of adult courts;
- j. Convictions or Juvenile Adjudications: Should be considered for the original charge even if reduced by plea bargaining. An example would be 'joy-riding', reduced from 'auto theft'. Regardless of the number of convictions in any one category, the score value is only counted once, i.e., offender receives two points whether he has convictions for one or ten burglaries. If category 2 and 3 both apply, the total score is "5". No offender can receive over a "5".
- k. Conviction or Juvenile Adjudication for Offense Involving Assaultive Behavior Within the Last Five Years (an offense which involves the use of a weapon, physical force or the threat of force): Should consider all available reports to help determine the assaultive behavior of the offense. An act of child abuse will fall in this category. If a yes is indicated, this constitutes a basis for administrative override with supervisory review, and the offender must be placed under maximum supervision level for the first six months of supervision, regardless of the Risk and Needs scores.
3. Needs Assessment (Page 2 of Form 32): An explanation of the following categories on Needs Assessment are:
- a. Academic/Vocational Skills:
- (1) Score as "-1" if the offender has obtained a high school diploma or G.E.D. certificate, or other vocational/academic skills and does not need or desire any further education or training;

|   |  |
|---|--|
| STATE OF NEVADA<br>DEPARTMENT OF PAROLE AND PROBATION | NO: _____      ISSUE: _____<br>Effective:      Page ___ of ___ |
| CHAPTER:      SUPERVISION                             | SUBJECT:   CLASSIFICATION OF<br>PROBATIONERS AND PAROLEES      |

- (2) Score as "0" if the offender acquired skills to maintain satisfactory employment and has no further need or desire for further training or education;
- (3) Score as "+2" if the offender has a deficiency in formal education or vocational training which causes problems in obtaining or maintaining employment;
- (4) Score as "+4" if the offender has a significant educational deficiency, such as lacking basic reading or writing skills, and has no vocational skills which cause him/her to have serious employment problems.

b. Employment:

- (1) Score as "-1" if the offender has held the same job for at least one year or has only changed jobs once in one year for career development;
- (2) Score as "0" if the offender has had full-time employment without interruption, or is a homemaker, student, totally disabled or retired;
- (3) Score as "+3" if the offender expressed dissatisfaction with employment or with parental support, or requests assistance in seeking employment or is actively seeking employment and unemployment period has not exceeded three months;
- (4) Score as "+6" if the offender is unemployed and not seeking work, cannot work due to emotional problems or lacks the motivation, has a mental or physical problem which is not totally disabling, or if lacking employable skills, or if only working casually from day to day, and the unemployment period has exceeded three months.



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| STATE OF NEVADA<br>DEPARTMENT OF PAROLE AND PROBATION | NO: _____      ISSUE: _____<br>Effective:      Page ___ of ___ |
| CHAPTER:      SUPERVISION                             | SUBJECT: CLASSIFICATION OF<br>PROBATIONERS AND PAROLEES        |

c. Financial Management:

- (1) Score as "-1" if the offender has viable assets and a two-year history of independent support;
- (2) Score as "0" if the offender has sufficient income to maintain current lifestyle;
- (3) Score as "+3" if the offender is temporarily unable to be self-supporting and the problem can be solved, or if the current mismanagement of finances will not lead to legal difficulty;
- (4) Score as "+5" if the offender is delinquent in payments of any legal obligation (fine, restitution, fees, etc.) to the extent that revocation of probation/parole or other legal action results, or if his financial obligation exceeds income and there is no solution;

d. Marital/Family Relationships:

- (1) Score as "-1" if the offender maintains close contact with family and/or spouse and they provide support for him to respond in a social manner;
- (2) Score as "0" if the offender has stable marital or family relationships;
- (3) Score as "+3" if the offender has marital or family relationships which are causing temporary problems in his lifestyle;
- (4) Score as "+5" if the offender has significant marital or family relationship problems (i.e., estrangement from family, domestic violence, child welfare involvement) and they have been present for longer than one year without any sign of resolution.

|   |   |                                 |
|---|---|---------------------------------|
| STATE OF NEVADA<br>DEPARTMENT OF PAROLE AND PROBATION | NO: _____<br>Effective: _____                           | ISSUE: _____<br>Page ___ of ___ |
| CHAPTER: SUPERVISION                                  | SUBJECT: CLASSIFICATION OF<br>PROBATIONERS AND PAROLEES |                                 |

e. Companions:

- (1) Score as "-1" if the offender's peers have no criminal history and are a positive influence upon his lifestyle, or if they offer him/her emotional support when needed;
- (2) Score as "0" if the offender's peers have a neutral effect on influencing his lifestyle or involving him in further legal difficulties;
- (3) Score as "+2" if the offender's past or present crimes were the result of some negative peer influence, or if the offender associates with a mixture of peers who have some positive or negative influence upon him;
- (4) Score as "+4" if the offender's criminal history indicates a pattern of associating with negative influencing peers, or is easily influenced by peers to become involved in crime, or if the offender predominantly associates with known criminal individuals or persons with drug and/or alcohol abuse problems.

f. Emotional Stability: Assuming that most offenders who have recently been released from an institution, or have recently been convicted of a crime, would not be considered well-adjusted, consider motivation for the instant offense (i.e., was it emotionally or materially motivated?). The officer can evaluate appropriate responses by asking questions regarding how the offender deals with such feelings as anger, depression or anxiety.

- (1) Score as "-2" any exceptionally well-adjusted offender displaying emotional stability;
- (2) Score as "0" if the offender has no history of emotional problems or has resolved any problems through therapy or other treatment;

|   |   |                                 |
|---|---|---------------------------------|
| STATE OF NEVADA<br>DEPARTMENT OF PAROLE AND PROBATION | NO: _____<br>Effective: _____                           | ISSUE: _____<br>Page ___ of ___ |
| CHAPTER: SUPERVISION                                  | SUBJECT: CLASSIFICATION OF<br>PROBATIONERS AND PAROLEES |                                 |

- (3) Score as "+4" if the offender has obvious problems in adjustment to life situations (depression, high anxiety, inappropriate anger) or has recently been released from an institution, but is maintaining a lifestyle with minimum disruption;
- (4) Score as "+7" if the offender's criminal history reflects inappropriate emotional motivation or his/her emotional problems have gone unresolved and are severe enough that they may result in future legal problems, or if the offender 'rationalizes' behavior to resist treatment or is passive to a treatment program.

g. Alcohol Abuse:

- (1) Score as "0" if there is no history of alcohol related problems (i.e., occasional use of alcohol without disruptions in family, marital or employment relationships) or if past alcohol abuse was resolved with treatment and no problems have occurred for at least two years;
- (2) Score as "+3" if the offender uses alcohol occasionally and it does result in lifestyle problems, or offender admits excessive consumption of alcohol with no apparent problems;
- (3) Score as "+6" if the offender's present or past crimes are alcohol related, or the offender has serious marital, family or employment problems.

h. Other Drug Usage:

- (1) Score as "0" if offender's past or present criminal history did not involve the use of drugs, or if the offender has been free from drug usage for at least two years;
- (2) Score as "+3" if the offender has sporadically used drugs which have caused some problems in his life;

|   |  |
|---|--|
| STATE OF NEVADA<br><br>DEPARTMENT OF PAROLE AND PROBATION | NO: _____ ISSUE: _____<br><br>Effective: _____ Page ___ of ___ |
| CHAPTER: SUPERVISION                                      | SUBJECT: CLASSIFICATION OF<br>PROBATIONERS AND PAROLEES        |

(3) Score as "+6" if the offender's past or present crimes have involved the use of drugs, or if his marital, family or employment relationships have suffered because of drug usage.

i. Mental Ability:

(1) Score as "0" if the offender has the ability to be independently living on his own (i.e., manages his own finances, employment, housing, and transportation without difficulty) or the offender has the ability to achieve this level of independence;

(2) Score as "+3" if the offender does not have the ability to be self-supporting and needs the help of others, or if the offender is mildly mentally retarded but able to function in some areas without the help of others, yet not to the point of total independence;

(3) Score as "+6" if the offender does not have the ability to function at all without the help of others, or is moderately retarded but may be able to contribute to his own support by performing skilled or unskilled work under close supervision in a sheltered workshop.

j. Health:

(1) Score as "0" if the offender has no reported health problems that interfere with his life;

(2) Score as "+1" if the offender has recurring health problems which may interfere to some extent with the offender's life, or the offender is temporarily disabled due to an injury or other health condition confirmed by a physician and it would not extend past six months;

|                                    |  |                 |
|------------------------------------|--|-----------------|
| STATE OF NEVADA                    | NO: _____  | ISSUE: _____    |
| DEPARTMENT OF PAROLE AND PROBATION | Effective: _____                                     | Page ___ of ___ |
| CHAPTER: SUPERVISION               | SUBJECT: CLASSIFICATION OF PROBATIONERS AND PAROLEES |                 |

- (3) Score as "+2" if the offender is confirmed as disabled due to a health problem and the disability will last over a six month period, or if the offender is unable to work due to a lasting physical condition.

k. Sexual Behavior:

- (1) Score as "0" if there are no criminal convictions for sexual offenses, past or present, in offender's background, or if he does not report any problems in this area;
- (2) Score as "+3" if the offender has a criminal conviction for a sexual offense in his history and he has obtained some treatment for the problem, or if the offense was one where the victim suffered no physical threat or was not threatened with a weapon, or if the offender reports a problem of sexual dysfunctioning which is causing stress in his life but is considered minor and treatable, or there is indication that the offender is making obscene telephone calls and he has no prior history of sexual offense;
- (3) Score as "+5" if the offender has been convicted of a sex offense and there was no treatment program established, or if the offender refused to accept treatment for the problem, or if the victim experienced a physical threat, or if the offender has more than one conviction for a sexual offense, or if the offender reports a problem with sexual dysfunction that could result in legal difficulties, or if there is any indication that the offender is involved in inappropriate sexual behavior which is considered in the scorer's opinion to be severe.

**INITIAL ASSESSMENT OF CLIENT RISK**

**STATE OF NEVADA  
PAROLE AND PROBATION FORM**

|                                    |              |                     |                                    |       |      |
|------------------------------------|--------------|---------------------|------------------------------------|-------|------|
| Case Name (Last, first, middle)    |              | File No. (One only) | Social Security No. (First on PSI) |       |      |
| Assessment Date (Month, day, year) | Officer Name | P.O. CID No.        | CC No. (One only)                  | Dist. | Unit |

Select appropriate answer and enter associated weight in score column. Total all item scores to get total needs score.

**ACADEMIC/VOCATIONAL SKILLS**

|                               |  |  |  |                   |
|-------------------------------|--|--|--|-------------------|
| -1—High school or above level | 0—Adequate skill able to handle requirements | +2—Low skill level causing minor adjustment problems | +4—Minimal skill level causing serious adjustment problems | <u>          </u> |
|-------------------------------|--|--|--|-------------------|

**EMPLOYMENT**

|   |  |  |  |                   |
|---|--|--|--|-------------------|
| -1—Satisfactory employment for one year or longer | 0—Secure employment; no difficulties reported; or homemaker/student or retired | +3—Unsatisfactory employment or unemployed but has adequate job skills | +6—Unemployed and virtually unemployable, needs training | <u>          </u> |
|---|--|--|--|-------------------|

**FINANCIAL MANAGEMENT**

|   |                           |                                      |   |                   |
|---|---------------------------|--------------------------------------|---|-------------------|
| -1—Long standing pattern of self-sufficiency, e.g. good credit rating | 0—No current difficulties | +3—Situational or minor difficulties | +5—Severe difficulties; may include garnishment, bad checks or bankruptcy | <u>          </u> |
|---|---------------------------|--------------------------------------|---|-------------------|

**MARITAL/FAMILY RELATIONSHIPS**

|   |                                   |   |                                    |                   |
|---|-----------------------------------|---|------------------------------------|-------------------|
| -1—Relationships and support exceptionally strong | 0—Relatively stable relationships | +3—Some disorganization or stress but potential for improvement | +5—Major disorganization or stress | <u>          </u> |
|---|-----------------------------------|---|------------------------------------|-------------------|

**COMPANIONS**

|                               |                            |  |  |                   |
|-------------------------------|----------------------------|--|--|-------------------|
| -1—Good support and influence | 0—No adverse relationships | +2—Associations with occasional negative results | +4—Associations almost completely negative | <u>          </u> |
|-------------------------------|----------------------------|--|--|-------------------|

**EMOTIONAL STABILITY**

|  |  |  |  |                   |
|--|--|--|--|-------------------|
| -2—Exceptionally well adjusted, accepts responsibility for actions | 0—No symptoms of emotional instability; appropriate emotional responsibility | +4—Symptoms limit but do not prohibit adequate functioning; e.g. excessive anxiety | +7—Symptoms prohibit adequate functioning, e.g. lashes out or retreats into self | <u>          </u> |
|--|--|--|--|-------------------|

**ALCOHOL USAGE**

|  |                                    |   |  |                   |
|--|------------------------------------|---|--|-------------------|
|  | 0—No interference with functioning | +3—Occasional substance abuse; some disruption of functioning | +6—Frequent substance abuse; serious disruption; needs treatment | <u>          </u> |
|--|------------------------------------|---|--|-------------------|

**OTHER DRUG USAGE**

|  |                                    |   |  |                   |
|--|------------------------------------|---|--|-------------------|
|  | 0—No interference with functioning | +3—Occasional substance abuse; some disruption of functioning | +6—Frequent substance abuse; needs treatment | <u>          </u> |
|--|------------------------------------|---|--|-------------------|

**MENTAL ABILITY**

|  |                                  |  |  |                   |
|--|----------------------------------|--|--|-------------------|
|  | 0—Able to function independently | +3—Some need for assistance, potential for adequate adjustment; mild retardation | +6—Deficiencies severely limit independent functioning; moderate retardation | <u>          </u> |
|--|----------------------------------|--|--|-------------------|

**HEALTH**

|  |                                     |   |  |                   |
|--|-------------------------------------|---|--|-------------------|
|  | 0—Sound physical health; seldom ill | +1—Handicap or illness interferes with functioning on a recurring basis | +2—Serious handicap or chronic illness needs frequent medical care | <u>          </u> |
|--|-------------------------------------|---|--|-------------------|

**SEXUAL BEHAVIOR**

|  |                           |  |   |                   |
|--|---------------------------|--|---|-------------------|
|  | 0—No apparent dysfunction | +3—Real or perceived situational or minor problems | +5—Real or perceived chronic or severe problems | <u>          </u> |
|--|---------------------------|--|---|-------------------|

**AGENT'S IMPRESSION OF CLIENT'S NEEDS**

|            |       |           |            |                   |
|------------|-------|-----------|------------|-------------------|
| -1—Minimum | 0—Low | +3—Medium | +5—Maximum | <u>          </u> |
|------------|-------|-----------|------------|-------------------|

**INITIAL ASSESSMENT OF CLIENT RISK**

**STATE OF NEVADA  
PAROLE AND PROBATION FORM**

|                                    |              |                     |                                    |       |      |
|------------------------------------|--------------|---------------------|------------------------------------|-------|------|
| Case Name (Last, first, middle)    |              | File No. (One only) | Social Security No. (First on PSI) |       |      |
| Assessment Date (Month, day, year) | Officer Name | P.O. CID No.        | CC No. (One only)                  | Dist. | Unit |

Circle appropriate number.

RISK NEEDS

**\*PRIOR SUPERVISION HISTORY**

- 1—Nevada probation
- 2—NV probation revocation
- 3—Nevada parole
- 4—NV parole revocation
- 5—Out-of-state probation
- 6—Out-of-state probation revocation
- 7—Out-of-state parole
- 8—Out-of-state parole revocation
- 9—N/A

**SUPERVISION LEVEL**

- 1—I.S.U.
- 2—Maximum
- 3—Medium
- 4—Minimum

**VERRIDE**

Yes  \_\_\_\_\_  
(Supervisor's initials)

**GROSS INCOME LAST SIX MONTHS**

- 0—None
- 1—Under \$2,500
- 2—\$2,500 to \$5,000
- 3—\$5,000 to \$7,500
- 4—\$7,500 to \$10,000
- 5—Over \$10,000

**SUPERVISOR:**

Please sign if all categories completed and correct on all 3 pages

**JOB SKILL CLASSIFICATION**

- 1—Professional/management
- 2—Skilled
- 3—Semi-skilled
- 4—Unskilled
- 5—N/A

**\*CASE TYPE**

- 1—Normal
- 2—120 day
- 3—Street readiness
- 4—Waived PSI (Nevada only)

**S.C.S. APPROACH**

- 1—Limit setting
- 2—Casework/control
- 3—Environmental structuring
- 4—Selective intervention situation
- 5—Selective intervention treatment
- 6—N/A

**CURRENT EMPLOYMENT STATUS**

- 1—Employed full-time
- 2—Employed part-time
- 3—Unemployed
- 4—N/A

**EDUCATION STATUS**

Enter highest grade completed or circle the

following choices:.....

- 13—High school graduate
- 14—Some college
- 15—College graduate
- 16—Some graduate school
- 17—Graduate degree
- 18—Special education
- 19—Technical/vocational
- 20—G.E.D.
- 99—Not reported

Assaultive Behavior?

\*Circle one or more applicable choices.





Revised July 1, 1991

PART IV - INSTRUCTION MANUAL FOR COMPLETION OF  
ISP OFFENDER SELECTION WORKSHEETS

INTRODUCTION

This instruction manual is intended to provide clear decision rules for completing the offender selection worksheet, which will assure uniform application to individual cases.

Probation officers conducting presentence investigation reports (PSIR) should complete a sentencing worksheet for each person convicted of a class three, four, five, or six felony. Do not complete a sentencing worksheet if an offender is convicted of a class two felony, or any offense for which there is a mandatory sentence.

The sentencing worksheet is not part of the PSIR, and should not be appended to it.

**Section I**

**Current Offense Information.** In determining current offenses, rely on the conviction offense(s), not charged or alleged behavior. You will have an opportunity to consider behavioral aspects when completing Risk/Need assessment.

If the defendant currently is convicted of two or more offenses, list the most serious offense first. If two or more offenses are at the same seriousness level, list them in the order in which they occurred. If two or more equally serious offenses occurred as part of a single course of conduct, they may be listed in any order. The "violent" and "nonviolent" determination shall be in accordance with current state statute.

**Section II**

A. **Criminal History Information.** Compute the defendant's criminal history score using the offender's criminal record as it existed on the date of the most serious offense

listed in Section 1, above. If there are two or more convictions at the most serious offense level, compute the defendant's criminal history score as it existed on the date of the earliest of those offenses.

Item 1: Record the number of prior juvenile adjudications of delinquency on the defendant's record. Count only adjudications which result from acts which would have been crimes if committed by an adult. Do not count any juvenile court actions which stemmed from status offenses or dependency or neglect situations. Multiply the number of prior juvenile delinquency adjudications times .5, and enter the product under the points column.

Item 2: Record the number of separate commitments to state juvenile correctional institutions in the defendant's prior record. For juvenile records incurred in other states, record the number of separate commitments to a state-level juvenile correctional authority. These might include commitments to a specific state-run juvenile institution, or to the custody of a state-level official, such as the Commissioner of Corrections. Since this item has a weighting of 1, also enter the number of juvenile state commitments in the points column.

Item 3: Enter the total number of prior adult felony convictions. A felony conviction means that the defendant pled guilty to or was convicted of an offense classified as a felony by Colorado law. For purposes of computing the criminal history score, a deferred judgment will be considered a felony sentence if the conviction offense was classified as a felony. This item also has a weighting of 1; therefore, enter the number of prior felony sentences under the points column.

Item 4: Enter the number of prior violent adult felony convictions. These offenses should also be included in the previous section in computing the "total" felony convictions. A violent crime is one defined by Colorado Statute 16-11-309 as a crime of violence. Multiply the number of prior violent felony convictions by 1.50, and enter the product under the points column.

Item 5: Record the number of adult probation revocations. Consider all sustained revocations, including revocations that resulted in modifications or regranting of probation. Include the revocation petition for which an offender is being considered

for ISP. Multiply the number of adult revocations times .75 and enter the product under the point column. (Revised 2/15/90)

Item 6: Enter the number of adult parole revocations. A parole revocation means that a parole board revokes its order placing the offender on parole and returns the offender to prison. Multiply the number of parole revocations times 2.0 and enter the product under the point column.

**B. Scoring Criminal Records From Other Jurisdictions.** Probation officers should follow the standards set forth in Colorado statutory and case law when scoring elements of offenders' criminal histories incurred in other jurisdictions. On the adult prior felony conviction item, two standards should be used:

1. If the conviction offense was classified as a felony in the foreign jurisdiction, count it as a felony when computing the criminal history score, regardless of its classification in Colorado;
2. If the conviction offense was classified as a misdemeanor in another jurisdiction, but would have been classified as a felony under Colorado law, count it as a felony when computing the criminal history score.

For other aspects of the prior record incurred in other states, the probation officer should determine if the actions taken in the other jurisdiction(s) would constitute a juvenile state commitment, an adult probation revocation, etc., in Colorado.

**C. Determining the Criminal History Score.** Total the number of points in the point column for items 1 through 6. If a fractional point total is less than .5, round down to the next lowest full point. For example, a score of 2.25 would become 2.0. If a fractional point total is .5 or more, round up to the next higher full point. Thus, a score of 3.5 would become 4.0. **The targeted ISP population should score 2.0 or higher.**

### Section III

Target Population by Risk/Need Assessment: Complete the Risk/Need Assessment by entering the scores on the worksheet. Do not consider supervision overrides. The target populations are identified by the bold outlined area. The percentages contained in each box represent the distribution of ISP cases sentenced during FY 1990. The mean Risk/Need scores, criminal history scores, and CMC distributions by cell box are contained on the reverse side of the worksheet. This profile should assist in the selection of appropriate ISP placements.

### Section IV

Aggravating Factors: When an offender's criminal history score is significantly below the target score and/or the Risk/Need score does not place the offender in a target box, aggravating factors should be present to justify ISP placement. While this is an important consideration for justifying placements outside the target populations, all aggravating factors should be entered regardless of Risk/Need cell location or criminal history score. However, in reviewing cases, careful consideration should be given to aggravating factors when the case does not meet the target profile.

Please utilize the following definitions when completing the sections.

1. Offense Committed Subsequent to Current Offense: This applies when the defendant has been charged with other offenses subsequent to his arrest for the present matter (pending charges).
2. Bond Revoked: This may be cited due to behavior committed by the client while on bond, causing justification for the revocation of the bond.
3. Serious Victim Injury: This applies if (a) the injury suffered was not an element of the conviction offense, or (b) if the extent of the injury suffered substantially exceeded the definition of injury in terms of excessive or extreme cruelty beyond that needed to complete the elements of the offense.

4. Vulnerable Victim: (e.g., elderly, handicapped, child/youth).
5. Under Correctional Supervision At Time Of Current Offense
6. Seriousness of Offense: This might be cited when the actual behavior is not captured by the convicted offense. For example, the offense may be quite heinous, yet the defendant entered a plea to a substantially lesser crime.
7. Use of Deadly Weapon: This should only be cited if the offense of conviction did not include weapons use in its definition.
8. Multiple Victims: This could be specified if the crime exposed a large number of victims to risk of injury, or if there were many victims of a continuing criminal enterprise (e.g., a con man who fleeced 25 victims).
9. Unusually Large Amount of Loss
10. Drug Dealer: Known behavior, not specifically charged or convicted, that increases the offenders risk in the community.
11. Other

## Section V

Recommendation: The Officer shall include a narrative recommendation regarding the appropriateness of ISP. The recommendations should consider the target profiles provided in Section I, II, III, & IV.



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**MODULE III**

**OBJECTIVES-BASED MANAGEMENT**

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**MODULE III**

**OBJECTIVES-BASED MANAGEMENT**

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**MODULE OVERVIEW**

The high-risk target population of the prototypical ISP requires a management system which will keep the organization focused on its purpose--the rehabilitation of high-risk offenders in order to achieve public safety. Objectives-based management (OBM) is just such a system. It focuses every aspect of the organization on its intended purpose by providing continual organizational feedback, evaluation and planning. Centering management on activities rather than results, would allow ISP to lose sight of its ultimate goals and would not adequately serve its population; thus, putting the community, offenders and the organization at risk.

This module is divided into four chapters:

- Chapter III-1: A Discussion of Programmatic Goals and Objectives;
- Chapter III-2: Developing Individualized Objectives-Based Case Plans;
- Chapter III-3: Using OBM for Systematic Unit Evaluation; and
- Chapter III-4: Using OBM in Organizational Planning.

Upon completion of this module, the reader will understand the importance of organizational purpose to supervision objectives and will be able to develop an objectives-based case plan and evaluate it in terms of an ISP's purpose.



## CHAPTER III-1

## A DISCUSSION OF PROGRAMMATIC GOALS AND OBJECTIVES

Introduction

The development of a program purpose and broad organizational goals is crucial to the implementation of an objectives-based management system. OBM is both a top-down and bottom-up proposition. From upper management, it requires the articulation of the organization's purpose which then informs the decisions made at each level of the organization. From the line staff, the objectives developed for individual offenders support the organization's reason for existing. Therefore, establishing an ISP's goals and purpose for being becomes critical because it will determine all other decisions made within the organization--from how often officers should conduct home visits to whether to continue a contract with a mental health agency.

This chapter will discuss how organizations can proceed in the development of an ISP's purpose and broad organizational goals as well as its shorter term objectives. Specifically, by the end of this chapter the reader will be able to:

- develop goals for their ISP based upon the four guidelines offered;
- write three effective program objectives;

- develop four objectives useful in achieving their ISP's long-term goals; and
- describe three tools by which their ISP's organizational goals and objectives can be effectively achieved.

Program Purpose

In the article, *Conditions that Permit Intensive Supervision Programs to Survive* (1990), Petersilia states "research on innovation and change suggest that how a program is developed and instituted affects its survival as much or more than its content does." At the core of every successful probation and parole agency is a mission statement that clearly defines the agency's purpose and encompasses the values and beliefs of the organization.

Before developing new programs, probation and parole administrators and personnel must clearly articulate their overall policies and values regarding punishment, risk control, rehabilitation, and the use of resources (Byrne, Lurigio and Baird, 1989; Markley, 1989). Blindly implementing a program based on its apparent success in other jurisdictions is a simplistic solution that may ultimately be ineffective (Cochran, 1989).

## Developing a Purpose

Two primary questions can help program developers limit the scope of the program to something that is realistic and achievable:

- What deficiencies are we trying to overcome?
- Which ones can we realistically overcome given the existing resources and level of support?

Albeit an obvious question, a well developed answer to the first question is important to a program's success. An ISP's viability is dependent on its ability to address a pressing local problem (Petersilia, 1990). ISPs are high maintenance programs that must result in visible benefits that address the system's deficiencies. Given the ever-changing world of probation and parole (i.e., the increasing caseloads, the shrinking budgets, and the more challenging offender population), the second question becomes the trickier of the two. Determining which deficiencies within a jurisdiction can be *realistically* addressed will help agencies develop manageable, effective programs.

The overall agency mission, current deficiencies in the system and a realistic assessment of what is possible, should drive the development of a *purpose* statement for an ISP. Whether an ISP is a separate entity or one level of case management, it should be seen as a tool to assist agencies in achieving their overall mission (Cochran, 1989). When agencies begin developing separate *mission*

statements for each and every program, they lose focus of the overall goals.

Although the difference between a *mission* statement and a *purpose* statement may appear to be nothing more than semantics, it is an important and necessary differentiation. ISPs should be viewed as one component of a probation and parole system that addresses a specific need. While policies and procedures of an ISP will differ based upon the target population served, they must parallel the basic premises set forth for the rest of the agency. An ISP developed within this context will promote constancy, and will also keep the organizational vision in focus. In addition, problems common to ISP (such as the "elitist syndrome" attributed to ISP personnel) may be avoided; everyone plays equally important roles toward achieving a common mission.

Due to the failure of current ISPs to "be all things to all people" (Clear, Flynn and Shapiro, 1987), it is recommended that the scope of ISPs be limited. A clearly articulated purpose statement identifying the primary purpose of the program will assist agencies in remaining focused on achievable and congruent goals. The purpose statement for any program, like an agency mission statement, should clearly state the primary purpose of the program and the population for whom it is designed. It should also include a very brief and general description of the services it will provide.

The purpose statement appearing in Figure III-1 on the following page was developed for the prototypical ISP.

Figure III-1: ISP Purpose Statement

The Intensive Supervision Program is a community-based intervention program designed for high-risk/need offenders who can safely be managed in the community but who are too high-risk/need for traditional probation. The program will provide intensive intervention, surveillance and enforcement to offenders in an effort to promote long-term behavioral change that leads to enhanced public safety.

## Program Goals

### Current Goals

Before addressing the goals specifically related to ISPs, it is important to examine the commonly acknowledged goals of sentencing within the criminal justice system. They include:

- deterrence of the offender and others from criminal behavior;
- punishment of the offender by inflicting pain or loss;
- incapacitation of the offender by removing or limiting his/her ability to engage in crime; and
- rehabilitation of the offender by creating a change in attitudes and resources so that crime is not a desired or necessary activity (De Luca, Miller and Wiedemann, 1991).

Current ISPs have mimicked these goals and promised to be better at achieving

them than other components of the system; they claim *increased* public protection, rehabilitation of the offender *and* the provision of an intermediate punishment, all while reducing prison crowding and saving money (Clear and Hardyman, 1990; Tonry, 1990). ISPs have assumed responsibility for goals that the criminal justice system as a whole has trouble achieving.

In addition to being overly ambitious, the goals of current ISPs are often conflicting. For example, the more stringently ISPs impose the punitive conditions (as a means of providing an intermediate punishment and increasing public protection), the more likely they are to exacerbate prison crowding and to approach the costs of imprisonment (Turner and Petersilia, 1992). Furthermore, the focus on punitive conditions ignores one of the domains of probation and parole: that of rehabilitation and reintegration. Additionally, if ISPs fail to divert offenders from prison, they also fail to reduce costs (Clear and Hardyman, 1990). Finally, the claim of reduced costs underestimates the increased level of staffing required, surveillance costs (i.e., equipment), and the expansion of social service resources needed to achieve the rehabilitative aims (Cochran, 1989). The overly ambitious and conflicting nature of the goals of ISP create a no-win situation. One goal may be achieved at the expense of another.

It is recognized that probation and parole agencies are merely trying to develop an answer to the prison crowding situation while still maintaining their promises of public protection and offender rehabilitation. Practitioners' support of ISPs

appears to come from an inherent sense that, given the appropriate resources and the discretion to intervene with offenders as needed, they can effectively manage a high-risk population and improve the chances for behavioral change. Outside pressures, however, have caused agencies to develop ISPs more as a matter of public relations than of careful program planning (Clear and Hardyman, 1990). In his article *Gaining Support for Sentencing Options* (1989), Fallin states "in an effort to gain public, legislative and judicial support, any options to long-term confinement must do the following: be received as reasonably safe; address the public's desire for punishment through community control, non-paid labor, and victim restitution; and offer an opportunity for positive change by providing treatment and employment skills." Program developers are eagerly trying to answer this call and enhance the credibility of probation and parole. Unfortunately, the very strategies aimed at gaining the public, legislative and judicial support that is critical to program success, are causing people to question the true value and purpose of ISPs. A professional, credible and effective program cannot be based on the public's "feelings" and political whims.

### Developing Goals

Evaluation research indicates that ISPs, as currently designed, are not meeting their goals. This certainly leads to a loss of credibility. In part, it may be due to the existing goal statements for ISPs. The *Program Brief on Intensive Supervision Probation and Parole* (1988), published by

the Bureau of Justice Assistance (BJA), states that the goal of ISP is to "provide a cost-effective sentencing/placement option which satisfies punishment, public safety and treatment objectives." Again, this is a good example of the high hopes accorded ISPs. Although all-encompassing, this goal statement does not provide clear guideposts for which to strive. What *are* the punishment, public safety and treatment objectives? Program goals serve to map out the future and provide a measure of success. They should clarify the intentions of the program and direct program activities. It is recommended that agencies apply the following four guidelines when developing ISP goals:

- focus the goals of ISP on offender rehabilitation;
- develop goals that focus on the provision of intensive *services* to offenders rather than intensive punishment and incapacitation;
- differentiate short and long-term goals; and
- carefully select the goals of ISP based on prioritized needs and available resources.

A further discussion of these guidelines reveals how their application can enhance the credibility of ISPs.

**Focus on Offender Rehabilitation:** The effectiveness of any correctional program is going to be measured by recidivism. With this in mind, it is important to recognize the apparent relationship between

rehabilitation and recidivism reduction as discussed in Module I and later in Module IV.

**Focus on the Provision of Intensive Services:** It is recommended that agencies change the way in which they are *intensive*. As discussed in Module I, considering the research findings that suggest correlations between participation in rehabilitative programs and recidivism reduction, a more meaningful form of crime control seems to be the provision of assistance and services for offenders in the areas of employment, education and substance abuse (Lawrence, 1991).

**Short- and Long-Term Goals:** Program developers have failed to specify and differentiate short and long-term goals of ISP. This shortcoming may be partially responsible for the disparaging evaluation results. The incapacitative and specific deterrent conditions of ISP have an immediate, short-range focus that provides in-program crime control, whereas rehabilitation has been associated with long-term behavioral change (Harland and Rosen, 1987). Most ISPs have been studied in the short-term. This is where program administrators' arguments against using recidivism as an outcome measure would "hold water," had they clearly stated that their goal was to achieve in-program crime control and temporary incapacitation.

**Prioritized Needs and Available Resources:** It is not suggested that stakeholder desires and jurisdictional needs be ignored. It is, however, suggested that agencies examine and prioritize these needs. If agencies develop ISPs based on

the needs of the probation and parole population and available correctional research rather than prison diversion, ISPs will take on a whole different flavor. Although agency needs and stakeholder needs are important considerations, top priority should be given to offender needs. This requires an examination of the offender pool and a determination of which offender needs, that are not currently being met through traditional caseloads, can be met through the implementation of an ISP. Funding and community resources need to be examined to ascertain if the identified offender needs can be met with existing resources or if the development of the resources is feasible. Realistic goals that address a specific and important need can then be established.

### Program Objectives

BJA's *Program Brief on Intensive Supervision Probation and Parole* states that the objectives of ISP are to:

- provide a cost-effective community option for offenders who would otherwise be incarcerated;
- administer sanctions appropriate to the seriousness of the offense;
- promote public safety by providing surveillance and risk control strategies indicated by the risk and needs of the offender;
- increase the availability of treatment resources to meet offender needs; and

- promote a crime-free lifestyle by requiring ISP offenders to be employed, perform community service, make restitution and remain substance-free.

These objectives are enumerated to illustrate the tendency for criminal justice practitioners to characterize programs and initiatives in terms which project a favorable image or cater to a particular audience; **however, a clear and measurable description of what is to be accomplished is not always provided.** Objectives serve to operationalize goals and, like goals, they must be congruent with the program's primary purpose and the agency's overall mission. Objectives are crucial to program evaluation. Petersilia, Peterson and Turner (1992) capture the importance of well developed goals and objectives in the following statement.

*The basic criterion for judging an ISP's success is what it was intended to accomplish. However, that often gets lost in a world of varying, sometimes conflicting, perceptions about what ISPs are and what they should do. This has been demonstrated in responses to the evaluation results. Those responses reinforce our sense that one of the study's strongest implications is this: Jurisdictions need to establish very clearly what their intentions for ISP are, what mechanisms are intended to accomplish those intentions, and thus, how the effectiveness of ISP will be judged. If a jurisdiction is interested in crime control rather than rehabilitation, that should be made strongly explicit at the outset. However, if a jurisdiction is primarily interested in providing intermediate punishment, even if it does not apparently reduce recidivism, that also should be made clear.*

There may always be a controversy between outside program evaluators and

practitioners who develop and implement the program. Lurigio (1988) suggests that program evaluators should "focus on objectives that are realistically achievable and explicitly linked to program components and interventions." ISPs should be evaluated using intermediate outcome measures in addition to recidivism (i.e., are offenders participating in substance abuse treatment? Has their drug/alcohol use decreased? What is the employment rate of ISP participants? What is the rate of restitution collected?). Therefore, it is recommended that program developers and policymakers take responsibility for developing specific and measurable objectives that guide program evaluation in this direction.

**Developing Program Objectives:** While program goals should clearly state the intentions of the program, objectives should describe the mechanisms and strategies used to accomplish those intentions. **Specific and measurable** objectives should be assigned to each major goal area. Objectives should be **achieved within a limited time** and be **identified with an actual result.** It is recommended that ISP objectives be **result-oriented** rather than activity-oriented. That is to say that the major focus should be on **qualitative measures** such as the nature and extent of offender employment, or the status and success in drug treatment programs, rather than on quantitative measures such as the number of referrals made for employment programs or the number of face-to-face contacts per week. The objectives of ISPs need to reflect the new focus on treatment and services as a means to achieve the goals of ISP.

Objectives should reflect the dimensions along which probation and parole are aligned: social casework, public safety and administration. Objectives associated with social casework would particularly focus on offender change and rehabilitation and could include drug or alcohol treatment, employment, education, and cognitive skills training. Public safety objectives would include social casework objectives since they promote positive long-term behavioral change, but would also include recidivism measures.

Administrative objectives would include such things as restitution collected from offenders or offender earnings.

**Examples of Program Goals and Objectives:** The goals and objectives shown in Figure III-2 on the following page are examples only. The point to be made here, is that they reflect the characteristics of effective goals and objectives developed in this chapter.

Realistic and achievable objectives must reflect jurisdictional differences and the target population being served by the ISP. For instance, a jurisdiction with a very high unemployment rate may be setting the program up for failure if they establish the objective of an eighty percent employment rate for ISP participants. Likewise, an ISP targeting offenders with serious drug and alcohol problems may be overly optimistic to set an objective stating that forty percent of the ISP participants will remain drug free. Establishing reasonable goals and objectives will require more work during the planning and development stages to ascertain what improvement rates are achievable given the program aims and

resources.

### **Intervention, Surveillance and Enforcement: Tools for Achieving Goals and Objectives**

ISPs must provide the full range of probation and parole activities which are designed to meet the objectives of risk-control and reform. These activities and objectives can generally be categorized as **intervention, surveillance and enforcement**.

Within this context, intervention includes the entire gamut of treatment and services provided to offenders. The provision of treatment and services is a means of control and behavioral reform. Intervention tools could include:

- drug/alcohol treatment programs;
- job skills training;
- mental health counseling; or
- GED classes.

Surveillance involves those activities which relate to monitoring offender activity as well as the social environment of the offender. Monitoring the social surroundings, while extremely important, is often overlooked in the design and development of ISPs. The importance of monitoring the social milieu rests on the potential positive/negative effect that factors such as family problems or shifts in employment trends can have on the offender.

Figure III-2: ISP Goals and Objectives

|  |   |
|--|---|
| <b>Long-term Goal: Improve the level of education, employment and substance-abuse of ISP participants, as determined by their risk/need factors.</b> |   |
| <b>Short-term Goal: Provide intensive educational services, employment assistance programs, vocational training and treatment.</b>                   |   |
| Objective 1:   | 15% of the ISP participants who are not high school graduates will obtain their GED in FY 1995.         |
| Objective 2:   | 90% of all unemployed ISP participants will complete the job readiness course in FY 1995.               |
| Objective 3:   | 70% of all ISP participants will maintain or obtain full-time employment during FY 1995.                |
| Objective 4:   | 50% of ISP participants will complete the four week drug/alcohol education program during FY 1995.      |
| Objective 5:   | 30% of ISP participants will complete an outpatient/inpatient drug/alcohol treatment program.           |
| <b>Long-term Goal: Protect the community.</b>  |   |
| <b>Short-term Goal: Monitor offender behavior.</b>   |   |
| Objective 1:   | Only 10% of ISP participants will be arrested for further criminal activity during FY 1995.             |
| Objective 2:   | 40% of ISP participants will remain drug free throughout FY 1995 as evidenced by frequent drug testing. |
| <b>Short-term Goal: Hold offenders accountable.</b>  |   |
| Objective 1:   | An appropriate sanction will be imposed within five working days of each violation of ISP conditions.   |
| Objective 2:   | 75% of all restitution ordered during FY 1995 will be collected.  |



Surveillance tools could include:

- home visits;
- contact with employers;
- community service; or
- neighborhood contacts.

The enforcement component speaks to the need to hold offenders strictly accountable for their actions. To meet this need there must be a wide range of responses, including custody. Enforcement options could include:

- community service requirements;
- in-patient treatment;
- curfew, house arrest or electronic monitoring; or
- custody in a halfway house.

Intervention, surveillance and enforcement are the conceptual frameworks within which probation and parole can address the public's concern for feeling safe from conditionally released offenders. A firm, fair and accountable approach to ISPs can provide short-term control of offenders and long-term behavioral reform.

### Conclusion

Program purpose, goals and objectives are crucial to the implementation of OBM. Without the establishment of a carefully considered purpose and goals, the organization lacks clear direction and will

eventually find its very existence being called into question.

ISPs currently find themselves in the position of trying to satisfy every purpose assigned to them. They have focused on activities yet are judged by their results. The effective implementation of OBM will help ISPs focus their efforts on the purpose, goals and results that need to be achieved if ISPs hope to fulfill their organizational aspirations.

## CHAPTER III-2

## DEVELOPING INDIVIDUALIZED OBJECTIVES-BASED CASE PLANS

**Introduction**

Along with the establishment of the program purpose and goals, the objectives-based case plan serves as one of the key elements to the implementation of OBM. It is the objectives-based case plan which will articulate the organization's purpose at the street level. The line officer, in essence, translates the ISP's purpose into specific actions with offenders.

This chapter will develop the essential elements of an objectives-based case plan by examining risk classification, analysis of key forces and objectives specification. The material in this and subsequent chapters was developed directly from the following two works of Todd Clear and Vincent O'Leary:

- 1) Clear, Todd R. and Vincent O'Leary (1983). Controlling the Offender in the Community. Lexington, MA: Lexington Books.
- 2) O'Leary, Vincent and Todd R. Clear (1984). "Community Corrections in the 1990s." Paper sponsored by the National Institute of Corrections.

By the end of this chapter the reader will be able to:

- describe why risk classification is important to objectives-based case supervision;
- list four guidelines for identifying target forces for change;
- conduct a force-field analysis on a hypothetical case;
- specify five guidelines to be used in writing effective case objectives; and
- develop an objectives-based case plan from an example.

**Risk Classification**

The importance of risk classification was discussed at length in Module II. However, this point will be stressed again as it is key to the successful use of interventions. Risk classification "serves to set outer limits on appropriate intervention levels during supervision" (Clear and O'Leary, 1983). Intrusive intervention into the lives of offenders who do not warrant such attention can lead to failure on the part of the offender and the ISP. Thus, valid risk instruments must be used prior to placement in the ISP to ensure that the appropriate population is being targeted for its services. This simply means that

offenders who need a lot of attention whether it be in the way of employment assistance, treatment, education, drug testing or electronic monitoring will be the ones who receive it. Resources will not be squandered.

### Analysis of Key Forces

"The interventions used in probation must be directed to problems that interfere with the offender's ability to live in the community without breaking the law... Little is known about what factors and problems are actually linked to prevention of new crimes... In the absence of such knowledge, a systematic technique must be used for identifying potentially crime-related problems" (Clear and O'Leary, 1983).

Clear and O'Leary (1983) developed a system by which problematic and positive forces in an offender's life could be identified and utilized in the supervision process. This system is based upon Kurt Lewin's force-field analysis. Lewin's analysis is a means to identify "why an event occurs in society" and for planning methods to alter the frequency of its occurrence (Clear and O'Leary, 1983). Applied in a casework context, it identifies the forces for law abiding behavior and the forces against law abiding behavior which exist in an offender's life.

Four guidelines have been identified for selecting target forces. Target forces are those forces which are selected for change in order to increase the chances of an offender engaging in law abiding behavior. The four guidelines to use in selecting target forces are:

- 1) **Strength** - forces that are important in determining the frequency of an event;
- 2) **Alterability** - forces where existing means are available to change the degree or nature of their influence on the event;
- 3) **Speed** - forces that can be quickly manipulated; and
- 4) **Interdependency** - forces that are crucial because a change in them will influence many other forces.

There are forces which drive for change and forces which resist it. The goal is to work on both sides of the force field attempting to decrease resisting forces and encourage driving forces. An example will illustrate the concept of force field analysis as applied to a hypothetical ISP case.

**Example.** John Jones is a 22 year old male. His instant offense is robbery while armed with a knife. Jones admits to being addicted to cocaine. He has a prior record of five offenses. As a juvenile he spent one year on probation for shoplifting and one year in a juvenile reform school for auto theft. As an adult he was placed on two years probation for burglary of a residence. He was revoked from that probation for testing positive for cocaine and marijuana and was sentenced to six months in jail and six months in a work release center. John obtained his GED and welding certification while in the juvenile

reform school. While on adult probation, he worked in a sheet metal shop as a welder. Jones currently lives with his girlfriend and has lived with her off and on for four years. They have a six year old child and Jones' girlfriend is currently pregnant. While on work release, Jones began working at a body shop where his girlfriend's father, Mr. Smith, works. John was laid off from that position following his arrest for robbery. Mr. Smith has taken interest in seeing that Jones receives help for his addiction because he regards Jones as a hard worker. He is willing to put a good word in for Jones to be retained at the body shop. Jones was raised by his mother and stepfather.

He expresses that his stepfather has never been interested in him and his mother "drinks too much." Jones is of average intelligence. His psychological evaluation indicates that he is impulsive and a loner.

The force field analysis for Jones might look something like Figure III-3.

It is important to keep in mind the goal of the force field analysis: to identify those forces that can be targeted for change using the four guidelines. Certain forces will emerge as being keys to encouraging law abiding behavior for John Jones. Using the four guidelines the following forces are identified:

Figure III-3: Force Field Analysis of John Jones

| Forces Driving for More Law-Abiding Behavior ----->           | <----- Forces Restricting Law-Abiding Behavior |
|---|--|
| 1. Has GED  | 1. Is impulsive                                |
| 2. Has welding certification                                  | 2. Past probation violations                   |
| 3. Average intelligence                                       | 3. Addiction to cocaine                        |
| 4. Realizes addiction to cocaine                              | 4. Mother's possible addiction to alcohol      |
| 5. Steady employment for more than 1 year                     | 5. Seriousness of instant offense              |
| 6. Mr. Smith is willing to help with employment               | 6. Identified as a loner                       |
| 7. Mr. Smith encourages him to receive help for his addiction | 7. Presently unemployed                        |

- Strength - cocaine addiction
- Alterability - unemployment, cocaine addiction
- Speed - unemployment
- Interdependency - cocaine addiction, impulsivity

In this particular case, the officer's supervision can be focused on John Jones' cocaine addiction, his employment status and his impulsivity. These forces appear to be likely candidates for change and for encouraging law-abiding behavior.

The analysis of key forces serves to initiate a direction for supervision and is the second step in developing an objectives-based case plan.

### Objectives Specification

The next step in developing the objectives-based case plan is to specify the supervision objectives.

*By stating outcomes, the supervision officer makes visible the level and extent of the intrusiveness of supervision. By stating outcomes that focus on a measurable criterion such as behavior, rather than on less-tangible offender characteristics such as attitudes, the supervision officer makes explicit the assumed links between supervision objectives and the dynamics of the case. Assumptions that appear to be unwarranted can then be questioned and revised. Finally, the focus on specificity makes it easier to test possible alternative approaches--to use less-intrusive objectives to achieve the same general risk-control end (Clear and O'Leary, 1983).*

Behaviorally oriented objectives are those which focus on a result achieved by action taken by the offender. The explication of these objectives makes them open for review, evaluation, modification and improvement.

Five guidelines are provided for writing objectives:

- 1) Objectives describe behavior.
- 2) The behavior described is the offender's not the officer's or the agency's.
- 3) The behavior described should be as specific as possible.
- 4) Objectives describe outcomes, not techniques.
- 5) Each case should not contain too many behavioral objectives.

The guidelines serve to concentrate attention on the offender, their behavior and the results stemming from their actions.

Particular to ISP, each outcome should be identified as being related to public safety or rehabilitative ends through the use of the tools of intervention, surveillance and enforcement.

A three-part model assists in writing effective objectives:

- 1) it begins with the word "to" to put the objective in a forward-looking context;
- 2) the "behavioral goal" or target behavior follows; and

3) the time period for completion is last.

Figure III-4 illustrates effective and ineffective written objectives.

Figure III-4: Sample of Incorrect and Correct Versions of Written Objectives

| <u>INCORRECT</u>  | <u>CORRECT</u>  |
|---|---|
| <b>Nonbehavioral:</b>                                       | <b>Behavioral:</b>  |
| To improve relationship with wife                           | To stop all physical fighting with wife while on probation                            |
| To develop self-control                                     | To be at home by 10 p.m. on workdays  |
| To accept responsibility for behavior                       | To earn money to pay victim for all automobile damages within three months            |
| <b>Non-Client-related:</b>                                  | <b>Client-related:</b>  |
| To get probationer to stop stealing from mother             | To stop taking money from mother without permission                                   |
| To help probationer finish school (get expelled)            | To obtain high-school equivalency from adult-(not education program within six months |
| To motivate probationer to discuss problems with parents    | To discuss problems with parents whenever they are causing you concern                |
| <b>Nonspecific:</b>   | <b>More Specific:</b>   |
| To go to school   | To attend school regularly with no unexcused absences each month                      |
| To avoid bad companions                                     | To terminate all relationships with "Eagle" gang members while on probation           |
| To improve school performance                               | To receive no grades below C this term<br>To get probationer                          |
| To stop fighting with next-door neighbor while on probation | To develop inner controls   |

From the case of John Jones, three key forces were identified:

- 1) cocaine addiction;
- 2) unemployment; and
- 3) impulsivity.

These forces can be translated into behavioral objectives as follows:

- to remain drug free for the next 30 days (critical);
- to obtain employment within 30 days (very important); and
- to apply techniques learned in the impulse control group for the next 30 days (somewhat important).

Objectives should also be rated as to their importance to public safety and rehabilitative ends. Per above, dealing with the cocaine addiction and unemployment are regarded as most important to public safety and rehabilitation for John Jones' case.

**Resource Specification**

The last step in the formulation of the objectives-based case plan is to specify the resources to be used in accomplishing supervision objectives. This simply means stating which community or in-house resource will be used for each objective.

Source: Clear and O'Leary, 1983

**Conclusion**

The utility of the objectives-based case plan is obvious. It provides concrete, attainable milestones for the offender and guides the supervision process towards the goals and purpose of the organization. By focusing on results rather than means, the supervision process is guided toward goal achievement.

## CHAPTER III-3

### USING OBM FOR SYSTEMATIC UNIT EVALUATION

#### Introduction

Supervisors play a pivotal role in an OBM system. Whereas, line officers translate organizational purpose into results-oriented supervision objectives, supervisors ensure that officers are providing the correct translation. They are responsible for quality control as well as decisions regarding the allocation of resources.

This chapter investigates the role played by the supervisor in an OBM system. Specifically, by the end of this chapter the reader will be able to accomplish the following:

- identify the supervisor's responsibilities in an OBM system;
- list four activities supervisors engage in as part of systematic case review;
- describe how supervisors can engage in "quality control;" and
- demonstrate how objectives-based case plans can be organized to allocate unit resources.

#### Supervisor Responsibilities

In an objectives-based management system the line supervisor is responsible for:

- interpreting organizational aims to line officers' caseload decisions;
- quality control; and
- making unit resource allocation decisions.

#### Interpreting Organizational Aims

Supervisors interpret organizational aims by providing continual feedback to officers regarding their translation of organizational aims into supervision objectives. This is accomplished through the systematic review of line officers' caseload decisions.

Systematic case review involves the supervisor examining the decisions made by the line officer and offering comments and suggestions regarding the officer's supervision decisions. To carry out their monitoring duties, supervisors:

- review case plans;
- question the suitability of objectives;
- suggest alternatives for handling cases; and
- assess the achievement of objectives.

The underlying premises guiding systematic case review are the established



purposes of ISP: rehabilitation and public safety.

With the development of the objectives-based case plans, the supervisor's job as interpreter and translator is made much easier. The supervisor need only review the force-field analysis and case record to receive a clear picture of the decisions being made regarding each case and determine whether they align with the ISP's aims of rehabilitation and public safety.

In the case of John Jones, the supervisor would review the force field analysis to determine if all forces had been considered which could significantly affect the aims of public safety and rehabilitation. Once that was completed, the supervisor would then review the case plan. The supervisor would check to see that the interventions being used were appropriate to the risk/need level of John Jones and that they were the least intrusive necessary to achieve specific case and organizational objectives. The supervisor may counsel the officer on using different supervision objectives or resources. For instance, in the case of John Jones, one of the resources has received only a fair rating in terms of its appropriateness for the objective. The supervisor may be able to direct the officer to a more useful resource. Of course, the supervisor can also affirm the choices made by the line officer and in this way reinforce rehabilitative and public safety goals. In John Jones' case, the supervisor may commend the line officer's decision to focus attention on John Jones' cocaine addiction as a means to both rehabilitative

and public safety purposes, particularly since John Jones history did not indicate that he had ever received any drug treatment.

By reviewing case plans, questioning the suitability of objectives and suggesting alternatives, the supervisor ensures that line officers are correctly interpreting organizational goals into substantive supervision objectives. The next section deals with assessing the achievement of objectives.

### **Quality control**

Supervisors engage in quality control by establishing specific performance standards for officers. This is a difficult concept for public organizations, specifically those which deal with human behavior. However, it is essential as the populations with which ISPs deal are high risk/need. Mistakes made in supervising this population can have vast repercussions for the ISP, the offender and the community. Therefore, it is very important that officers stay focused on goals. Establishing specific performance standards for officers is one means to achieve this end.

Following systematic case review, the supervisor can assess the achievement of case objectives. This is accomplished by aggregating the objectives of each officer's caseload and by determining the percentage of objectives achieved. Examples of objectives which could be aggregated include those related to obtaining employment, staying drug/alcohol free, obtaining a GED or

high school diploma, or controlling assaultive behavior. The next step in the process would be to develop a means to view officers' achievement of objectives. An example of how this data could be aggregated is shown in Figure III-5 below.

Aggregating objectives and assessing their achievement serves two purposes. It gives the supervisor a basis upon which to develop specific performance standards and it shows the supervisor which officers appear to work best with which objectives. In establishing performance standards for each officer the supervisor will need to take into account the officer's strengths and weaknesses as well as the difficulty of the caseload and the environment with which the officer has to work. For instance, in an area with a high unemployment rate it would be unrealistic to establish a performance standard of increasing caseload employment by 20 percent. It would be more realistic to establish a performance standard of increasing caseload employment by 5 percent. If an officer's caseload consists of predominantly chronically drug-

involved offenders, a realistic goal for that caseload may be to increase the percentage of offenders who remain drug free for 30 days by 3 percent. The point of establishing performance standards for each officer is to improve their achievement of rehabilitative and public safety purposes for their caseloads.

The process of quality control is continual. The initial aggregation of caseload objectives provides a baseline for determining performance. Performance standards are then established keeping in mind each officer's particular situation with regard to personal strengths and weaknesses as well as caseload specifics and environmental factors. Performance standards need to be realistic and achievable given the ISP's aims of rehabilitation and public safety.

### Resource Allocation Decisions

As mentioned earlier, not only does the aggregation of objectives assist in establishing specific performance standards but it also provides the supervisor with a

Figure III-5

| <u>Officer<br/>(Unit A)</u> | <u>No. of Cases<br/>With Employ-<br/>ment Objectives</u> | <u>Percent of<br/>Objectives<br/>Rated Critical</u> | <u>Percent of<br/>Objectives<br/>Achieved First<br/>Six Months of<br/>Supervision</u> |
|-----------------------------|--|---|---|
| Smith                       | 55   | 65  | 85  |
| Jones                       | 42   | 73  | 53  |
| Baker                       | 36   | 61  | 41  |
| Wilson                      | 48   | 58  | 63  |
| Thomas                      | 51   | 66  | 51  |
| Watson                      | 40   | 70  | 47  |

Source: O'Leary and Clear, 1984

picture of which officers appear to work best with specific kinds of cases. In the preceding table, it becomes evident that Smith and Wilson appear to be working well with cases having employment objectives. There may be other officers that work well with substance abuse cases, sex offender cases or assaultive offenders. When supervisors are presented with this information, they can assign cases to officers based upon their objectives-based performance and expertise. This can lead to enhanced performance in meeting objectives and in achieving rehabilitative and public safety ends.

### Conclusion

Supervisors assume a very important role in objectives-based management: they serve as interpreter of organizational purpose to the line. This is accomplished through a three-fold process. First, the supervisor is responsible for systematic case review of individual officers' objectives for each case. Second, they assess the achievement of these aggregated objectives and establish specific performance standards which are realistic and achievable. Third, supervisors use the aggregated information to make resource allocation decisions such as which officers appear to be working best with specific types of cases. By engaging in these activities, the supervisor continually reinforces and aligns the decisions made by line officers toward rehabilitative and public safety aims.

## CHAPTER III-4

### USING OBM IN ORGANIZATIONAL PLANNING

#### Introduction

Administrators must view their organization in terms of the "big picture" in order to make broad policy decisions which guide the organization toward the achievement of its purpose. The administrator's responsibilities in an OBM system are not that much different from administrators' responsibilities under other organizational management systems. The administrator is responsible for needs assessment, planning, and evaluation of the system. But, whereas other management systems can isolate administrators from the daily decision-making of the rest of the organization, an OBM system provides the administrator with a clear picture of the organization's operations.

This chapter explores the responsibilities of administrators in an OBM system. It looks into ways the administrator can utilize aggregated information for planning and evaluation purposes. Specifically, by the end of this chapter the reader will be able to:

- describe how OBM can be used in the planning function; and
- explain how OBM assists in agency evaluation.

#### The Administrator's Role in OBM

"It is the administrator's responsibility to assess continually the appropriateness of the existing way of doing business" (O'Leary and Clear, 1984). By aggregating the information obtained from supervision units, the administrator receives an accurate picture of the resources being used to achieve objectives and the success achieved by the use of those resources. This serves as an ongoing needs assessment regarding the kinds of services and specialties needed by the ISP and allows administrators to plan for resources accordingly.

For example, a 20 percent achievement rate for job training objectives and conditions suggests that an administrator may want to purchase placements at different job training programs. A low proportion of drug-related objectives may indicate that new drug programs are not needed. A steadily increasing rate of offenders with objectives related to family relationships might indicate that the agency should establish a working relationship with family counseling programs.

The data can also help decide what specializations would best fit the needs of the agency. For example, a high rate of clients with limited education might lead the administrator to reduce some officers'

caseloads in order to allow them to develop a tie with local schools. A high rate of failure among clients with alcohol-related objectives may suggest the need to create a special unit for such clients and to provide specialized training to the officers in that unit. A wide geographical distribution of offenders with different needs and objectives will also affect the task of organization. In any case, the aggregate data assists the administrator in making these decisions.

Figure III-6, on the following page, shows how administrators can aggregate supervision data to assess the achievement of organizational objectives, in this case employment, and the effectiveness of the resources used in pursuit of those objectives. For example, it appears that offenders referred to private external resources to handle employment objectives fare better than those referred to public external resources or internal resources in terms of probation failure. This information can then be used to make better informed decisions. In this case, the ISP would want to maximize its referrals to the private external resource for employment objectives.

### **Program Evaluation**

Program evaluation is an area where correctional programs have been notoriously lax. This has not necessarily been due to avoidance on the part of correctional administrators. Evaluations are complex and time-consuming. Often agencies do not have the time to search for the data needed to do an accurate evaluation of the agency's performance.

Thus, this necessary organizational component is often pushed to the back burner or is completed in a haphazard manner.

Program evaluation can be conceived as part of the planning process and as an end in itself. Evaluation will definitely let an agency know which goals it is achieving and where it needs to improve, but it can also communicate to the outside world the successes of the organization.

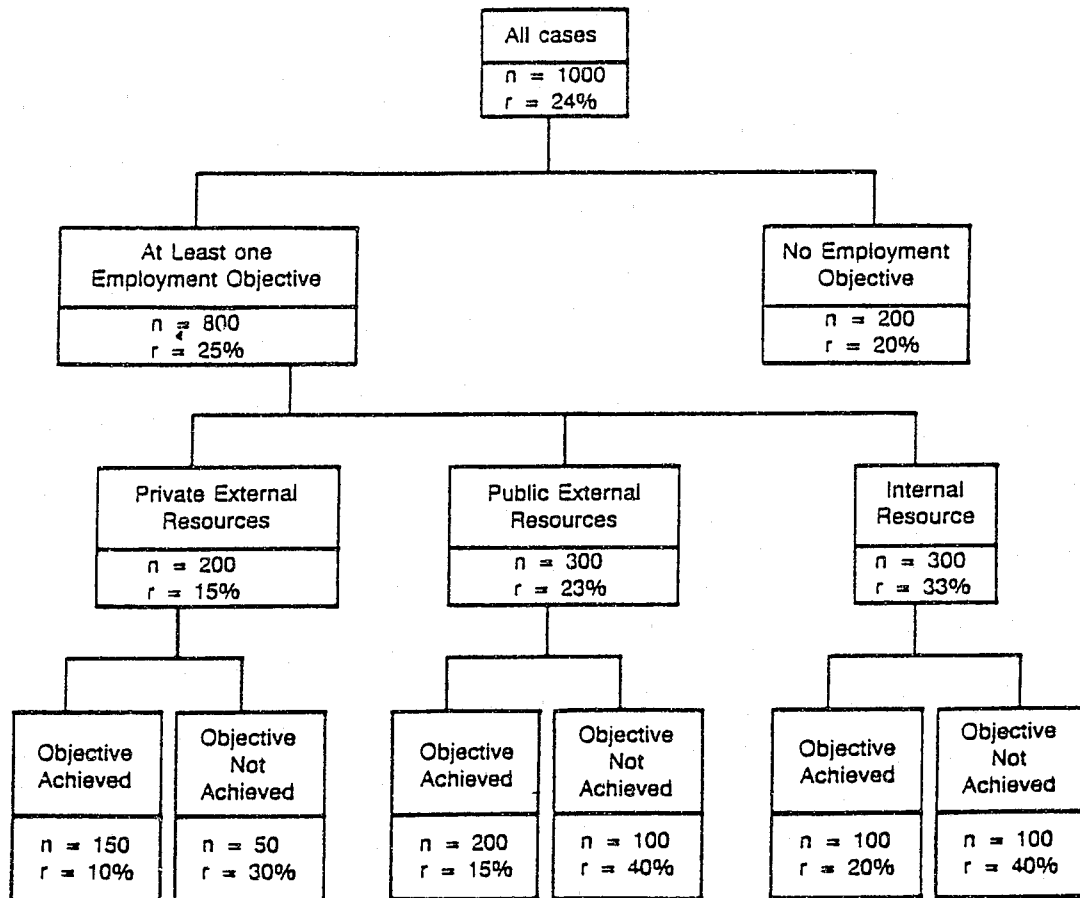
OBM is perfectly suited to program evaluation. Information is aggregated and can be combined with information regarding the termination of cases (e.g., new arrest, successful termination) to present a clear picture of which resources, officers, and types of offenders appear to work together to attain the rehabilitative and public safety goals of ISP.

Of course, information is not aggregated automatically. It requires the existence of a management information system which keeps track of the objectives for each case, resources used and terminations. Without an effective management information system, data collection can become cumbersome.

An agency's MIS provides a means of collecting information that can be aggregated and retrieved at regular intervals for reporting purposes. Broadly, the system should be capable of producing information relating to program effectiveness as well as generating any data considered significant to the needs of the agency or community. A computerized system also

Figure III-6

Hypothetical Example of Breakdown of Success Rates for Resources Used in Handling Employment Objectives  
(r = Failure Rate on Probation)



Source: O'Leary and Clear, 1984

reduces the need for filing space and excessive paperwork. While a computerized system is recommended for its ease, speed, organizational efficiency, and convenience, other options can be effective. Some agencies may find it more cost-effective and reasonable to use a manual system.

Some factors to consider when developing a MIS are ease of use, ease of retrieval, and speed in compiling information (APPA, 1992).

*Ease of use* - A MIS should be as uncomplicated as possible to ensure uniformity of

implementation and accuracy of results. More than one staff person should be trained to operate the MIS and staff should be constantly updated on new procedures. This can avoid delays in processing and retrieving data, as well as the necessity for "crash course" instruction when reassignment of tasks occurs.

*Ease of retrieval* - When developing a MIS, retrieval of information is a vital consideration. Expedient retrieval of information is primary to the process of evaluation.

*Speed of compiling information* - A system that is able to compile information quickly can generate timely information upon demand. Agencies can make this process more efficient by avoiding duplication and streamlining data collection onto a minimal number of forms. Those with well-organized management information systems will be able to update their evaluation data more often. They also will have the capacity to compile information at a moment's notice if necessary.

Utilizing a MIS to conduct program evaluation activities places vital information at the administrator's fingertips which can be used for several purposes. Information obtained through program evaluation should be utilized both internally and externally. All staff involved in ISP should be informed regularly of program findings through staff meetings, correspondence, newsletters, or other means. Information of importance to the community should be shared with the public via informational sources such as the media, agency annual reports, and com-

munity group meetings. Program evaluation provides information for press releases and other types of informational requests. Methods for involving the community are discussed further in Module V, but it warrants mentioning here that ISP's successes should not be kept a secret, but communicated to those inside and outside the program. Program evaluation also indicates areas of need which should be articulated to those in a position to advocate for resources.

### Conclusion

Utilizing an OBM system provides the agency administrator with a clear picture of ISP's operations from the line level on up the organization. This information can be used by the administrator to plan for ISP's needs based on its strengths and weaknesses as identified through aggregated caseload information. Information can also be used for program evaluation purposes, the results of which provide continual feedback to ISP on its operations. ISP's successes and needs can then be communicated internally and externally.

**MODULE III**

**REFERENCES**



## MODULE III

## REFERENCES

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**MODULE IV**

**EFFECTIVE SUPERVISION STRATEGIES**

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**MODULE IV**

**EFFECTIVE SUPERVISION STRATEGIES**

**MODULE OVERVIEW**

Thus far, the discussion has centered on what doesn't work in ISP; who benefits most from participation in ISP; assessment and case planning procedures; and a systematic means for organizational planning and evaluation. While the incorporation of this information is critical to the success of ISP, it is inconsequential if effective strategies for the day-to-day supervision of offenders are not applied.

At this point, it seems fitting to recall what is meant by *effectiveness* within the prototypical ISP. As previously stated, effectiveness refers to the ISP's ability to promote long-term behavioral change that leads to a reduction in recidivism and enhanced public safety. What supervision practices, then, will lead to effective ISPs? This module will provide answers to this very important question.

Specifically, this module includes:

- Chapter IV-1: Principles of Effective Intervention;
- Chapter IV-2: The Role of Punishment in ISPs;
- Chapter IV-3: The Effective Use of Positive Reinforcement; and
- Chapter IV-4: The Line Officer's Role in the Prototypical ISP.

Upon completion of this module, the reader will understand the basic techniques that have proven effective in promoting positive behavioral change in offenders.

## CHAPTER IV-1

### PRINCIPLES OF EFFECTIVE INTERVENTION

*This chapter was written by Paul Gendreau, Ph.D., a professor within the Division of Social Sciences at the University of New Brunswick at Saint John. Dr. Gendreau has had extensive involvement with the evaluation of correctional treatment programs.*

#### **Introduction**

Robert Martinson's "nothing works" proclamation and the dawning of the new epoch of deterrence saw to it that society was going to "get tough" on crime, and that the rehabilitation of offenders was considered passé. Cullen and Gendreau (1989) cite a number of reasons for this development. Conservatives promoted their "get tough" ideology and liberals suspicious of treatment, championed the "justice" model. Clinical treatment was seen as evil and not as dignified as punishment. Suffice it to say, that the conservative ideology dominated. Governments have implemented a plethora of punishment programs and sanctions for offenders since the 1980s.

Appearances can be deceiving, however, for while rehabilitation was not fashionable in the United States, there were still many individuals and jurisdictions still actively involved in helping offenders. Moreover, the rehabilitative agenda never abated in Canada, France, Germany, New Zealand,

Scandinavia and parts of Australia and Britain.

This chapter provides evidence that rehabilitation is effective in reducing recidivism and outlines the principles of effective intervention. Upon conclusion of this chapter, the readers will be able to:

- list eight principles of effective intervention, and identify three specific examples of how their ISP complies with these principles and three specific examples of how their ISP violates these principles;
- discuss the four objectives of relapse prevention;
- describe three types of behavioral programs;
- list seven specific principles of successful programs, and identify three specific examples of how their ISP complies with these principles and three specific examples of how their ISP violates these principles;
- define offender responsibility;
- analyze their personal characteristics and relationship styles to determine which offenders they should supervise; and

- list six principles of ineffective programs.

**Rehabilitation Literature**

As testimony to the vigor of rehabilitation, there are four articles that trace the developments within the offender rehabilitation agenda during the "nothing works" era to the present.

- 1) P. Gendreau and R.R. Ross (1979). Crime & Delinquency, 25: 463-482.
- 2) P. Gendreau and R.R. Ross (1987). Justice Quarterly, 4: 349-407.
- 3) D.A. Andrews, I. Zinger, R. Hoge, J. Bonta, P. Gendreau, and F. Cullen (1990). Criminology, 28: 369-414.
- 4) P. Gendreau and D.A. Andrews (1990). Canadian Journal of Criminology, 32: 173-184.

The following is a summary of the research findings contained in these and other sources, and the clinical knowledge gained from years of working with offenders in treatment programs.

**Rehabilitation Does Work**

In 1990, Mark Lipsey presented a summary of most of the available evaluations, published and unpublished, on offender rehabilitation programs. Upon examining their outcomes, i.e., recidivism, he found these results:

| <u>Studies</u>           | <u>N</u>  | <u>%</u> |
|--------------------------|-----------|----------|
| Favoring treatment group | 285       | 64%      |
| Favoring control group   | 131       | 30%      |
| Favoring neither         | <u>27</u> | 6%       |
|                          | 443       |          |

The average reduction in recidivism for these 443 studies was ten percent. Martinson was, in fact, wrong! Almost two-thirds of the studies worked. Now, obviously, a ten percent reduction in recidivism is not large, but this is just the beginning of the story. The focus of the above referenced authors (e.g., Andrews, Gendreau) was to go beyond combining large groups of highly different programs—mixing apples and oranges—and look within the "black box" of programs. That is, what factors differentiated the successful programs from the failures? In other words, what were the principles of effective programs?

**General Principles of Effective Intervention**

The principles are powerful. Those programs that have followed the "principles" to a reasonable degree, have demonstrated reductions in recidivism, on the average, of fifty percent. A significant percentage of these evaluations employed random assignment or good comparison group/control group studies and had sufficient follow-up periods of two years. Programs were more effective if they were based in the community, although prison-based

programs worked to a lesser extent. The results demonstrated more success since 1980. This is likely due to clinicians and program designers being better informed and trained.

There are eight general principles of effective intervention:

- 1) Intensive services, behavioral in nature, are provided to higher risk offenders.
- 2) Explicit positive reinforcement is used along with modeling of alternative, prosocial styles of thinking, feeling and acting; concrete skill building; and problem solving.
- 3) Offenders are related to in an interpersonally sensitive and constructive manner (there is no need to confront offenders in aggressive, humiliating ways).
- 4) Program contingencies (e.g., attending program sessions, getting to work on time) are enforced in a firm but fair way.
- 5) There is a high level of advocacy and brokerage, if community services are based on the types of principles outlined in this section.
- 6) The delinquency/criminal network is disrupted through program activities.
- 7) Family communication is facilitated and family members are properly monitored (this principle is primarily applicable to juvenile offenders).

- 8) Relapse prevention is employed in the community.

Relapse prevention endeavors to:

- a) monitor and anticipate problem situations that will lead to crime;
- b) train offenders to rehearse alternatives to antisocial behavior;
- c) encourage offenders to practice new prosocial behaviors in increasingly difficult situations, and reward offenders for demonstrating improved competencies;
- d) train significant others in the offender's social circle to provide positive reinforcement for prosocial behavior; and
- e) provide booster sessions where the potential for relapse exists and re-enroll the offender into the treatment program.

### Specific Principles of Effective Programs

Successful programs, as noted above are almost invariably behavioral in nature. There are three types of programs in this regard. Type I programs focus on discrete, observable behaviors. Types II and III emphasize the re-structuring of attitudes, thoughts and feelings.

**Type I: Radical behavioral**—these programs are based on classical conditioning or operant conditioning. Operant programs are much more common. They are based upon schedules of reinforcement

and involve prompting, shaping, fading and stimulus control strategies that are directed to the specific behavior to be changed. Token economies and contingency management programs are also widely used operant strategies.

**Type II: Social learning**—these programs use modeling and behavior rehearsal techniques to engender self-efficacy or feelings and skills of competency.

**Type III: Cognitive behavioral**—common techniques used in these programs are cognitive therapy, cognitive skills training, problem solving, rational-emotive therapy, self-control techniques, self-instructional training and stress-inoculation training.

Within all three types of programs, eight specific principles should be operating to ensure success.

- 1) The risk/need level of offenders is specified and needs that are predictive of recidivism are targeted for intervention.
- 2) The program is highly structured with program content and contingencies under the programmers' control. This also means that negative peers are prevented from taking over the program and that effective internal controls are established to detect antisocial activities (e.g., urinalysis for substance abusers).
- 3) The responsivity of offenders to different styles and modes of service is taken into account. For example, offenders with a low conceptual level and sociopathy in behaviors will respond best to a highly structured program (e.g., a

token economy). High anxiety offenders respond best to higher levels of interpersonal interaction. Offenders with psychiatric histories will function better in low-stress environments. Poorly motivated types may require more than the usual legal contingencies attached to the therapeutic program.

- 4) The personal characteristics and relationship styles of the staff are matched with those of the offender. For example, highly impulsive or lower functioning probationers/parolees will function better with someone who is firm but fair and prefers to operate with a good deal of structure. Some personal characteristics that should be noted are: age, conceptual level, gender, life experiences, professional orientation and training level. Relationship styles that are important are: clarity; empathy; fairness and firmness without being confrontational; problem solving; and spontaneity. Attempts should be made to assign caseloads to probation/parole officers that take some of the above factors into account.
- 5) Positive reinforcers outnumber punishers by at least 4:1.
- 6) The intervention period lasts 3-9 months. Some successful programs have been fairly brief in duration.
- 7) Program staff receive at least 3-6 months' formal training in the theory and practice of the program.
- 8) During the program there are ongoing



assessments (e.g., questionnaires; behavioral observation of offenders) to detect changes in values and skills that are related to the desired outcome.

### General Principles of Ineffective Interventions

The literature clearly indicates that ineffective programs have several common characteristics. They are:

- psychodynamic therapies (Freudian in nature) that attempt to uncover the assumed repressed forces that are compelling the offender to antisocial behavior;
- non-directive therapies (e.g., Rogerian; Maslow) that are based on the humanistic, potentiation/self-growth movement;
- drug therapies (e.g., depo-provera, methadone) that at best may suppress criminal behavior, only for the period the offender is on the drug;
- punishment strategies such as electronic monitoring, boot camps, ISP, restitution, scared straight, shock incarceration and solitary confinement. *(A 1992 meta-analysis of this particular body of literature, by Gendreau and Little, found that these programs slightly increase recidivism by about five percent. This section receives detailed comment in the following chapter.);*
- intensive services (including those that are behavioral) to low risk offenders and to behaviors that are not good predictors of criminality (e.g., self-

esteem, anxiety); and

- any program that encourages offenders to:
  - a) externalize blame onto parents, society and staff;
  - b) disregard the feelings of victims;
  - c) ventilate anger; and
  - d) not enroll in treatment unless they are supposedly "self-motivated" for treatment.

### Conclusion

An examination of these principles calls many of the current ISP practices into question. The principles should not only be applied within the ISP itself, but also to outside services to which offenders are referred. These principles provide information about "what works" in correctional interventions and a basis for improving ISP practices.

## CHAPTER IV-2

### THE ROLE OF PUNISHMENT IN ISP

*This chapter was written by Paul Gendreau, Ph.D., University of New Brunswick at Saint John.*

#### **Introduction**

In contrast to the past when treatment components were an important part of probation/parole services the new generation of intensive probation/parole services have been founded on principles of deterrence and punishment. The prototypical quote in this regard (N.Y. Times, Dec. 18, 1986) originated with the Georgia ISP, considered by many to be a model for probation in the United States. It stated: "we are interested in the business of increasing the heat on probationers... satisfying the public's demand for just punishment... criminals must be punished for their misdeeds" (Erwin, 1986).

The means by which the "heat" was turned up was to increase contacts with offenders, confine probationers to their houses, enforce curfews, subject offenders to random drug testing, make them do community service/restitution, place them under electronic monitoring and have them pay for the privilege of being supervised. In some instances, boot camps and shock incarceration are adjunct programs to ISPs. In summary, these programs are based on surveillance, implicit and explicit threats and discipline, and scared straight type

"punishers."

This chapter examines the effectiveness of these punishment-based programs. It examines the necessary criteria for punishment to work; who responds best to punishment; and the role of punishment in ISP.

Upon completion of this chapter the reader will be able to:

- define punishment;
- list and discuss the six criteria that must be met for punishment to work;
- apply these criteria to common ISP practices to ascertain their compliance;
- discuss the role of punishment in ISPs based upon the information appearing in this chapter; and
- explain the difference between punishment and control, and describe how it affects the current ISP ideology.

#### **Is Punishment Working?**

It is generally accepted that the 'new' ISPs had four objectives: to impact sentencing policy; to reduce correctional costs; to alleviate prison crowding; and to reduce recidivism. The evidence is now in.

Sentencing policy has been affected; whether positively or not depends on one's viewpoint. Correctional costs associated with ISP are almost double that of regular probation/parole. There has been minimal impact on prison crowding due to the tendency for ISPs to concentrate on lower risk offenders rather than diverting offenders from prison, and because of imprisonment resulting from high rates of technical violations. Particularly important within the context of this chapter is that recidivism rates have not been reduced by ISPs. In fact, there are some studies where recidivism may have increased slightly due to these punishment-based ISPs (Turner, Petersilia and Deschenes, 1992).

### **Why Isn't Punishment Working?**

The question that begs to be asked is why are these punishment-based ISPs not working. Is it not a fact that punishment works? The answer in this respect is 'yes', punishment does work! There is a huge body of literature (about 1,000 studies) generated by experimental and clinical learning psychologists that attests to this. Unfortunately, no one in the criminal justice area has paid the slightest heed to this literature. Therefore, a "crash course" on what probation/parole officers need to know about punishment is presented. It forcefully illustrates why the current crop of so-called ISP "punishers" have failed to reduce offenders' recidivism. Later, the appropriate role of punishment in offender programming will be outlined.

### **The Realities of Punishment**

There are two interrelated definitions of punishment. The procedural definition assumes that the punishment employed is truly "painful." The crucial definition, however, is functional in nature. It defines a punisher as any stimulus that reduces or suppresses behavior in the future. Indeed, depending on the circumstances and the individual, some stimuli that are readily assumed to be "painful" do not suppress behavior. That is why the functional definition is preferred. Thus, any punishment program must carefully assess whether the punisher used has been reliably shown to suppress behavior. There are two types of reliable punishers if judged by this definition.

#### **Painful Stimuli that Suppress Behavior**

Without question the most reliable and potent, "painful" punisher is electric shock. Drug induced aversion (e.g., ammonia, antabuse) and mild aversive stimuli (e.g., smells, noise) are moderately reliable and effective. There is some evidence that just "thinking" about harmful things (covert sensitization) can work, but this is a very hard procedure to control and equally difficult to assess whether it actually works.

#### **Work/Penalty Procedures that Suppress Behavior**

There are basically three punishment procedures that have been shown to work consistently well.

- 1) Overcorrection—this process is almost always used with disadvantaged children/adolescents. It is best described with an example. A child has frequent temper tantrums and spills his/her food tray deliberately. Immediately he/she is guided/instructed to clean up the mess, put everything back in place and then given many positive practice sessions to learn how to eat in a socially acceptable manner. Overcorrection is the root form of restitution.
- 2) Time out from reinforcement—For example, a socially disruptive person, usually a child or adolescent, is immediately taken from the social setting and placed in brief (30 seconds to 3 minutes) isolation where no positive reinforcements are available.
- 3) Response costs/fines—fines are probably the most frequently used of all the punishers. They are usually found in token economy programs where the client earns points for good work or behavior, and exchanges the points for other rewards of a monetary or socially reinforcing nature. Thus, if a client is fined, he/she loses points and thereby loses privileges.
- 4) The punishers must be administered at maximum intensity.
- 5) Punishment is administered at the earliest point in the deviant response and all sources of reinforcement that maintain the behavior being punished are eliminated.
- 6) Punishment follows every occurrence of the deviant behavior.
- 7) Punishment is applied immediately (within seconds) after the behavior has occurred.
- 8) Punishment trains a person what not to do. It is mandatory that an alternative prosocial response is taught and rewarded so that the individual learns the skills necessary to avoid punishment in the future.

The following sometimes occurs when the above criteria are not adhered to:

- emotional reactions are produced (e.g., fear, interference with new learning, disruption of social relationships);
- avoidance or aggression is projected towards the person or the system doing the punishment; and
- use of punishment is increased in the future by the person being punished.

Even if punishment is carried out properly the following might occur:

- 1) Escape from the situation where punishment should occur is impossible.

- Given the situation, punishment sometimes increases the behavior being punished by signalling reinforcement in the future.
- Punishment, even if successful, may not generalize to similar behaviors. For example, alcoholics who were aversively conditioned to abstain from hard liquor still drank beer.
- Occasionally, if one behavior is punished, another negative behavior substitutes it.
- Habituation often occurs with mild punishments.

### **Who Responds Best to Punishment?**

Surprisingly, there is little information on this topic. At the risk of speculation, it can be said that individuals with certain characteristics do not learn well from punishing experiences. These characteristics include:

- psychopathy;
- a low verbal IQ;
- a previous history of being punished; and
- extroversion.

In addition, cognitive psychologists have found that people, in general, appear to negate adverse consequences of their behavior (e.g., loss of employment, fines) by ignoring the evidence that their negative behaviors caused these consequences; and

by rationalizing their reasons for not paying attention to these negative consequences. People may also have thinking styles that are quite resistant to punishing consequences (Meichenbaum and Fong, 1992).

### **The Frequency of Punishment in Clinical Settings**

Punishment for the treatment of human problem behaviors is rarely used. The use of particularly painful stimuli has been reduced to extreme cases such as the intellectually disadvantaged who have very high rates of self-injurious behavior (e.g., eye gouging, head bashing) that cannot be controlled by any other means. Even in these tragic cases, positive reinforcement usually has been found to be more effective.

Aversive conditioning (e.g., electric shock; drug aversion of alcoholics and sexual offenders) was once popular in the 50s-70s but now is rarely used.

With such a low frequency of punishment in clinical settings, where the controlled environment makes it possible to meet all of the criteria for effective punishment, community correction programs should question their frequent use of punishment in the community which is a much less likely setting.

### **The Role of Punishment in Probation and Parole**

In summary, on the basis of the vast experimental and clinical research literature, there is no evidence to support

the fact that surveillance, threats of punishment, discipline and intimidation are perceived as particularly "painful" or, more importantly, that they suppress behavior. In her article *When Probation Becomes More Dreaded Than Prison* (1990), Joan Petersilia, makes a good point: "This country bases assumptions about 'what punishes' on the norms and living standards of society at large... If their [offenders] values and standards differ, why should their perceptions of punishment be the same?" There is only one study that has thoroughly surveyed offenders' perceptions of what they thought were painful stimuli; the number one choice by far was electric shock.

For the sake of argument, it could be that for some offenders, and in some circumstances, wearing a bracelet might be "painful" for a brief period of time. But keep in mind the six stringent procedural criteria that must be met for punishment to suppress behavior. How does wearing a bracelet or being contacted ten times a day satisfy those criteria? Continuing along this line of reasoning, it comes as no surprise that some ISPs may slightly increase recidivism given what we know of the effect of inappropriately applying punishers.

Additionally, please keep in mind that those who we wish to punish—offenders—share as a group those characteristics (e.g., psychopathy, poor verbal abilities, extraversion) that are associated with a poor response to punishment.

If programs want to continue using such program components as electronic

monitoring, house arrest, drug testing and increased surveillance, it is suggested that the terminology be corrected. These components do not serve as effective "punishers," (i.e., they do not suppress behavior). Rather, these components should be used as "control mechanisms," warning devices, or signals that a misbehavior has occurred. That is their function. If used in moderation they can be useful adjuncts to an intervention program. In fact, used in this manner, these components would serve as a means of maintaining control of antisocial activities in programs which, as noted earlier, is one of the principles of effective intervention.

Are any punishers applicable to offender programming? The answer is yes. Two have very limited use, while a third can be used somewhat.

- 1) Restitution, if it is applied as overcorrection, has a role in ISP. The problem lies in an agency's ability to apply restitution in a way that meets the "six stringent criteria." The manner in which restitution is currently used satisfies none of these criteria, and thus restitution ends up having only a retributive function.
- 2) Time out has been used in group treatment programs with adolescent offenders, but it is hard to fathom how it could be applied to adult probationers or parolees.
- 3) Response costs or fines are a fairly flexible punisher. They are helpful in programs that have level systems and

programs that grant privileges based on progress. Control strategies, then, can be reminders to the probationer/parolee that if, for example, there is a dirty urine, a fine (or loss of privileges) will result immediately.

offers hope for achieving the long-term behavioral change that is essential to public safety.

It is worth repeating that four factors should be kept in mind if fines are used:

- positive reinforcements should outweigh fines by at least 4:1;
- the offender should perceive fines as punishing;
- after the fine is applied the offender has to be trained, through positive reinforcement, how to avoid being punished again; and
- the behavior that is fined must be anti-social in nature.

### Conclusion

The reasons for the decline of punishment in ISPs are compelling. Based on the information in this chapter and the discouraging results for current punishment-based ISPs, it is clear that punishment is not an effective strategy for behavioral change. If ISPs hope to achieve their stated goals they must change the way they do business.

Positive reinforcement is much easier to apply; it is very potent; and there is absolutely no question that the ethics of human intervention are in its favor. The next chapter provides guidelines for the effective use of positive reinforcement and

## CHAPTER IV-3

## THE EFFECTIVE USE OF POSITIVE REINFORCEMENT

*This chapter was written by Paul Gendreau, Ph.D., University of New Brunswick at Saint John.*

**Introduction**

As one could guess, positive reinforcement is the chosen behavior modification strategy for the prototypical ISP.

The following is a precis from the pioneering work of D.A. Andrews regarding teaching probation/parole officers how to positively reinforce offenders' prosocial behavior (Andrews, 1978). It includes descriptions of antisocial and prosocial attitudes and strategies for being an effective change agent. Upon completion of this chapter the reader will be able to:

- define positive reinforcement;
- distinguish between antisocial and prosocial attitudes, beliefs and behaviors;
- list six characteristics of good modeling behaviors; and
- display effective positive reinforcement and modeling behaviors in a role play.

**Defining Positive Reinforcement**

A useful definition of positive reinforcement, for the purposes of proba-

tion/parole work is:

*delivering a positive stimuli, e.g., social attention, approval, praise, or some tangible reward; or removing something aversive immediately after the desired behavior occurs.*

Please keep in mind that the value of reinforcers will be perceived differently by various individuals. Careful observation by the probation/parole officer, and knowing what the offender's favorite reinforcers are, will help immensely in this regard. For example, social attention will be a powerful reinforcer for some and not for others.

Like punishment, to be effective positive reinforcement must be used in conjunction with the modeling and teaching of prosocial behaviors. When the behavior that the probation/parole officer wants to reinforce is not forthcoming, a useful tactic is for the probation/parole officer to model, or demonstrate the desired behavior.

**Distinguishing Between the Content of Antisocial and Prosocial Attitudes, Beliefs and Behavior**

In order to be an effective behavior change agent the following distinctions must be vividly understood by the officer.



**Expressions about the law and law violators**

Prosocial Examples

- 1) An emphasis on the negative consequences of law violations for the offender, the victim and the community at large.
- 2) Rejection of, or placing more realistic limits on "rationalization" or "justifications" for law violations.
- 3) Expressions of the risks involved in associating with criminal others or accepting their values.

Antisocial Examples

- 1) An emphasis on the usefulness of criminal activity.
- 2) Acceptance of the common "rationalizations" for law violations.
- 3) Acceptance of criminal others and their values.

**Expressions about conventional institutions and values**

Prosocial Examples

- 1) Supportive of the institutions of society (government, business, home and family, school and work, spiritual institutions, recreational and social organizational) and their underlying values.

Antisocial Examples

- 1) Non-supportive, hostile, rejecting of institutional attempts to achieve valued ends; rejection of the underlying values.

**Expressions about conventional others**

Prosocial Examples

- 1) Supportive—positive attitudes and feelings toward conventional others; value the interactions with them; value their opinions and feelings.

Antisocial Examples

- 1) Non supportive—negative, hostile expressions; low level of involvement; and "don't care what they think" attitude.

**Expressions about conventional activities (e.g., working, prosocial use of leisure time)**

Prosocial Examples

- 1) Supportive—statements which indicate the positive functions of conventional activities (e.g., emphasize the rewards, express excitement).

Antisocial Examples

- 1) Non-supportive—negative statements.

**Expressions about self-control of behavior**

Prosocial Examples

- 1) The probationer/parolee is examining his own conduct; is making a judgment about how well his behavior corresponds to his values and beliefs or how well he is attaining his goals; and makes a self-evaluative comment ("good" - "bad") depending upon how well the standards are being met; thinks before acting; pauses to consider consequences of a given act; and weighs the merits of alternative ways of behaving in a given situation.

Antisocial Examples

- 1) No self observation or evaluation  
OR  
self-monitoring and evaluation against standards which are too severe, too lax, or frankly pro-criminal.

**Empathy**

Prosocial Examples

- 1) Indicates a sensitivity to the needs, wishes, feelings and perspective of others; expressions which show that the probationer/parolee understands or is trying to understand how another person feels.
- 2) The probationer/parolee appears to be trying out the officer's prosocial expressions.

Antisocial Examples

- 1) Little concern for others; misreads what the officer or someone else has said or done; rejects the feelings of others outright.
- 2) Probationer/parolee ignores or does not seem to care about officer's use of modeling.

## **Problem-solving**

### Prosocial Examples

- 1) Expressions which show that the probationer/parolee is engaging in problem-solving (e.g., considering alternative solutions to problems; experimenting with different ways to reach a goal).

### Antisocial Examples

- 1) An insensitivity to or denial of significant problems; inability to consider new ways of behaving in problem situations.

## **The probation/parole order**

### Prosocial Examples

- 1) The probationer/parolee takes the order seriously, talking about how well he is complying with the conditions.

### Antisocial Examples

- 1) Refusal to take the order seriously or to talk about how well the conditions are being kept.

### How to be an Effective Behavior Change Agent

Being able to distinguish between pro-social and antisocial attitudes, beliefs and behaviors is just the first step to being an effective change agent. The following guidelines will assist probation/parole officers in this endeavor.

First, a quality interpersonal relationship has to be established between the officer and the probationer/parolee. A quality relationship is similar to what one has with one's friends. It is relaxed, flexible and spontaneous. Opinions and feelings can be expressed freely. Openness and warmth can occur while there is mutually agreed upon respect for limiting physical and emotional intimacy. Within this framework modeling and reinforcement function much better.

Second, an officer who is a good model accomplishes the following:

- demonstrates behavior in concrete and vivid ways;
- illustrates the behavior in some concrete detail when only a verbal description is being offered;
- rewards the person for exhibiting the modeled behavior or some approximation of it;
- is generally a source of reinforcement rather than just negative or neutral;
- makes evident the general similarities between himself/herself and the other

person (example, "I had a similar problem at your age" or "even now I..."); and

- recognizes that the other person may have good reasons to fear or distrust the modeled behavior and hence will model a "coping" style as opposed to a "master" style (officer: "I too was afraid to approach the teacher about my grades but, scared as hell inside, I went up and asked her about it, "versus" I just walked up to her and...").

Third, an officer who is skilled at positively reinforcing behavior has a wide variety of techniques available ranging from eye contact, attentiveness, and empathetic expressions to a tangible event such as directly assisting the probationer/parolee in arranging finances or taking him/her to a job interview.

Some concrete examples are:

- strong, emphatic, and immediate statements of approval, support and agreement with what the probationer/parolee has said or done;
- non-verbal communication (e.g., eye contact, touching);
- elaboration of the reason why agreement and approval are being offered (i.e., exactly what is agreed with or approved of);
- an expression of support that is sufficiently intense to distinguish it from the background levels of support, concern, and interest normally offered;

- officer feedback that matches the probationer's/parolee's statement in emotional intensity (i.e., be empathic as well as emphatic).

Fourth, an officer must also engage in disapproval. Keep in mind the "4:1 rule" (four positively reinforcing statements for every disapproval) and the old dictum "treat others as you would treat yourself" (if the officer comes across as austere and negative, s/he will be avoided).

Within the context of a quality interpersonal relationship:

- it is less likely that disapproval will result in the probationer/parolee trying to avoid or escape future contact with the officer, or that the offender will respond aggressively to the disapproval;
- a simple reduction in the normal levels of expressed interest and concern may serve the purpose; and
- expressed disapproval is more punishing than it would be in a relationship characterized by distrust and dislike to begin with.

Effective disapproval in an interpersonal situation is characterized by the following:

- strong, emphatic and immediate statements of disapproval; non-support and disagreement with what the probationer/parolee has said or done; non-verbal communication (e.g., frowns, increasing the physical distance between the officer and the probationer/parolee);

- elaboration of the reason for the disagreement and disapproval (i.e., explain exactly what is in disagreement. This provides an opportunity to model an anti-criminal alternative to the probationer's/parolee's pro-criminal expression. Disapproval is most effective when alternative ways of getting reinforcement are exposed or made available.); and
- when the probationer/parolee starts to produce prosocial behaviors, levels of disapproval should be immediately reduced and approval should be immediately introduced.

### Conclusion

As can be seen, these behaviors are quite different from those generally assumed in the context of today's ISPs. Many officers may require additional training to become effective change agents. More importantly, they will require the support of the administration. If officers are expected to be effective change agents and exhibit these modeling and problem solving behaviors, their performance should be evaluated based upon the results they achieve rather than on the number of contacts they make within the month.

While these new tactics may require a shift in ideology and a revision of operational and administrative policies, they are essential to promoting long-term behavioral change. The next chapter further addresses the role of the ISP line officer in the prototypical ISP.

**CHAPTER IV-4:  
THE LINE OFFICER'S ROLE IN THE PROTOTYPICAL ISP**

**Introduction**

Since the inception of community supervision, the role of the line officer has vacillated between points of assistance and authority, with the supervision emphasis shifting from the community to the offender. The line officer's role has rarely been defined as a delicate balance among these points. In fact, the role conceptions of "social worker" and "law enforcer" have usually been regarded as antithetical; though studies have suggested that this is not the case (Clear and Latessa, 1993; Erwin and Bennett, 1987). In order for effective services to be provided to the offender and the community, it is necessary for an integration of these supervision roles to be achieved.

This chapter will explore the line officer's role in supervision through the examination of supervision theory; the role of the line officer in today's ISPs; and the recommended role of the line officer in the prototypical ISP. Specifically, by the conclusion of this chapter the reader will be able to:

- identify four models of supervision;
- discuss the current focus of the line officer's role and three reasons for this focus; and

- develop the line officer's role in the prototypical ISP and adapt policies and procedures to support this role.

**Supervision Theory**

Theories of supervision center around two basic questions:

- Who is the customer?
  - The offender?
  - The community?
- By what means will the officer carry out their duties?
  - By using authority?
  - By providing assistance?
  - By a combination of the two?

A plethora of models exist which describe the underlying assumptions of correctional policy and attitudes toward supervision. Ohlin, Piven and Pappenfort (1956), Rowan (1956), Pownall (1963), Glaser (1964), Klockars (1972), Clear and O'Leary (1983), and Lawrence (1991) have all developed means of describing the supervision philosophies and styles of line officers and/or organizations.

Figure IV-1 shows four models of correctional policy posited by Clear and O'Leary (1983). These models describe the organization's correctional policy as well as methods of supervision officers use to support this policy.

These models provide a context in which to view the organizational and personal philosophies which undergird the supervision of offenders.

Figure IV-1

**The Reform Model.** With a high emphasis on the community and a low emphasis on the offender, the reform policy stresses preventing the offender from being an inconvenience, risk, or financial burden to the community. Officers who score high in this model believe that the offender should exhibit behavior that conforms to accepted community standards, that stigmatization is justifiable to generate acceptable behavior patterns, and that staff should attempt to be "firm but fair." They place little value on professional education; rather, the tendency is to hire "upstanding citizens" to supervise clients. Typically, reform-oriented staff use a great deal of discretion in decision making and respond to risk in an incapacitative manner.

**The Rehabilitative Model.** With a high emphasis on the client and less on the community, the rehabilitation policy focuses on improving the client's emotional functioning. Officers who support this policy tend to be concerned with responding to the cause of crime and with identifying the cause in terms of sickness in the offender. Their ideal staff are trained, skilled therapists who exercise a great amount of professional discretion in the supervision of client's progress toward self-understanding and self-acceptance. Most of the terminology—such as *diagnosis*, *prognosis* and *treatment*—comes from the health professions and is used extensively in risk control.

**The Restraint Model.** With a low emphasis on both the offender and the community, the restraint policy attempts to make the offender supervision process as smooth as possible. Officers who show a preference for this model believe that correctional supervision has little potential for changing the client's behavior; instead they focus on strengthening the correctional organization in order to maintain maximum independence from community interference. Under this model, staff tend to use organizational regulations as tools for minimizing potential conflict between the community and the agency rather than for risk control. Staff are expected to attend exclusively to their own work and to limit case activity to direct control-related supervision.

**The Reintegration Model.** With maximum concern for the offender and the community, the reintegration policy centers on the view that the offender who has a stake in the community is less likely to offend again. For staff who support this approach, developing that stake is the major goal of supervision, and it may require changes in both the client and the community. This approach involves recruitment of a variety of staff. The focus is on developing supervision objectives that make sense to the client, since the client's genuine commitment to the supervision process is seen as essential for success. Emphasis is on long-term risk-control aims of treatment rather than on short-term incapacitation.

(Clear and O'Leary, 1983)

## Authority and Assistance

Officers use different methods of supervision to achieve the goals set forth by these models; methods of assistance or methods of authority. The following quote illustrates the decisions officers face when dealing with offenders.

*The search for role development in probation and parole supervision has been demonstrated by a few themes. One is that the probation/parole officer faces a series of expectations that do not always fit together well. Especially, there is a conflict between expectations that the officer will respond to the offender's needs, but will also hold the offender accountable to the legal system's requirements... There seems to be a common assumption that probation and parole officers cannot be both the source of service and the agent of control for offenders without serious mixed messages and confusion for the client and the officer. Yet measures of officers' preference for these two role orientations consistently show that some officers score high on both, some on neither (Clear and Latessa, 1993).*

Authoritative supervision methods are those focused on control, monitoring, and surveillance. Supervision tools such as curfews, house arrest, electronic monitoring, urine screens, and frequent office, home and employment visits are all examples of authoritative supervision methods. They are specifically designed to monitor and control the offender's behavior.

Assistance is associated with service provision, either directly or through advocacy and/or brokerage. Line officers who assume an assistance posture see their role as that of a law-abiding ally to the offender in the community. These officers become employment counselors, job

developers, therapists, and educators. The focus of their efforts is on rehabilitation; showing the offender an alternative to a criminal lifestyle.

Though theory may separate authority and assistance into an opposable dichotomy, research has indicated, and observation of probation/parole practices has shown, that officers do not necessarily operate in this manner and can employ both methods as they feel necessary to supervise the offenders on their caseloads (Clear and Latessa, 1993; Erwin and Bennett, 1987). This separation of roles seems to be perpetuated by the organizational philosophy and values rather than because of an inability to integrate roles (Clear and Latessa, 1993).

## The Line Officer's Role in Today's ISP

Most current ISP policies conform to the Reform Model outlined previously and either explicitly or implicitly encourage authoritative supervision strategies. Harris (1987) notes that this emphasis on control has caused probation and parole agents to "become the avowed enemies of their charges, operating... to incarcerate and, as... urine takers, money collectors, compliance monitors, electronic surveillance gadget readers, and law enforcers." Others have lamented the dependency on electronic means for controlling offenders, cautioning that probation/parole officers could lose their professionalism to the electronic monitor, becoming experts at monitoring systems rather than supervision (Erwin, 1990; Corbett, 1989).



These common methods of supervision can be attributed to the punitive ideology associated with today's ISPs and to current standards of supervision. Most standards of supervision are quantitative (Burke, 1990); they say nothing about the purpose or the desired outcomes of contacts. The performance of line officers is measured by activities rather than results and therefore, corrections managers tend to get what they are asking for—numbers (e.g., the number of contacts per month, the number of home visits per month, and the number of referrals per month).

ISP process evaluations suggest that offenders are receiving the high frequency of officer contact as outlined in policy manuals (Petersilia, Peterson and Turner, 1992). Most of these same evaluations, however, revealed that less than half of all program participants were employed, making restitution, performing community service, or involved in treatment programs (NCCD, 1990). Furthermore, these evaluations revealed no significant reduction in recidivism (Petersilia, Peterson and Turner, 1992). These findings suggest that increased contact alone is not sufficient, nor are strictly authoritative methods of supervision.

### The Line Officer's Role in the Prototypical ISP

When probation and parole officers adopt the Reform Model and use primarily authority-oriented supervision methods, they, at best, control the offender while s/he is in their charge. The offender is released from supervision without having internalized any societal norms or having

received any assistance. On the other hand, the social work/assistance orientation has been criticized for emphasizing rehabilitation and the needs of the offender over community safety. Viewing offender supervision as a series of demands in direct opposition to one another does nothing to advance public safety or offender rehabilitation. The facts are that both offenders and the community are valuable; and that both assistance and authority are effective supervision tools when utilized appropriately. These need not be either/or propositions.

The prototypical ISP proposes that line officers can assist in rehabilitation and reintegration of high risk offenders while maintaining public safety. This involves using the supervision tools of intervention, surveillance and enforcement to create a balanced approach to offender supervision. Within this context, the line officer's role in the supervision of offenders, is patterned after Clear and O'Leary's Reintegrative Model with equal importance placed on the offender's rehabilitation and the community's safety and an integration of authority and assistance roles.

### Quality vs. Quantity

The current contact *frequency* specified in ISP probation and parole manuals is not an issue; in order to effectively supervise this high risk/need population the required frequency will likely remain high. The issue lies in the failure to specify the qualitative nature of the contacts. The focus should be on "substantive" contact aimed at assisting the offender, resolving problems and monitoring progress in rehabilitative pro-

gramming. The officer's job is to not only refer an offender to services, but to see that the offender is able to utilize services and that they are meeting the offender's needs. To achieve long-term behavioral change, efforts must be focused on results such as improved attitudes toward authority and employment and reduced levels of substance abuse. These are the factors directly related to criminal behavior, rather than the number of times offenders report to the office or the number of times they are seen at home.

### **Redefining Surveillance**

The suggestion that ISPs emphasize treatment and services over incapacitation and surveillance seems to evoke concerns regarding the removal of controls over the offenders. Clear (1986) suggests that treatment is just as legitimate a means of risk control as incapacitation. Focusing on limited and relevant conditions of probation and parole such as employment, involvement in an educational program, or substance treatment does not mean that offenders will be watched less closely (Petersilia, Peterson and Turner, 1992). When officers are actively involved in the provision of services to offenders, they are by fact monitoring, surveilling and controlling the offender under their supervision.

It is suggested here that *surveillance* be redefined, not so as to negate the importance of control and monitoring, but to emphasize the need to conduct surveillance through constructive activities rather than mere supervision contacts. Surveillance can include monitoring activities that occur within the community in a natural setting

such as employment or school.

### **Team or Individual Supervision?**

ISPs utilize both teamed and individual caseload supervision. Traditionally, duties have been divided along the authority/assistance lines previously discussed. However, it has been demonstrated that officers do not hold true to these roles and supervision lines become blurred between authority and assistance functions (Erwin and Bennett, 1987; Clear and Latessa, 1993). In an evaluation of Georgia's ISP, it was noted that the surveillance officers often developed a "close, supportive relationship" with offenders because of their frequent contact with the offender's home and family life (Erwin and Bennett, 1987). The probation officer in turn was felt to represent "the repressive aspects of probation" by their focus on court and administrative duties (Erwin and Bennett, 1987). Erwin and Bennett (1987) note that role overlap and role reversal occurred in Georgia's program, but was effectively managed by the close and supportive relationships that developed between officer teams.

The prototypical ISP does not advocate for one supervision style over another (teamed or individual). Rather, jurisdictions should keep in mind issues such as funding and manageable caseload size and lessons learned from other agencies who have used team supervision. Additionally, because the prototypical ISP focuses on a balanced approach to supervision, it is recommended that the roles of assistance and authority not be separated. Rather, it is recommended that, if team supervision is

adopted, duties be divided according to expertise in specific areas of need or logistical matters (e.g., officers could work on certain days of the week or at different times of the day).

### **Conclusion**

The new role for the ISP officer is a proactive one focused on service provision, facilitation, advocacy and brokerage on behalf of the offender. Simultaneously, public safety is enhanced by the natural opportunities for monitoring offenders within these contexts.

Many operational and administrative procedures must be revised to support this role. So long as officers performance is evaluated according to what they can count, their focus will remain on activities rather than results, and ISP research will continue to yield negative outcomes.

**MODULE IV**

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## MODULE IV

## REFERENCES

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**MODULE V**

**COMMUNITY INVOLVEMENT**

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## MODULE V

### COMMUNITY INVOLVEMENT

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#### MODULE OVERVIEW

Existing ISPs fail to address the community context in which offenders must reside. Too often, the criminal justice system and its processes are a mystery to much of the public. This can lead to fear and apprehension, inhibiting community involvement. If ISPs are to gain community support, they need to educate the public about ISP's benefits to the community and involve them in its mission. What is needed is a way of bringing ISPs, offenders and communities together in a triad committed to rehabilitation and reintegration of the offender into the community. In order to become truly "community-based" ISPs need to assume a more holistic approach to offender treatment which places them in a community context. By establishing ties with the community, the job of the ISP

officer could actually be made more manageable and communities safer.

This module is divided into three chapters:

- Chapter V-1: The Current Context of Community Involvement;
- Chapter V-2: The Benefits of Community Involvement; and
- Chapter V-3: Strategies for Involving the Community.

Upon completion of this module the reader will have a better understanding of why probation and parole have had a difficult time in involving the public in their mission; the need for such involvement; and ways probation and parole agencies have actually overcome these obstacles.



## CHAPTER V-1

## THE CURRENT CONTEXT OF COMMUNITY INVOLVEMENT

**Introduction**

By fact, ISPs cannot operate outside the bounds of the community. However, for the majority of ISPs, the community does not enter into their equation of community-based supervision. It is difficult for an ISP officer who is caught up in the supervision of offenders, or administrators concerned with funding, to realize that their concerns are intimately linked with, and dependent upon, the community. This irony, that community corrections would operate as if it were not a part of the community, results from several factors.

Probation and parole operations are veiled in secrecy—thought too complex to explain to the general public. The population directly served by probation and parole are certainly not felt to be the most "deserved" among the citizenry. Triaging priorities simply places public relations and other efforts at community education and involvement near the end of the list of matters requiring the attention of officers and administrators.

This chapter will examine the current context of community involvement in ISPs. Specifically, by the conclusion of this chapter, the reader will be able to:

- state two reasons it is difficult to involve the community in ISP; and
- provide three facts ISP must face by not involving the community.

**An Alienated System**

There are two factors about the very nature of probation and parole services which make it difficult to involve the community in their mission:

- probation and parole are "unknown" by the community as service providers; and
- probation and parole provide direct services primarily to those convicted of criminal conduct.

**An Unknown Service Provider**

Probation and parole supervise offenders within the community so as to ensure the safety of the public. This is a publicly-provided service, but one which may be virtually unknown by the public being served. In most cases, unless by unfortunate circumstances someone comes into direct contact with probation and parole services, they either do not know such an

agency exists or they do not understand the functions of the agency.

While probation and parole provide *direct* services primarily to those who have been convicted of criminal conduct, their services indirectly affect everyone in the community. It is unlikely that probationers or parolees would enthusiastically advertise their status to the general public. Certainly, we know of people who regard criminal conduct as a badge of honor among their cohorts, but for the most part, offenders' successes while under probation or parole supervision are quiet celebrations known only to the probation officer, the offender and perhaps the offender's family or close associates. "We don't have what the media refers to as 'good visuals.' Probation has no dramatically overcrowded jails through which to lead tours; no uniforms resplendent with badges and weapons; no judicial robes. It's hard for the public to see what we do. We're everywhere, yet often invisible. We have no trademark, no symbol by which people recognize us" (CPPCA).

Those served by an agency are the ones best able to pass on its successes and failures. People know when they have had good or bad experiences with their county clerk or at their local license branch and those feelings can be communicated through votes or even direct contact with the service deliverer. Probation and parole do not receive such direct contact from the outside world.

## The Nature of the Service and the Served

The nature of the service provided by probation and parole, and the nature of the persons directly served by probation and parole, are viewed negatively by a large segment of the population. Probation and parole are not in the business of serving "deserved" constituents, such as the disabled, the elderly, or neglected children. (Although offenders may be among these populations.) The populations directly served by probation and parole have committed criminal offenses; thereby, placing them on the lowest rung of the ladder of American society. They also have "uncomfortable" problems which they must face such as substance abuse, illiteracy, and sexual deviance.

All this combines to alienate both offenders and probation and parole agencies, keeping them literally estranged from the majority of people to whom they provide their service of ensuring public safety.

### Misguided Public Relations

Probation and parole have placed a low priority on public relations due to time and resource constraints. This has resulted in:

- public information on probation and parole services being controlled from outside the probation and parole system; and

- misperception of public opinion on the part of legislators and other public officials who directly impact the resources afforded the probation and parole system.

### Controlled from Outside the System

Probation and parole do not make public relations an integral part of their program. Unless an offender heinously violates probation or parole, information on the operations of probation and parole is generally not even relayed to the public. Yet with the reporting of an offender's failure, suddenly probation/parole services are thrust into the public eye in a decidedly unfavorable light. Obviously, these situations do not provide the best opportunity for probation and parole to demonstrate to the public the worthwhile and diligent services they provide to the community.

Public relations takes time that probation and parole will never have available. However, if time is not made for steps to inform the public of probation and parole's services, community support so crucial to securing funding and to effective integrative programs will never be fostered and the efforts aimed at offender reintegration will be unsuccessful.

### Misperception of Public Opinion

Another example of failing to involve the community is that probation and parole really do not know the attitudes of community members toward their services. This is a major stumbling block in the way of an effective ISP. "Public attitudes... play a major role in legislative decisions, local

funding allocations, job satisfaction and the nature and scope of a multitude of community services" (CPPCA).

According to Fallin (1989), "Legislators and judges are often reluctant to openly support alternatives to confinement. They perceive it as a political risk in an environment where the public is mostly unaware of the complexity of the criminal justice system and views longer prison sentences as the simple solution to crime prevention." Opinion polls confirm Fallin's statement and indicate that most policy-makers perceive the public to be punitive and to prefer prison sentences (Gottfredson and Taylor, 1983). These same polls, however, show public support for rehabilitation and alternative programs (Gottfredson and Taylor, 1983; Doble, 1987; Cullen, Cullen and Wozniak, 1988) Bennett (1991) concludes from his review of public opinion research done in Alabama, Colorado, and California that what the public really wants from correctional programs is accountability. This, of course, presumes the public knows what the system does.

Before policymakers can be convinced that ISP holds the best promise for reintegrating high risk offenders, the public's perception of these programs must be known. Currently, ISP does not know how its efforts are perceived; therefore, those who make funding decisions are left to draw their own conclusions. At this time, this means more prisons are being built.

**Conclusion**

ISP must face the facts regarding its neglect of community involvement.

- Probation and parole are systems alienated from the public they serve.
- Public relations efforts are directed from outside probation and parole (e.g., the media, public opinion polls) by those with little understanding of the system.
- Those in control of funding have the perception of a "punitive" public and seek incarceration as the answer to public safety.

The current political climate demands that ISPs commit themselves to combatting their alienation with information and programs to both inform and involve the community in the mission of public safety.

## CHAPTER V-2

### THE BENEFITS OF COMMUNITY INVOLVEMENT

#### Introduction

The literature on community involvement in the field of corrections comes predominantly from the two opposite ends of the corrections spectrum: from law enforcement where community policing strategies have been developed and from the prison siting process where often rancorous encounters with citizens have lead to an examination of siting practices. These cases provide rich examples of the benefits of involving the community in corrections efforts. With increasing restrictions on funding and time available to deal with a burgeoning population, the need for community involvement through a variety of support mechanisms becomes apparent.

This chapter explores the benefits of community involvement and establishes why ISP needs this support. Upon completion of this chapter, the reader will be able to:

- list three benefits of involving the community as demonstrated through community policing efforts;
- list three benefits of community involvement as learned in the prison siting process; and

- determine two areas in their community which confirm the need for community involvement in ISP.

#### Community Policing

It has been found that neighborhoods and neighboring still play important roles in our lives despite the increasingly transient nature of the American public. Community policing is based on the notion of informal social control and maintains that strong neighborhoods, (i.e., those with resources, well-maintained infrastructure and caring, involved citizens), will be able to "police" themselves. Community policing, in actuality, involves the police in strengthening neighborhoods.

#### Informal Social Control

Informal social control can be defined as the ability of citizens to develop and enforce norms of public conduct (Skogan, 1987). The existence of neighborhood social networks helps to manage behavior through informal social control (Merry, 1987). Disorder, evidenced by dilapidated buildings and antisocial behavior on the part of neighborhood residents or outsiders has a negative effect on the ability of concerned citizens to exert informal social control (Shonholtz, 1987; Skogan, 1987).

Negative environmental factors such as trash, abandoned vehicles and street gangs have been found to contribute to fear of crime, lower property values and withdrawal from society (Ahlbrandt and Cunningham, 1979; Lewis and Salem, 1981; Perkins et al., 1990; Skogan and Maxfield, 1981; Taylor, 1988). When informal social control is low there is greater evidence of residential and commercial flight, crime, and neighborhood degeneration (Greenberg and Rohe, 1986; Hunter, 1974; Rich, 1980; Shotland and Goodstein, 1984; Skogan and Maxfield, 1981; Wilson and Kelling, 1982). However, a sense of community cohesiveness has been found to ameliorate such negative environmental effects as crowding (Aiello and Baum, 1979; Freedman, 1975).

Community policing strategists, therefore, have outlined a role for law enforcement which is proactive and focuses on empowering citizens and improving the physical environment in which they live. If problems are dealt with on a neighborhood level, they may never escalate to the point of requiring police attention.

*Citizens acting and serving in their civic capacity can affect social and private situations provided their intervention is voluntary and without coercion. Citizens working through the informal norms of social control are the only persons who can conduct and sustain an ongoing prevention and early intervention policy. They are the only ones with the proper status to engage their fellow citizens in the informal discussion and settlement of differences (Shonholtz, 1987).*

## The Houston Experience

The section below provides a brief description of Houston's experience with community policing as discussed by Lee Brown (1987).

**Values:** Brown (1987) outlines four values upon which Houston's strategies for community policing are based. They include:

- 1) making it possible for citizens to work with the police in controlling crime;
- 2) making crime *prevention* the "number-one priority;"
- 3) delivering police services in a manner which preserves and advances the principles of democracy; and
- 4) delivering police services in a manner that enhances the concept of neighborhoods.

Each of these values serves to empower citizens through their intimate involvement in the activities of the Houston Police Department.

**Strategies:** Based on these values, three programs have been implemented by Houston's police department. These programs are particularly successful in their active involvement of citizens.

The Directed Area Responsibility Team (DART) is assigned to a neighborhood with the purpose of getting to know neighborhood leaders, groups and factors that put the neighborhood at risk. The

directive under the DART program is to become partners with the community in improving neighborhood life.

Project Oasis focuses on making physical improvements to neighborhoods as one means to drive out the "bad" elements (i.e., crime). Police provide support services to neighborhoods which undergo publicly funded physical improvements, such as improving lighting or rehabilitating dilapidated structures. The provision of support services reinforces the positive behavior of neighborhood residents. In the public housing project where it was first implemented, Project Oasis was found to result in a significant reduction in crime, calls to police, and in improvement in the overall quality of life (Brown, 1987).

Three strategies of the Fear Reduction Project were found to be successful in improving the quality of life for neighborhood residents.

- Community storefronts place police operations in small areas of approximately 2,000 people. This allows police services to be directed to an area based upon its particular needs.
- The Community Organizing Response Team trains police officers in community organizing strategies so they can assist residents in identifying community issues and government resources available to address these issues.
- Direct Citizen Contact involves officers going door-to-door in a specified area to discuss citizens' concerns about

safety. This strategy was found to be the most successful in fear reduction. Target areas also showed reduction in crime.

**Benefits:** Community policing efforts have been able to:

- establish the police as valued assets to communities;
- improve the quality of life in neighborhoods once characterized by deterioration; and
- reduce crime.

These are points that should not be ignored by probation and parole practitioners at a time when governmental funds are tighter than ever, and research questions the efficacy of current ISPs. To be able to say that probation and parole are valued community assets responsible for improving quality of life and reducing crime would ensure community support.

#### Evidence from Prison Siting

The prison siting process provides a good case for citizen involvement in the decisions of the correctional community. The siting of prisons is a highly politicized process and, historically, citizens have regarded prisons as a negative. As stated by Carlson (1992):

*Corrections is still a stigmatized industry, generating ambivalent feelings, and there are undoubtedly safety risks posed by prisons even if these are seldom realized. Local values and attitudes about change also play a significant role, as do unique local events and*

personalities.

### The Closed System

Prisons are, in an acronym, LULU's (locally unwanted land uses as identified by Popper, 1981). According to Ducsik (1979) the traditional approach to siting LULU's has been the "decide, announce, defend" model. This approach, not surprisingly, generates a hostile response from those left out of the entire process (i.e., the residents who must live with the facility in their community) (Ducsik, 1979). Corrections is particularly inclined to "manage" or restrict information available to the public for fear of the information being misunderstood or causing an overreaction (Ryles, 1983; Jacobs and Brooks, 1983). The public, on the other hand, regards prisons as their property with all the rights of ownership including access to information on prison operations (Carlson, 1992).

Prison facilities sited in East Los Angeles, near Phoenix and in Clallam Bay, Washington did not take into account their community context and have suffered badly in public image resulting in even prison employees being resented by native residents (Krause, 1992; Carlson, 1992). It is evident that when a "closed system" perspective is taken by corrections the resulting misperception and mistrust of corrections practices and practitioners by the public may mean that corrections programs do not get the support needed to be effective in the community.

### Involving Citizens

When an "open system" approach is taken to prison siting, where the community and prison have an ongoing relationship, it can mean the establishment of a supportive association between the prison and community, reduce stress to those associated with the facility, and enable the development of offender reintegration programs (Johnson, 1987; ACA, 1984; Duffee and Wright, 1990). Jacobs (1983) cites the case of Vienna, Illinois where an attitude of receptiveness and respect exists between the correctional facility and the community. The facility has offered concrete benefits to the community including evening classes at the prison for the local adult community, an offender operated ambulance service, local school classes taught by offenders, and softball games refereed by offenders (Krause, 1992).

Carlson (1992) emphasizes that prisons must engage in "a more careful and thorough assessment of residents' expectations and fears and their community context" in order to advance positive prison/community relations. Corrections should not promise what it cannot deliver, nor should it attempt to hide itself away from public scrutiny. This only makes the public more suspicious and less supportive of its mission.

### Benefits

As stated by Pepinsky (1989):

*To be constructive rather than oppositional, community activity needs to be inclusive rather than exclusive, to allow those affected by the*



*activity to participate in shaping the activity—in a word, to be democratic.*

As demonstrated in Vienna, Illinois, by involving the community in siting decisions and in the subsequent "life" of the institution, prison officials have been able to:

- establish ongoing, cooperative relationships with the citizenry;
- provide concrete benefits to the community; and
- assist in the effective reintegration of offenders into everyday community life.

As with community policing, involving citizens in the process of prison siting brought benefits to both citizens and the prison. Community involvement is a two-way street, but it is up to probation/parole to begin the process.

### The Need for a Community Context in ISP

Community involvement is not just a nice moniker. It is a concept that addresses the needs of probation and parole. The needs identified in this section include:

- funding;
- offender services; and
- assistance with supervision.

### **Funding**

ISPs, like all other publicly financed programs, face the challenge of garnering funds from increasingly restricted public coffers. This places ISPs in an atmosphere of keen competition for the limited amount of money available.

According to Wanat (1978), agency budgets are largely influenced by two factors: 1) the merit of the request and 2) the nature of the agency's constituency. Thus far in ISP's evolution, the focus has been on establishing the merit of the request alone based upon the overcrowding of prisons and the costs of institutionalization.

The second factor posited by Wanat has been largely ignored by ISPs in demonstrating the need for their program. Wanat states that the more vocal the constituency of an agency the greater the chance of its increased funding. Citizens interested in the continued existence of services will contact their legislators or other elected officials to voice their opinions. Elected officials, of course, know that these citizens will vote. Their livelihood depends upon their continued service to voters.

ISPs have two subset constituencies: those to whom they provide direct services—offenders; and those to whom they provide the indirect service of ensuring public safety—the community. To ensure that they receive the much needed funds to continue operating and to expand and improve services to offenders, ISPs must inform and involve their indirect constituents.

If citizens are aware of the need for and the benefits of ISP in their community, they will voice their support.

### **Offender Services**

Lack of available services for offenders is seen as one of the reasons many offenders in ISP have failed to reintegrate into their communities (Byrne and Kelly, 1989).

Service availability varies from one area to another within cities, counties, states and regions, and the quality of services varies even more widely. ISP officers, now more than ever, must act as agents of change in their communities to see that services are available for the offenders under their supervision. In order to accomplish this tall order, they must inform and involve those who are in a position to provide or assist in the provision of needed services.

ISP officers must not only become familiar with the services in their jurisdictions which address such problem areas as employment, education, substance abuse, and sex offender issues, they must also get to know the service providers themselves and the services that offenders are being given. When ISPs ignore the relationship between the community of service providers and their ability to assist offenders in reintegrating, they place the safety of the larger community at risk.

### **Assistance in Supervision**

ISP officers dealing with the difficult problems of high risk offenders can become overwhelmed with the responsibilities of paperwork, supervision,

facilitation, advocacy, and networking necessary for effective casework.

Assistance in supervision from the world outside of the ISP then becomes a necessity. If the community is aware of the role of ISP and the service it is providing to the community, some citizens may actually wish to assist ISP in carrying out its mission.

There are tasks performed by officers that do not require the degree of expertise that others do. Routine paperwork, transporting offenders and making occasional telephone contacts with employers are tasks that can be "farmed out" to volunteers. General surveillance can take place within the offender's neighborhood if a strong informal community network is established. Assistance from the outside will make the job of the ISP officer more manageable, thus making the community safer.

### **Conclusion**

The needs of probation and parole and the benefits achieved through community involvement directly correspond with one another. Community involvement in the processes of corrections can provide concrete benefits to the citizenry including reduced crime and other quality of life improvements. It facilitates the reintegration of offenders into the community and establishes corrections as a valued asset in which citizens seek to be involved. By involving the community, probation and parole will find help when funding becomes an issue; when offender services are needed; and when they need assistance in supervising their caseloads.

CHAPTER V-3:

STRATEGIES FOR INVOLVING THE COMMUNITY

Introduction

There are several ways ISPs can involve and inform the community, including:

- through the recruitment of volunteers;
- through the use of community sponsors or network teams;
- through public relations efforts;
- through neighborhood probation; and
- through victims' programming.

In these ways ISP becomes less of a mystery to its community and can be viewed as a community asset where citizens are provided with invaluable services.

This chapter will explore actual methods to involve the community in the activities of probation and parole. Upon completion of this chapter, readers will be able to:

- identify five strategies for involving the community in the activities of ISP; and
- develop their own strategy for involving the community based upon the examples given.

Recruiting Volunteers

Volunteers are utilized by a number of probation and parole agencies. For the prototype ISP, volunteers become a more serious consideration. ISP officers will be called upon for expertise and assistance in more ways than ever before. The help of volunteers in performing some tasks will free up time for officers to "substantively" work with offenders on serious issues. There are untapped human resources in each community which could prove invaluable to ISPs in fulfilling their mission. The goal of ISPs then is to find and utilize those resources. Five steps should be followed in order to locate volunteers and make effective use of them. Agencies should:

- assess ISPs areas of need;
- consider the resources available in the community;
- develop application materials;
- develop a program of recruitment; and
- recruit volunteers.

Assessing Need

Each ISP will have different areas where it could utilize volunteers. No ISP should

recruit volunteers, however, until it gives thoughtful consideration of where it could use their assistance. Otherwise, this could set both the ISP and the volunteer up for bad experiences. Volunteers used unwisely can end up feeling that their time is being wasted. After all, people who volunteer to help in such endeavors often have an altruistic nature. Therefore, if their time is being wasted they may feel that it could be better spent assisting another agency. The careless hiring of volunteers could also mean that the ISP must deal with someone who is simply "in the way." This is certainly not needed with all the other burdens with which officers must deal.

Volunteers can be used for routine tasks including:

- transportation;
- telephone calls to verify attendance and progress in offenders' employment, schooling or counseling;
- case recording; and
- compiling and submitting statistics (Minnesota Citizens' Council).

These are all rather routine tasks that, once a volunteer is given some instructions and direction, can be easily handled and free up some time for ISP officers.

There are other tasks not so routine which also can be handled by volunteers. Some community members have expertise in particular areas and are more than willing to share that with those less fortunate.

Some areas where volunteers with expertise could lend assistance include:

- financial planning;
- job development and employment referrals;
- child care;
- community resource development; and
- family and personal counseling (Minnesota Citizens' Council).

These areas provide assistance to both the officer and the offender. They are the "substance" of ISP.

A careful examination of where ISP could most use the assistance of volunteers will lead to the effective use of available community resources.

### Consider Community Resources

Before embarking on the recruitment of volunteers, ISP must evaluate from where it might be able to draw its volunteers. Some communities are fortunate enough to have colleges or universities nearby. Students, especially students of criminal justice, social work, or psychology, are interested in gaining experience in their fields. This offers them a particularly attractive opportunity. Universities also offer internships through various departments. ISP could offer the opportunity for departments to employ their students in unpaid internships.

Certain organizations are centered around philanthropic causes. ISPs might consider contacting these organizations and involving them at the outset in their efforts to utilize volunteers. The United Way, for example, is one of the most successful organizations at recruiting assistance from the community. The religious community is another segment where ISP may find volunteer resources. Some communities have a centralized office available for a host of different organizations to recruit volunteers.

The purpose of this exercise is for those in ISP to think of the various areas in the community from where they might have the greatest success in recruitment efforts. Certainly, a general call for volunteers can be issued, but a thoughtful look at the community's resources enables the ISP to direct its efforts efficiently.

### **Develop Application Materials**

ISPs need to have an application for volunteers to complete which adequately assesses their education, employment, and previous volunteer experience. It must also provide the information necessary to complete a criminal records check and provide the volunteer the opportunity to report any felony or misdemeanor convictions, including traffic violations where appropriate. The ISP may also wish to provide space for the volunteer to articulate why it is they are interested in volunteering in this capacity. Character references are also an essential component of the application. Some ISPs may already have applications for this purpose which they use with regular personnel.

Community standards and norms, as well as the capacity in which the volunteer will be utilized, should determine how each ISP weighs the importance of each item on the application.

### **Develop a Program of Recruitment**

Once an application has been developed, the ISP can begin its recruitment effort. The identified community resources should be kept in mind in determining where to recruit volunteers.

**Newspapers:** For a general recruiting effort, the local newspaper(s) always offer(s) the possibility of purchasing space for a help wanted advertisement. Another possibility is providing the local newspaper with a press release on the program itself, and its need for volunteers. This will be discussed further as part of general public relations. Informing the press of the ISPs efforts may spark the interest of a local reporter and provide the opportunity to articulate the need for volunteers in this context.

**Television and radio:** Cable television stations often have public access channels and television and radio stations are required to give time for public service programming. These avenues can be used as forums for recruitment of volunteers and for general education about ISP. An added benefit is that these services are provided at no cost to the agency.

**Universities or colleges:** Departments at local colleges or universities may permit the posting of job announcements on bulletin boards. Some professors may

even announce the opportunity in classes. College employment services may post the announcement, as well. These can be invaluable resources in getting your message out to an interested population.

**Churches:** Churches often have informational bulletin boards and may allow the posting of job announcements. Most churches have bulletins which keep the congregation informed of church activities. The ISP could contact the bulletin publisher to see if a volunteer recruitment announcement could be included.

**Word of mouth:** Simply through the contacts made every day, ISP officers and administrators can get the word out that volunteers are being recruited. They should inform other social service agencies and volunteer staffed organizations of their efforts to recruit volunteers.

### Recruiting Volunteers

Given the sensitive areas in which ISP volunteers will be involved, the same care taken in hiring regular staff should be taken in recruiting volunteers. Those applying for positions should definitely be made aware of this at the outset. They will undergo a records check, their character references will be checked and they will undergo an interview. This may discourage some, but that is the idea of the process. ISP cannot afford to hire volunteers who are going to be a detriment to the organization. It is important that the organization and the volunteers complement each other and above all else, that they provide the best assistance possible to offenders.

### St. Louis' Volunteers in Probation and Parole (VIPP)

According to their Annual Report, St. Louis' VIPP began in 1972 as a joint effort between the American Bar Association and the Bar Association of Metropolitan St. Louis to fill gaps in services needed by offenders that otherwise would not have been available to them. The organization centers around assistance to ex-offenders in their efforts at reintegration. Services offered by VIPP include:

- AIDS education;
- chemical dependency education;
- an interest-free loan program;
- publication of a community resource guide;
- counseling services;
- education programs;
- employment-related programs;
- supervision services;
- a speakers' bureau;
- a volunteer recognition program; and
- a women's project.

VIPP also holds public forums on issues which are felt to be of particular importance to the community of St. Louis. At these forums, panelists from various segments of the community including law

enforcement, media, education, research, corrections, and medicine discuss the issues at hand from their perspectives.

These programs have resulted in concrete benefits to the community as well as to offenders and probation and parole. The results are printed in VIPP's annual report and made available to the public.

By carefully recruiting and using volunteers as a resource, the ISP gains the involvement of the community in its mission. Volunteers get an "inside look" at the operations of ISP and can communicate this to those outside the organization. They perform a dual service: active assistance to the ISP and informing the community about ISP.

### Community Sponsor and Network Teams

New Jersey's ISP uses community sponsors and network teams to provide the offender with a "linkage to the community." Community sponsors and network teams consist of individuals, identified by the offender in their application for participation in ISP, who could assist them in making their transition into community life.

Community sponsors provide assistance to both the offender and the ISP. They perform duties much like those that volunteers might assume; the difference being that community sponsors and network teams work with an individual offender. The duties of community sponsors and network teams include:

- transportation to work or other obligations;
- assisting in emergencies such as loss of a job or home;
- acting as an advocate in dealing with other community agencies, organizations, or individuals;
- helping to occupy "free time;" and
- monitoring special conditions such as community service.

Community sponsors and network team members are contacted by ISP staff to ascertain their willingness to assume these roles. ISP staff also evaluate their "suitability" for these positions.

The community sponsor and network team meet with the ISP officer where they receive an orientation to the program; listen to and review the officer's interview with the offender; and discuss ways in which they can assist the offender in achieving their goals as identified in the case plan. Community sponsors and network teams ultimately reach an agreement regarding their responsibilities as outlined in the plan.

The community sponsor and network team are individualized volunteers. Their services are targeted to one offender who they can assist in reintegration. This provides a very real support mechanism to the offender and to the ISP officer.

## Public Relations

Public relations efforts are simply defined as developing two-way communication between the agency and the community. According to the California Probation, Parole and Correctional Association, there are several questions that corrections officials who deal with public relations should be prepared to answer. These include:

- What is the agency (ISP, probation, parole)?
- Why should I care?
- How much does it cost?
- How big is the bureaucracy to run it?
- Why not just lock up more offenders?
- Who is going to "make them" work and pay restitution?
- Is rehabilitation a realistic goal?
- What kind of community service jobs can offenders perform?
- How will this benefit the victim?

These are questions that ISP officials should keep in mind and prepare accurate and thoughtful responses to prior to initiating a public relations program. They all may not be asked, but being prepared will convey the message that ISP is serious about its program.

Public relations efforts need not be expensive or time-consuming and they can draw on the natural talents present within the ISP. Some basic strategies include:

- maintaining a customer service orientation;
- developing a speakers' bureau;
- developing specific public relations materials;
- issuing press releases; and
- holding news conferences.

These are not either/or propositions. These strategies can certainly be combined to reach wide-ranging segments of the community.

## **Maintain a Customer Service Orientation**

In their everyday activities as citizens, officers, and administrators, ISP personnel develop an image for ISP. Are personnel helpful when they deal with the public or do they project an image of indifference or outright hostility? Even though it is rare for the general public to come in off the street to ask questions about ISP, it is still important for ISP personnel to be cognizant of the image they project. They, after all, deal with victims on a regular basis. As will be discussed further in a later section, victims are currently the main link that ISP has with those outside its system. It is extremely important that victims be treated with the respect and courtesy deserved of every citizen.



## Develop a Speakers' Bureau

As was stated earlier, every organization has untapped talent just waiting to be utilized. One area where ISPs can cultivate the talents of their officers and administrators is in the development of a speakers bureau. Personnel who enjoy public speaking or express an interest in such can be pooled together to create a list of speakers available to organizations within the community. The ISP itself, may want to contact organizations to offer its services and expertise regarding the issue of public safety, the goals of the ISP, and its need for citizen involvement.

Organizations such as the Jaycees, Kiwanis, Lions, neighborhood associations and churches are all interested in the safety of their community and may welcome the opportunity to hear from those out on the front lines. They may even wish to know how their organization can assist in the endeavor. Speakers developed from the ISP's own personnel can convey this information best. Volunteers can also be included. They can give people a perspective on ISP from the citizen's point of view.

## Develop Public Relations Material

More expensive than the other methods mentioned so far is the development of public relations material. The following represent various public relations materials an ISP might consider using:

- brochures;
- one-page informational releases;

- posters;
- pencils/pens, pins/buttons, rulers/bumper stickers;
- video or slide presentations; and
- logos and slogans.

Brochures and one-page informational releases can be done in-house (perhaps by volunteers) and can include basic information on ISP, its mission, statistics reflecting its successes and perhaps communicating any need for assistance.

The other materials will require the assistance of professionals such as printers, photography studios and videographers. Given ISP's mission of public safety, certain professionals may be convinced to donate time or to reduce the cost of needed services.

## Issuing Press Releases

Press releases communicate to the outside world something significant about your organization. It could simply be the implementation of ISP, but it could also be communicating the latest ISP success story, successful statistics, or communicating the need for help from the general public. Whatever the reason, it should be something that makes the public more aware and enhances their understanding of ISP.

In writing for the press, one should try to follow these general rules (Yarrington, 1983):

- Answer the questions who, what, when, where, and how in the lead paragraph.
  - Emphasize the positive.
  - Follow the "inverted pyramid." The story should start with the most important facts and go to the least important.
  - Keep sentences short and paragraphs two to three sentences long.
  - Try to follow the style of writing of the newspaper or magazine. Contact the editor regarding the style used.
  - Use the dictionary to check spelling.
- appearance that no one is interested if few people show up.
  - All the local media should be invited.
  - Press kits should be prepared with a press release, fact sheets and photos, if relevant.
  - Speakers should be prepared to answer questions and should rehearse ahead of time to be sure they are ready to respond to all types of inquiries.
  - There should be one speaker present to guide the news conference who presents a brief introductory statement, introduces others present, then opens the floor to questions.

Information released should always be accurate and never be an attempt to "pull the wool over" the public's eyes. The more accurate and professional the press release, the greater respect the ISP will earn from the press and the community.

### Holding News Conferences

News conferences should be reserved for significant events. Holding too many news conferences will certainly cause the press to lose interest. Deciding to hold a news conference requires special attention to details. Some basic rules to follow in holding a news conference include (Yarrington, 1983):

- News conferences should be held in attractive settings.
- It is preferable that the space be too small as to be too large and give the

Following these basic rules will get ISP's message to the public and provide for a favorable impression of the organization as both professional and accessible.

Public relations is a concerted effort to get ISP's message to the public. It places the control of information in the hands of those who know ISP best—those who work as part of it every day. Thus, the media and the public are more informed and can put events related to ISP in their proper context rather than sensationalizing them. By getting *accurate and informative* stories to the public on ISP's operation and successes, the ISP lifts the shroud of mystery and makes the organization more a part of the community. People know ISP exists and they know that it is trying to assist them in keeping their community safe.

### Neighborhood Probation

Neighborhood Probation is at work in the community of Madison, Wisconsin. The concept was developed by the Wisconsin Department of Probation and Parole in Madison. Its roots are in community policing, but it has been made specific to the activities of probation. The details provided on this concept are paraphrased from a presentation given by Daniel Nevers and Cheryl Knox at the American Probation and Parole Association's 1992 Annual Institute.

#### **Traditional versus Neighborhood Probation**

Nevers and Knox of Madison's Division of Probation and Parole have identified the following problems with its operations:

- Probation is accountable internally, but this has not always meant community accountability. Probation needs to be closer to the community, more responsive, and develop a problem solving approach.
- Probation is overwhelmed by its population resulting in a reactive approach to problem solving.
- Probation lacks focus and is inefficient in its responses to problems due to general assignment caseloads.
- Probation has difficulty in obtaining comprehensive information about an area because of the number of officers who may have offenders in one neighborhood.

In response to these problems, Madison developed a neighborhood-placed probation system to be used in a specific area. The developers contrasted traditional probation supervision with neighborhood probation supervision as follows:

| <u>Traditional Probation</u>     | <u>Neighborhood Probation</u> |
|----------------------------------|-------------------------------|
| General assignment               | Geographic focus              |
| Offender focus                   | Community focus               |
| Reactive                         | Problem solving               |
| Problem solving by professionals | Community involvement         |
| Office bound                     | Community presence            |

#### **Goals and Objectives**

The following three goals and specific objectives were developed to guide neighborhood probation and broaden its focus beyond traditional probation:

- 1) To establish safe and effective supervision within a specified area.
  - Develop a caseload in a specified area.
  - Supervise offenders using office space in the area.
  - Provide preventive supervision utilizing community resources to address offender (and their family's) needs.

- Become familiar with the neighborhood's public and private services to address resident needs.
  - Maintain a log of offender and community contacts to be used to evaluate neighborhood probation.
- 2) Coordinate supervision with other resources in the area.
- Share caseload listings with police, supervisor, and other service providers as appropriate.
  - Coordinate supervision with neighborhood police officers, making contact with police as an added element of safety.
  - Establish an identity for probation and maintain familiarity with private businesses, churches, political and public services within the area.
- 3) Assist in the establishment of a neighborhood effort to promote public safety and a stable community.
- Attend neighborhood meetings related to this goal, including those not directly related to offender supervision, such as youth activities and neighborhood events.

### Current Operations

With these goals and objectives in place an officer has been placed in a neighborhood in Madison and is effectively implementing neighborhood-based probation/parole supervision. The officer has familiarized

herself with the resources available in the neighborhood and has been coordinating services with other providers to assure that offenders' needs are met. Through networking, she has assisted in the development of a citizens' patrol group and in the organization of property owners in the area to solve their common problems.

### Problems

There have been problems with the implementation of neighborhood probation. Some concerns include:

- Safety concerns. These have been dealt with by developing a radio patch with the police department and by the officer familiarizing herself with "safe" places and routes, knowing building exits and areas to avoid.
- Lack of privacy. Sometimes the officer has felt too available to the public. This has been dealt with by a one day retreat to the central office to complete paperwork duties.
- Communication problems. The physical distance between the central office and the neighborhood office has led to communication difficulties. Computerization, answering machines, pagers and other electronic office equipment may help to keep such offices more closely linked.

### The Future

Neighborhood probation has tried to maintain a separate identity from community policing by continuing to focus on

individual offenders and by being social service oriented. The program is continually trying to improve by bringing its operation closer to its philosophy, providing a specific probation representative for the community, considering the placement of a neighborhood probation unit, and providing the emotional support and training needed by officers.

Neighborhood probation obviously takes a large investment in time and resources. However, it makes the greatest commitment to involving the community in probation and parole. Its efforts at integration are aimed at the offender as a whole person taking into account not only their needs, but the needs of the community in which they reside. The payoffs can be great in that the community now regards probation as one of its best resources—a helpful and involved fellow citizen.

### Victims

By addressing the concerns of victims, probation and parole increase awareness of their programs and their credibility. Services provided to victims let the public know that probation and parole value them and that they will be treated respectfully and decently should they become a victim of crime.

The American Probation and Parole Association (1992) has outlined the following ways in which probation and parole can provide for the needs of victims and institute effective victims' programming:

- victim/offender mediation or

conciliation programs;

- community review boards;
- victim notification; and
- community service.

### **Victim/Offender Mediation or Conciliation Programs**

Victim/offender mediation programs are one way to assist in making the victim "whole" again. These programs bring victims and offenders together in the presence of a mediator to "explain themselves to one another" and come to a resolution of their situation by negotiating a mutually acceptable restitution agreement (Umbreit, 1987).

The following three resources provide information on the essential elements needed to establish an effective victim/offender mediation or conciliation program.

- 1) Umbreit, Mark S. (1988). "Mediation of Victim Offender Conflict." Journal of Dispute Resolution.
- 2) Umbreit, Mark S. (1986). "Victim/Offender Mediation: A National Survey." Federal Probation, 4: 53-56.
- 3) American Probation and Parole Association (1994). A Guide to Enhancing Victim Services within Probation and Parole. Lexington, KY: American Probation and Parole Association.

### Community Review Boards

Community review boards consist of representatives from probation/parole, offender service agencies, and victim's agencies and support groups. These groups gather together to review the decisions of probation/ parole to make sure that victims' interests are being considered. Public hearings give the opportunity for the public to ask questions about the probation/parole system and its decisions.

### Victim Notification

As a service to all victims, they should be given the following information:

- a brochure about available victims' services within the community and a contact person for victims' concerns within probation/parole;
- the conditions of the offender's supervision including special conditions; and
- restitution information including amount, payment start date, and payment schedule.

Victim notification communicates to the victim that their safety and their needs are important and that they will not be subject to a second "victimization" by probation and parole personnel.

### Community Service

Community service is a concrete example of how offenders can provide services to the community. It also provides indigent

offenders with a means to pay back victims and a way for victims to be made "whole" in the process. Community service is an expression by ISP that the concerns of the victim and the community are important to the organization.

Victims concerns are the community's concerns. By demonstrating through concrete efforts their regard for the needs of victims, ISPs make themselves visible to the community and of assistance to the community in their time of greatest distress. This can only serve to enhance the image of ISP and lend it greater credibility.

### Conclusion

Though probation and parole have traditionally not incorporated the community into community corrections, this does not mean it is not possible. The needs and strategies identified in this chapter provide the means for ISP to begin thinking about how they can involve the community in their efforts. Involving the community will mean that ISP can become a valued community asset and receive the funds so needed to effectively supervise their population and provide for the public's safety.

**MODULE V**  
**REFERENCES**

## MODULE V

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**MODULE VI**

**MANAGING PROGRAM CONSTRAINTS**

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## MODULE VI

### MANAGING PROGRAM CONSTRAINTS

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#### MODULE OVERVIEW

The following quote from the California Probation, Parole and Correctional Association is indicative of the self-imposed position of probation/parole in the criminal justice hierarchy:

*Probation departments and probation practitioners seem to have cast themselves as victims—victims of budget cuts, of personnel losses, of demotions and changes in job descriptions, of public misunderstanding and of benign neglect by other criminal justice agencies. We allow ourselves to be the stepchild in the criminal justice family, sleeping by the hearth and taking the crumbs left by others (CPPCA).*

The reality is that there are many external factors which influence the work of probation and parole. These factors must be considered when designing any new program. They must not be viewed as

obstacles but as issues that need to be considered and managed.

This module encompasses the following three chapters:

- Chapter VI-1: Involving Key Stakeholders in ISPs Mission;
- Chapter VI-2: Cultivating Effective Community Services; and
- Chapter VI-3: Fiscal Considerations.

These represent three areas of major concern to ISP personnel. This module provides strategies for turning these jurisdictional constraints into jurisdictional strengths.

## CHAPTER VI-1

### INVOLVING KEY STAKEHOLDERS IN ISPs MISSION

#### Introduction

ISP is not an isolated entity, nor should it be. Its survival is dependent on working with community corrections stakeholders (i.e., other criminal justice programs, the public and policy-makers within the jurisdiction) toward a common mission. These internal and external forces impact ISPs operation and its ability to take independent actions (NIC, 1991). How ISP personnel manage these forces will determine their ultimate success or failure.

One of the major areas of constraint identified by community corrections personnel is the lack of support from key stakeholders within their jurisdiction. Key stakeholders can exhibit support by expressing a basic trust and confidence in the decisions and practices of ISP personnel; by promulgating administrative policies and procedures that support the ISP's mission; and tangibly through financial support.

This chapter will discuss the critical steps in obtaining stakeholder support with special consideration given to managing judicial/parole board relations and impacting legislation. Specifically, upon conclusion of this chapter, the readers will be able to:

- identify stakeholders within their jurisdiction;

- assess each stakeholder's readiness and capability to support ISP;
- develop an action plan for engaging stakeholders;
- discuss three ways of obtaining judicial/parole board support; and
- list and discuss the steps for impacting legislation.

#### Clarifying ISP's Function

In their handbook, "The Power of Public Support," the California Probation, Parole and Correctional Association (CPPCA) emphasizes the importance of agencies clarifying their function as a first step in obtaining stakeholder support. This entails educating internal stakeholders (i.e., line staff, supervisors, administrators) about ISPs mission, values, customers and products. Until agency employees are clear about what it is they are trying to accomplish, they will be hard pressed to convince others of their value.

Answers must be developed to the following questions before asking others for their trust and support:

- 1) What are the mission, goals and objectives of ISP?
- 2) Who are ISP's customers?

- 3) What is ISP's product?
- 4) What strategies does ISP use to achieve its mission?
- 5) What proof is there that ISP achieves its goals and objectives?
- 6) What are the strengths and weaknesses of ISP?
- 7) What does ISP need to overcome its weaknesses and achieve its goals and objectives?

Much of the general public's confusion over the function of probation and parole, and ISP in particular, is because internal stakeholders themselves have a difficult time answering these questions. "Even among practitioners of probation there is confusion, loss of will, lack of enthusiasm about what their jobs are, what they mean and what they can be. The product is fuzzy; the salespeople are unconvinced" (CPPCA).

It is essential for probation and parole agencies to undergo a values clarification process and to present a united front to external stakeholders whose support is so critical to their survival.

### **Identifying and Assessing Stakeholders**

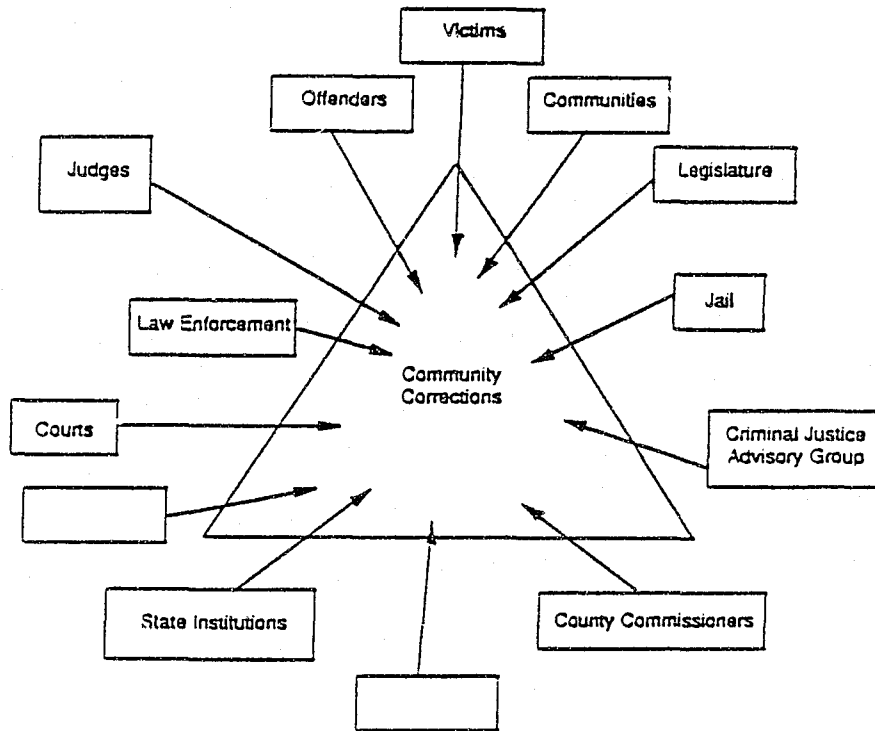
*The information included in this section was adapted from "The Practical Planning Guide for Community Corrections Managers" prepared by the National Institute of Corrections (NIC, 1991) and the "Power of Public Support: A Handbook for Corrections" by the California Probation, Parole and Correctional Association (CPPCA).*

The next step for obtaining support is to identify key stakeholders within the jurisdiction. Due to the variance in organizational structures between the states, as well as the differing governing bodies within the states, each ISP will have a different set of stakeholders with varying levels of power and influence. Despite organizational variations, however, all ISPs have one thing in common: they are searching for innovative and creative ways of safely managing high risk offenders in the community. Figure VI-1, appearing on the following page, identifies several stakeholders common to most ISPs (NIC, 1991). Each program may identify additional stakeholders unique to their jurisdiction.

Once all of the key stakeholders have been identified, their readiness and capability to support ISP must be assessed. NIC defines readiness as "willingness, motives, and aims" and capability as "power, influence and authority to allocate resources." Figure VI-2, on the following page, provides agencies a format for assessing the readiness and capability of stakeholders to support ISP development or improvement (NIC, 1991). The rankings will help agencies focus on the work that must be done to engage others in the change effort.

Once groups most critical to the ISP have been identified, Figure VI-3, on page VI-6, provides a format to further analyze the nature of each group's relationship with the ISP (CPPCA). The "gaps" identified through this analysis will indicate the areas requiring attention in order to develop a mutually supportive relationship.

Figure VI-1: Community Corrections Stakeholders



Source: NIC, Winter 1991.

Figure VI-2: Readiness/Capability Chart

| External individuals or groups | Readiness<br>(willingness, motives) |        |     | Capability<br>(influence, authority) |        |     |
|--------------------------------|-------------------------------------|--------|-----|--------------------------------------|--------|-----|
|                                | High                                | Medium | Low | High                                 | Medium | Low |
| 1                              |                                     |        |     |                                      |        |     |
| 2                              |                                     |        |     |                                      |        |     |
| 3                              |                                     |        |     |                                      |        |     |
| 4                              |                                     |        |     |                                      |        |     |
| 5                              |                                     |        |     |                                      |        |     |
| Internal individuals or groups | High                                | Medium | Low | High                                 | Medium | Low |
| 1                              |                                     |        |     |                                      |        |     |
| 2                              |                                     |        |     |                                      |        |     |
| 3                              |                                     |        |     |                                      |        |     |
| 4                              |                                     |        |     |                                      |        |     |
| 5                              |                                     |        |     |                                      |        |     |

Source: NIC, Winter 1991

Figure VI-3

|                                     |                            |
|-------------------------------------|----------------------------|
| Name of Group _____                 |                            |
| <u>Wants/Needs</u>                  | <u>Status Quo</u>          |
| What do they want or need from you? | What are they getting now? |
| What do you want from them?         | What are you getting now?  |

Source: California Probation, Parole and Correctional Association

**Gaining Stakeholder Support**

The above exercises serve several purposes. First, they clarify what ISP does for these various stakeholders and provide a "selling point." Second, they clarify what these various stakeholders do for ISP and reinforce the need for their support. Third, they clarify ISP's needs and provide information that allows ISP to prioritize its efforts at engaging stakeholders. And fourth, they indicate areas where ISP can improve the services provided to them. With this information, ISPs can then develop an action plan for gaining support. At the very least this process will help agencies develop an ISP that effectively operates within the limitations and constraints created by the stakeholders.

**Developing an Action Plan**

An action plan is a "road-map for the change effort" (NIC, 1991). Developing an action plan for engaging stakeholders entails:

- 1) identifying the groups who are most critical to ISP operations and success;
- 2) outlining the key activities required to gain their support (e.g., education; enhancing communication);
- 3) designating a lead person responsible for each activity; and
- 4) establishing a time line.



### **Tapping Agency Resources**

It is essential for ISP administrators to involve staff in all aspects of the change effort, and gaining stakeholder support is no exception. Involving staff not only increases motivation and interest, but effectively taps the resources staff have to offer. Employees may have access to various groups identified as essential to ISPs success, or a means of influencing them (CPPCA). "A simple survey which can be completed by all willing staff would include places to list membership or contacts in church organizations, service clubs, hobby or special interest groups, volunteer associations, alumni groups, names of friends who would volunteer special skills and the like" (CPPCA).

### **Establish a Working Task Force**

The nature of the criminal justice system suggests that a teamwork approach would be most effective. Once agencies have gained the necessary support and established a working relationship, it is recommended that a working task force be created in an effort to maintain that support and relationship. This group could work together on planning activities and strategies for the development and implementation of an ISP or improvements and changes in an existing ISP. Inviting stakeholder input will contribute to the development of a high quality program and will increase program acceptance.

### **Judicial/Parole Board Support**

Lack of judicial and parole board support is one of the major areas of constraint

identified by ISP personnel and, therefore, requires additional consideration. Certainly, the judiciary and parole board will be rated "high" on "capability to change"; it is the task of the probation/parole agency to move them into a "high" ranking on "readiness to change."

Judicial/parole board support is essential in two primary areas:

- 1) the officer's need for discretionary powers and a certain measure of autonomy; and
- 2) support for recommendations regarding ISP placement, special supervisory conditions, and revocation.

Officers must be allowed to intervene by imposing sanctions in response to offender's non-compliance and by referring them to intervention programs that address needs as they arise. Without these discretionary powers, an officer's ability to impact an offender's behaviors is severely limited.

As discussed in Module II, it is essential that the appropriate population is targeted for participation in ISP. Therefore, judicial/parole board support of recommendations regarding ISP placement is imperative. Additionally, when an officer brings a case before the court or parole board for a violation or revocation hearing, it must be taken seriously. If not, the authority of both the officer and the probation/parole order is undermined.

The lack of support appears to come from several sources:

- a basic lack of understanding regarding the officer's role and supervision activities;
- failure to communicate;
- lack of confidence in probation/parole agency or personnel; and
- concerns for their personal, political protection.

The previous exercises should help agencies clarify the needs and wants of their judiciary/parole board and provide some direction for overcoming some of the above mentioned constraints. Several key strategies, however, will improve judicial/parole board relations.

### Education

As indicated, one factor contributing to a lack of support from judges and parole boards may be a lack of understanding and knowledge. It is the responsibility of probation/parole to provide judges and parole board members with objective information supporting effective ISP practices. These educational efforts should show judges how the proposed program or changes will benefit them and how it will address their public safety concerns. Probation/ parole can educate judges and parole boards by:

- providing them with written program descriptions, and policies and procedures which include the rationale for the current or proposed program and practices;

- providing them with updated journal articles supporting the proposed program and specific components;
- involving them in roundtable discussions with ISP personnel to discuss various program components and practices; and
- conducting a formal training for judges and parole board members involving outside experts in correctional interventions or personnel from successful programs in other jurisdictions similar to what is being proposed.

### Consistent Application of Policies and Procedures

This strategy assumes that ISPs have written policies and procedures. This, by the way, would be a good first step in developing trust and confidence. Judges/parole boards like to see things in black and white. They want to know that guidelines for supervising offenders exist, rather than "seat of the pants" methods. Equally important is the interpretation and application of policies and procedures. While each case is different, when one comes before a judge or parole board for a violation or revocation hearing, it must be evident that the appropriate policies and procedures were followed. This coincides with the need for an internal values clarification (i.e., determining what ISP can and should accomplish and how to get there before trying to gain external support).

## Appointing a Court/Parole Board Liaison

The failure to communicate is generally caused by probation and parole personnel having limited access to judges and parole board members. One method used by both small and large jurisdictions to overcome this constraint is the appointment of a liaison (individual or group) to express the concerns and needs of probation/parole personnel and, in turn, to convey the concerns and needs of judges and parole boards to probation and parole personnel.

## Legislative Support

Legislative realities and case law set the parameters within which probation and parole function. As part of probation and parole, ISPs must conform to the dictates of existing legislation and case law at the local and the national levels. The passage of legislation that mandates the examination of alternatives, such as ISP, before imposing a sentence of incarceration will facilitate the development, implementation and maintenance of an ISP.

It is the legislature which sets ISP's boundaries and creates ISP's choices. It is probation and parole professionals who have the knowledge, capability and responsibility to impact the legislative process so that the legislation passed supports policies aimed at effective correctional intervention.

*If we do not decide as professional workers in corrections what our new policies should be, others will continue to decide for us—politicians grandstanding before their special publics, judges and legislators who have never seen a*

*prison or talked to a probation officer, and governors anxious to save a few dollars from the budget, regardless of the long range costs. Already we can see the results. What more do we need to see before recognizing that policy-making is our responsibility? (Conrad as cited in CPPCA).*

## Impacting Legislation

Impacting legislation is a long-term process. But it is essential and possible. The following nine guidelines for affecting the legislative process are adapted from the California Probation, Parole and Correctional Association.

- 1) If you are going to ask a legislator to carry a bill, you must:
  - clearly identify the problem;
  - provide data to support the need for change;
  - know what you want to accomplish; and
  - be able to give a prospective author some indication of the support and opposition that may be encountered.

To obtain this information share the concept widely, asking for input, suggestions, ideas or problems that may be involved. "Try to foresee how your proposed law would operate as a practical matter" (CPPCA).

- 2) Choose a legislative advocate who understands the legislative process, has the proper contacts and is educated

about your organization.

- 3) Designate a person from your organization to work with the legislative advocate.
- 4) Get to know the viewpoints and special interests of legislative committees, staff and legislators.
- 5) Identify liaisons who can help with the legwork.
- 6) Build a constituency—the more parties interested in a particular idea the more credibility it gains. It is best to obtain letters of support from these constituencies.
- 7) Develop a variety of written materials on the issue for dissemination.
- 8) Develop media awareness (e.g., through press releases, letters to the editor).
- 9) Be open, honest, and patient, and be accessible and responsive to legislators.

**What Legislators Need to Know**

The National Conference of State Legislatures (1991) outlines six key questions that legislators need answers to in order to develop sound legislative policy. Adapted to ISP, these questions can serve as guideposts for impacting legislation. These questions can be applied to ISP in general or to specific components of the program.

- 1) What is the problem?
- 2) Who is most affected by the problem?
- 3) Why should legislators be concerned about the problem?

- 4) What strategies are available to address the problem?
- 5) How are ISP programs funded?
- 6) How are other states responding to the problem?

**Model Legislation**

Model legislation for ISP and other intermediate sanctions has four major characteristics:

- 1) it requires courts to consider ISP or other intermediate sanction programs for high-risk felony offenders before a prison sentence is imposed;
- 2) it is flexible enough for jurisdictions to develop and implement a program that meets the needs of their offender population (i.e., flexible selection criteria; broad discretionary powers when imposing supervisory conditions);
- 3) it earmarks funds to support the programs; and
- 4) it limits ISP's caseload size.

**Conclusion**

Engaging stakeholders, specifically judges, parole board members and legislators can be a time consuming task. However, the interrelationships among these parties insist that it is given top priority. It cannot be a one-shot deal in an effort to implement a new program or pass legislation. It must be an on-going effort, one that will pay off in the day-to-day operations of a high maintenance program such as ISP.

## CHAPTER VI-2

### CULTIVATING EFFECTIVE COMMUNITY SERVICES

#### Introduction

Many community service organizations will have been identified in the stakeholder assessment process discussed in Chapter VI-1. Because ISPs are so dependent on outside resources for providing treatment to their offenders, this topic deserves further discussion.

A major barrier to effective intervention is the lack of community resources for ISP offenders (e.g., drug/alcohol treatment programs; mental health counseling; sex offender treatment programs; employment assistance programs). Many of those resources that do exist, do not meet the "principles of correctional intervention" outlined in Module IV. Too often, officers blindly refer offenders to these programs without assessing their quality.

This chapter provides a proactive agenda for community corrections personnel. It provides strategies for identifying, assessing and cultivating services that meet the needs of the ISP offender population. Specifically, upon completion of this chapter, the reader will be able to:

- conduct a needs assessment to determine the criminogenic needs of their offender population;

- identify and assess services to determine which services must be developed to meet offender needs;
- prepare an invitation for bids and a request for proposals; and
- describe the primary elements in a good contract.

#### Conducting a Needs Assessment

The first step in planning for offender services, is conducting a needs assessment. This involves gathering information on:

- the criminogenic needs of the ISP clientele, including the extent of the problem and possible causes;
- current solutions and resources for addressing the problems; and
- the extent of unmet needs.

#### Determining Offender Needs

Assessing the criminogenic needs of ISP clientele can be accomplished by routine use of a comprehensive risk/need inventory and an objectives-based management system (refer to Module III).

### Assessing the Availability and Quality of Services

In addition to the data on offender needs, data should be gathered on community programs and resources to determine both the availability and the quality of services. The following information should be collected on each service provider:

- the range and type of services offered;
- profile of staff;
- cost of services;
- type and level of agency funding;
- physical accessibility of services;
- profile of clients served;
- profile of clients refused for treatment;
- problems encountered by current clients;
- time lags between referrals and treatment; and
- evaluation results of services rendered (Maddock, Daley and Moss, 1988).

This information can be obtained from public officials; employees of the community resources themselves; employees of other community service organizations (i.e., juvenile and domestic relations courts, welfare agencies); and from clients of the services. Program data can be gathered from these individuals through:

- a personal interview;
- personal observation of program operation;
- survey techniques; and

- task group meetings.

In addition to this information, it is essential that community services be assessed in regards to their effectiveness and their compliance with the principles of effective intervention outlined in Module IV. It has not been until just recently that an assessment protocol has been developed for evaluating offender programs. The measurement instrument is called the Correctional Program Assessment Inventory (CPAI) by Paul Gendreau & Don Andrews (1992, 3rd edition). It assesses programs on seven dimensions, six of which are based upon the authors' reviews of the "effectiveness" literature and their clinical work with offenders. A brief description of the CPAI follows.

- 1) Program demographics: eleven items that record information such as the number of years the program has been in operation, the status of the program budget, and whether the program is in-house or provided by an outside contractor.
- 2) Program implementation: eleven items that assess how the program was established. These items were generated by Gendreau and Andrews from their experiences in attempting to establish approximately 60 programs in various criminal justice agencies as well as a review of the "consultancy" literature. Examples of the items are: previous experience of program designer; whether a need assessment was carried out; and whether or not a "pilot project" was conducted.

- 3) Client pre-service assessment: fourteen items regarding methods for assessment (e.g., risk, need and responsivity).
- 4) Program characteristics: 24 items that review appropriate program targets (there are 24 possibilities in all), various matching criteria, and punishment criteria.
- 5) Staff characteristics/practices: fourteen items relating to education, personal qualities, training of staff and the program director.
- 6) Evaluation: eight items regarding techniques for quality assurance, post-program assessment, and other evaluative procedures.
- 7) Other: a miscellaneous grouping of six items including client recording practices, ethical guidelines, and nature of community support for the program.

To date, normative data has been gathered on close to 200 offender treatment programs based in prisons and communities. The evidence is strongly suggestive of the fact that the great majority of programs require upgrading or revision (Gendreau, 1992).

**Developing Programs to Address Unmet Needs**

The needs assessment process should indicate which needs are not being met due to a lack of available services or due to poor quality services. The next step is determining whether in-house programs should be developed or if the services should be

secured from outside providers. This determination should be based on several factors including:

- the agency's level of staffing;
- the expertise of current staff;
- the ability to hire additional staff;
- the number of offender's with the specific need;
- facilities/equipment needed to provide the service; and
- level and type of funding.

The remainder of this chapter will focus on contracting for services.

**Contracting for Services**

Many probation/parole offices contract with outside services making them customers with certain demands and expectations. This reality provides probation/parole authorities with a powerful mandate. They must be proactive and make funding for these services contingent upon them reaching certain standards. If there is serious concern about reducing offenders' recidivism then close ties must be established with community services, beginning with contract negotiations.

Prior to beginning the contracting process, agencies should seek guidance from their chief fiscal officer to determine what policies and statutes exist for this process within their jurisdiction (APPA and NASADAD, 1992).

**The Selection Process**

*The following information is an excerpt from the training curriculum for the "Coordinated Interagency Training," developed and sponsored by the American Probation and Parole Association and the National Association of State Alcohol and Other Substance Abuse Directors (1992).*

Once the decision has been made to seek services outside the community corrections agency, written invitations for bids or requests for proposals should be used to select a service provider. Please see Figure VI-4 for potential contract services.

**Invitations for bids:** The traditional method for selecting a service provider is by competitive bidding (Wesemann, 1981). Invitations for bids, a process known as procurement by formal advertising, should include the following elements (Marlin, 1984):

- name of community corrections agency and place where bids should be delivered;
- place, time, and date where bids will be opened;
- description of desired service(s);
- information regarding where proposal forms with details may be obtained; and
- a statement indicating that the community corrections agency reserves the right to reject all bids.

Figure VI-4

| <b>POTENTIAL CONTRACT SERVICES</b>                |   |
|---|---|
| <b>I. Psychiatric Services</b>                    | <ul style="list-style-type: none"> <li>A. Examinations and evaluations</li> <li>B. Counseling</li> <li>C. Medication and treatment</li> </ul>   |
| <b>II. Psychological Services</b>                 | <ul style="list-style-type: none"> <li>A. Evaluations</li> <li>B. Counseling                             <ul style="list-style-type: none"> <li>1) Individual</li> <li>2) General groups</li> <li>3) Specific groups                                     <ul style="list-style-type: none"> <li>a) Substance abuse</li> <li>b) Sex offenders</li> <li>c) Family dysfunction</li> <li>d) Assaultive behaviors</li> </ul> </li> </ul> </li> </ul> |
| <b>III. Medical Facilities</b>                    | <ul style="list-style-type: none"> <li>A. Psychiatric</li> <li>B. Crisis intervention</li> <li>C. Detoxification</li> <li>D. Urinalysis</li> <li>E. Aftercare</li> <li>F. Physical examinations</li> </ul>  |
| <b>IV. Residential Facilities</b>                 | <ul style="list-style-type: none"> <li>A. Basic housing and emergency shelter</li> <li>B. Mental health and mental retardation</li> <li>C. Counseling</li> <li>D. Substance abuse treatment</li> <li>E. Training                             <ul style="list-style-type: none"> <li>1) Vocational</li> <li>2) GED preparation and literacy</li> <li>3) General life skills</li> </ul> </li> <li>F. Intermediate sanctions</li> </ul>            |
| <b>V. Schools/Institutions of Higher Learning</b> | <ul style="list-style-type: none"> <li>A. Psychological services</li> <li>B. Educational programs                             <ul style="list-style-type: none"> <li>1) Pre-vocational and vocational training</li> <li>2) GED preparation and literacy</li> <li>3) General life skills</li> <li>4) Special needs programs</li> </ul> </li> </ul>   |

Source: APPA/NASADAD, 1992; Beto, 1987



Whether the process involves advertising in newspapers or mailing invitations for bids to potential service providers, bid proposal forms should include the following (Marlin, 1984):

- instructions for bidders;
- terms and conditions;
- specifications of the service(s) desired;
- a place for indicating the price at which the bidders offer the service;
- a place for the name and address of the bidders and their signatures;
- a statement to the effect that the bid becomes a contract upon acceptance, or that a contract will be provided to the successful bidder;
- statements regarding the required qualifications and competence of bidders, cause for disqualification, reporting procedures, and the basis on which the service provider is to be compensated; and
- any other information or request provided for by statute or practice.

Assuming that this process is used, it is imperative that strict bidding procedures are established and adhered to (Wesemann, 1981).

**Requests for proposals:** A second method of selecting a contract service provider is through requests for proposals (RFPs), often referred to as procurement by negotiation (Marlin, 1984). This is a formal invitation by a community corrections agency to identified service

providers, asking them to submit a proposal for providing a particular service (Lieber, 1987). While the formats of requests for proposals may vary, Lieber (1987) suggests that the following elements be included:

- the problem or need for service;
- the kinds and quality of services sought;
- activities to be performed;
- the target population to be served;
- an acceptable cost range;
- administrative or legal requirements;
- the procedure and time frame for proposal submission and review; and
- the procedure for appealing the award procedure.

Another format offered by Marlin (1984) recommends the following elements:

- specifications;
- terms and conditions;
- request for price quotations;
- factors pertinent for the award;
- proposal format and deadline;
- negotiation information; and
- data and records requirements.

Unlike the invitation to bid process, the request for proposal method leaves the door open to further negotiations prior to entering into a formal agreement.

### Factors to be Considered in the Selection Process

According to DeHoog (1984), maximum efficiency in interagency relationships will be realized when the community corrections agency has adequate knowledge of the following:

- the potential service providers and their past performances;
- the actual services, especially as they relate to the needs of the consumers;
- the method of service; and
- the cost of the various components of the services.

Lieber (1987) expands on DeHoog's elements when he suggests that community corrections agencies should require the following information from potential service providers:

- the population to be served;
- an estimate of the flow and source of clients;
- methods of referral to the program;
- criteria for accepting referred clients;
- methods for evaluation of client needs;
- methods for providing the services that address client needs and the rationale for the chosen methods of service delivery;
- methods to be used for monitoring clients and providing feedback to referral sources;

- criteria for positive or negative termination from the program; and
- follow-up techniques.

It is imperative that administrators of community corrections agencies have sufficient knowledge of prospective service providers.

In the case of an individual, such as a psychiatrist, psychologist, or substance abuse counselor, the community corrections agency should ask for a resume, and inquire within the local professional community about the individual's capabilities and reputation (Beto, 1987). Knowing how to evaluate the credentials of an individual professional is important in the selection process. For example, the professional's resume may reflect a lengthy list of research articles published in professional journals. While this speaks well of the individual, it may also indicate that more time has been spent in an academic or research setting than on practical experience; this could have an impact on the quality of services delivered (Beto, 1987).

In the case of an agency or organization, the community corrections administrator should be sufficiently satisfied with the following before entering into a contract (Lieber, 1987):

- organizational capacity for effective and efficient management;
- corporate capacity to provide the service;

- corporate status (individual, partnership, corporation, non-profit, or for-profit);
- clear lines of responsibility for daily operation;
- a contact person and established lines of communication; and
- the role of the board of directors in the management of the organization.

Much information may be gleaned from contacts with other referral sources. Administrators of community corrections agencies would be wise to ask for a list of references from a prospective service provider. Contact with other referral sources, such as a department of human services, parole offices, and probation departments, may yield information on the quality of services, staff credibility, and response to emergency situations (Beto, 1987).

A number of community corrections agencies have found it beneficial to contract with universities for particular services (e.g., a counseling program operated by a psychology department; alcohol education programs offered by a health or traffic safety department). Satisfaction with this type of relationship will depend to a great degree on the professor or faculty member responsible for the program. For example, a professor whose background is in research may not be particularly interested in direct service delivery or providing doctoral students with meaningful practical experiences (Beto, 1987).

Earlier in this module, the importance of a detailed needs assessment was stressed. An important part of the needs assessment is acquiring sufficient information to evaluate prospective service providers. If the organization or professional is incapable of delivering the services desired, or does not share the vision of the community corrections administrator, then unsatisfactory results of the relationship may be expected.

### **Negotiating the Agreement**

Contract negotiation should not be an unpleasant experience. It usually involves two individuals, each representing their respective organizations, who want to form a cooperative relationship, with one supplying clients and the other providing a service. During this process, a joint purpose statement may serve as the foundation to a more formal and rewarding relationship between a community corrections agency and a service provider. The negotiation period provides an excellent opportunity to resolve issues not formally addressed during earlier exchanges.

Some areas requiring further clarification may include any of the following:

- treatment services provided;
- notification and discharge communication;
- treatment and referral criteria;
- confidentiality issues;
- frequency and type of client contact;
- assessment criteria;

- frequency and type of contact between agencies; and
- success and failure criteria.

**Treatment services provided:** A number of questions may arise regarding this issue (Beto, 1987). For example, in the case of contracting with a psychiatrist or psychologist for evaluations on clients, is an assessment and diagnosis sufficient, or are suggestions as to treatment and supervision strategies desired as well (Beto, 1987)? What will be the modality of substance abuse counseling, and is that modality in harmony with the philosophy of the community corrections agency? Do psychiatric services include medication and, if so, to what degree? In the case of group counseling programs, will the counseling be open-ended or will it be for a specific time period?

**Notification and discharge communication:** Frequent communication between the community corrections agency and the service provider is essential to a good working relationship. The community corrections agency and the service provider should clearly articulate what each expects of the other. In the case of out-patient services, whether they are for psychiatric, psychological, or substance abuse services, the community corrections agency should feel assured that it will be contacted immediately after a client misses a scheduled appointment. Likewise, in the in-patient setting, the community corrections agency should establish guidelines for notification of emergency situations, criminal behavior, and unauthorized absences.

From the service provider's perspective, the community corrections agency should:

- see to it that clients report for scheduled appointments;
- support treatment initiatives through positive reinforcement; and
- keep the service provider informed of the pending legal status of clients.

**Treatment and referral criteria:** Because of fiscal constraints experienced by most community corrections agencies, issues relating to treatment and referral criteria are particularly critical. Inappropriate referrals to a service provider is costly and deprives the client of meaningful services. It is of the utmost importance that guidelines within the community corrections agency be established regarding the appropriate use of referrals for contract services. These guidelines may include:

- subjecting the client to an in-house assessment;
- requiring the supervising officer to staff the client's case with a supervisor or the contract manager; or
- have an informal conversation with the service provider as to the appropriateness of the client for treatment.

**Confidentiality issues:** Matters relating to confidentiality have become increasingly important in recent years. Most service providers now require a release of information form signed by the client, even when the agency is paying for the service.

Issues relating to the language, the period of time that the release form is effective, exchange of information, and the degree of accessibility to information should be resolved during the negotiation period.

**Frequency and type of client contact:**

The community corrections agency can quickly deplete its budget for contract services if there is not a clear understanding as to the type and frequency of client contact (Wedel, 1976). For example, in contracting for substance abuse services, there should be an agreement as to the number of group counseling sessions in a closed-end program, the optimum number of clients in a group counseling program, and the number of individual counseling sessions available through the contract.

**Assessment criteria:** It is important to have confidence in the service provider's assessments or evaluations performed on clients. During the negotiation period, agreement should be reached as to the types of assessments acceptable to the community corrections agency, who will be performing the assessments, and the extent to which the assessment will be used. In addition, the purpose of urinalysis, if used as part of the assessment process, should be clarified. For example, will positive urinalysis results be used solely for revocation purposes or to coerce a client into treatment? Leaving this issue unresolved could present problems during the contract period. The type of diagnostic tests used during the assessment process should also be addressed during the negotiation period. The community corrections administrator should determine

what client information is "essential to know" as opposed to what information is "nice to know." Once that determination has been made, limits should be set on the number of diagnostic tests administered to a client during the assessment process.

**Frequency and type of contact between agencies:** There should be an open relationship between the community corrections agency and the service provider, and frequent communication between the two organizations. The type and frequency of contact between the two agencies should, to a great degree, be determined by the needs of the client as well as the effective management of the client. Because the service provider plays an important role in the supervision of a community corrections client, regular contact between the contractor and the supervising probation or parole officer is important. With this in mind, the community corrections administrator may wish to require a minimum number of contacts between the service provider and officers supervising offenders who are receiving treatment. Conducting regular group staffings which include service providers and supervising officers is an alternative strategy which may be employed.

Finally, there should be a clear understanding of the types of written reports expected from the service provider, their frequency and timeliness, and their contents.

**Success and failure criteria:** During the negotiation period, an agreement must be made with regard to what constitutes a success or a failure in treatment. For example, factors relating to success in substance abuse treatment could include:

- an extended period of sobriety;
- negative urine screens;
- no new arrests;
- the development of a support group; and
- marked progress in counseling.

Factors reflecting failure may include:

- refusing to attend counseling;
- being disruptive in group counseling;
- a positive urine screen; and
- a new arrest.

The philosophy of the administrator of the community corrections agency, judicial attitudes, and community standards will influence success and failure criteria. These factors should be explored during the negotiation process.

In summary, during the negotiation process the community corrections administrator and the prospective service provider should anticipate areas of concern and clarify issues, thus reducing the likelihood of problems arising during the contract period.

## **Writing the Contract**

As in the case of the initial selection process, Scherman (1987) suggests that "the implementation of the contract should be conducted with, and reviewed by, an attorney representing the correctional agency or employed by the local jurisdiction." The written contract, or interagency agreement, is a legal document which protects both parties; it must be realistic, reasonable, and have explicit and enforceable provisions (Marlin, 1984).

While contracts may differ depending upon the jurisdictions, roles of the parties, and the services desired, they contain many common elements. Figure VI-5, on the following page, contains a list of primary elements which should be present in a contract for services, and a list of secondary elements which may also be found in contracts for services, depending upon statutory requirements and local practices.

## **Evaluating the Services Delivered**

The final component of the contract process is evaluation. Determining how well the interagency partnership works is critical to the efforts of organizations that try to change people (Glaser, 1988). Measures of evaluation may include:

- client outcome;
- system effectiveness;
- cost benefits (NIDA, 1977); and
- client and staff satisfaction.

Figure VI-5

**CONTRACT ELEMENTS****Primary Elements:**

- 1) **Opening Paragraph:** Defines the relationship between the community corrections agency and the service provider.
- 2) **Scope of the Contract:** Lists the services to be provided and reflects the responsibilities of the community corrections agency and the service provider.
- 3) **Compensation:** Provides a description of the method by which the service provider will be reimbursed for specific services rendered.
- 4) **Payment:** Insures that payments for services will be governed by statute or local jurisdiction policy.
- 5) **Affirmative Action:** Usually requires that a service provider will not discriminate in areas of employment or client service.
- 6) **Confidentiality:** Establishes an understanding that the service provider must abide by all applicable statutes concerning the handling and disclosure of client information.
- 7) **Cancellation/Modification:** Provides the methods, restrictions, and time frames that the community corrections agency and the service provider must follow in order to modify or cancel the contract.
- 8) **Effective Date/Termination Date:** Provides the time frame in which the contract will be in effect.

**Secondary Elements:**

- 1) **Extensions:** Provides an opportunity to eliminate the need for preparing a new contract if there is a high probability of utilizing the same services the following year.
- 2) **Indemnity:** Attempts to insure that the service provider will "hold harmless" the community corrections agency against any liability or claims in which suit may be brought.
- 3) **Insurance:** Should specifically outline the insurance requirements and certificates the service provider will be required to obtain and maintain throughout the contract period.
- 4) **Bonding:** Requires the service provider to maintain an employee fidelity bond.
- 5) **Independent Contractor:** Attempts to protect the community corrections agency against an interpretation that the contract implies that the service provider is a partner or employee.
- 6) **Audits:** Provides that the community corrections agency has the right to examine and copy any documents of the service provider relating to the contract.
- 7) **Reports and Monitoring Procedures:** Outlines the procedures the service provider will follow in order for the community corrections agency to properly monitor the contract.
- 8) **Incorporation Status:** Requires those service providers that are non-profit corporations to furnish a copy of the certificate of incorporation to the community corrections agency.
- 9) **Assignment:** Provides the parameters in which the service provider could assign its responsibilities as they relate to the contract to another agency.

Source: APPA/NASADAD, 1992; Scherman, 1987; Marlin, 1984

**Client outcome:** Whether a treatment initiative is successful or not may be determined by observed improvement in a client's behavior over a given period of time. Favorable indicators of treatment effectiveness may include: 1) diminished drug use; 2) an extended period of time between relapses; 3) cessation of drug use; 4) diminished criminal behavior; 5) reduced family discord; and 6) sustained periods of employment (NIDA, 1977; Guess and Tuchfeld, 1977; and Beto and Haddock, 1990).

**System effectiveness:** The success of intervention strategies may be observed through changes in the criminal justice system. Examples include:

- changes in sentencing patterns, as evidenced by the imposition of special conditions of probation and parole, requiring participation in intervention programs;
- changes in the attitudes of prosecutors and judges, as evidenced by greater reliance on community corrections and services;
- increased interaction between community corrections and treatment providers; and
- greater public satisfaction with the criminal justice system (NIDA, 1977).

**Cost benefits:** Because of greater fiscal accountability requirements placed on community corrections agencies, cost benefit analysis is an important factor in evaluating the effectiveness of treatment

initiatives. Favorable indicators of cost benefits from contracting for services may include:

- savings within the criminal justice system due to reduced recidivism and incarceration;
- reduced welfare benefits paid to treatment clients as a result of sustained employment; and
- reduced agency costs in program development, salaries and fringe benefits, and overhead (NIDA, 1977).

**Client and staff satisfaction:** Knowing the level of clients' satisfaction and the level of staff satisfaction is useful in determining the effectiveness of a treatment program. Satisfaction of clients may be measured by a questionnaire completed at the conclusion of treatment. Likewise, staff satisfaction may be measured by an annual questionnaire administered prior to negotiations for the renewal of the contract. In addition, the administrator of the community corrections agency should solicit comments from staff throughout the contract period to better assess staff satisfaction.

In order to effectively evaluate the delivery of contract services, it is important that measurable objectives are agreed upon at the onset of the interagency partnership. In addition, a management information system should be developed by the community corrections agency, with input from the service provider, which guarantees that data pertinent to the treatment initiative may be properly



collected, organized, reviewed, and transmitted as needed (Scherman, 1987). Unfortunately, it is not uncommon for community corrections administrators to begin programs, adopt strategies, and enter into cooperative relationships without giving sufficient thought to gathering data or scientifically measuring outcomes at a later date (Glaser, 1988). They may avoid this pitfall by focusing on evaluation issues during the early stages of the contract process.

### **Maintaining the Partnership**

In order for interagency partnerships to survive, the parties involved must work at the relationship. One of the key factors in maintaining a positive relationship is through constant communication, not only at the staff level where it most frequently occurs, but at the administrative level as well. Through communication, roles can be clarified, problems can be resolved before they become insurmountable, and a mutual respect can be fostered.

A few examples of positive forms of communication include:

- periodic telephone conversations between the community corrections administrator and the service provider;
- mutual training workshops;
- joint staff meetings;
- informal meetings over lunch;
- scheduled social events; and

- frequent staff interaction.

The development of meaningful communication between the community corrections agency and the service provider will assure a partnership that appropriately aids the offender and enhances the efforts of the criminal justice system.

### **Conclusion**

The assessment and cultivation of effective services is a new role for probation and parole officers. Nevertheless, it is a potent and rewarding one that should considerably enhance the viability ISP. This is an area of constraint that probation/parole agencies have the capability to overcome.

## CHAPTER VI-3

### FISCAL CONSIDERATIONS

#### Introduction

In these financially stringent times, possibly the foremost consideration of politicians and policymakers regarding any correctional program is, "how much is it going to cost?" Second to that is, "is it worth it?" Correctional programs, particularly community corrections, face perhaps one of the worst funding situations ever. Community corrections finds itself competing with incarceration for the limited correctional purse; and corrections as a whole is competing with every other publicly-funded program from education to social services. It is more critical than ever that correctional program administrators be able to "sell" their programs as effective and efficient means of protecting the public.

This chapter provides ISP administrators with a look at the fiscal realities which ISPs must face and provides methods administrators can employ to deal with these constraints. Specifically, by the end of this chapter participants will be able to:

- state four fiscal constraints that inhibit ISP funding;
- compare the benefits and costs of ISP with that of prison;

- compare the benefits and costs of ISP with those of regular probation/parole; and
- demonstrate how the prototypical ISP offers the potential for cost savings when compared with prison and regular probation/parole.

#### Fiscal Realities

ISPs exist in a world where program viability must be proven, almost instantaneously, in order to compete for very limited funds. This section discusses some of the realities which ISP administrators must not only acknowledge, but be prepared to face if ISPs are to remain a part of correctional programming.

#### Limited Funds

As stated by Henry Aaron of the Brookings Institution in 1990, "the fiscal plight seems to be worse than at any time during my memory. I think you would have to go back to the Great Depression to find similar anguish, in terms of the number of states that are facing an unprecedented cutback in service or significant increase in taxes" (as cited in Corbett, 1991). Several factors have contributed to the fiscal conundrum in which most community corrections programs now

find themselves, including:

- the decline of fiscal federalism;
- the rising tide of conservative policy attitudes among the public; and
- the corrections building boom.

**The decline of fiscal federalism:** Toward the end of the Carter administration and throughout the Reagan administration, the federal contribution to state budgets dropped from 25 percent to 17 percent (Corbett, 1991). The full impact of these cuts had not been felt until this decade. Following an early 1980's recession, the economy experienced a great deal of growth, and states were able to cope with these funding cuts. However, the 1990s saw the beginning of a recession; and the spending decisions states had made during the 1980s, including a glut of prison construction, came back to haunt them. States are now faced with the politically unpalatable solutions of either raising taxes or cutting programs. Due to the very nature of their service which focuses on human change versus building construction, probation and parole are less visible, and are not perceived as viable solutions to crime problems in an era of cutbacks in spending.

**Increasing conservatism:** The 1980s witnessed the beginning of the "get tough" era in corrections programming. Rehabilitative interventions were regarded as "soft" on crime, and politicians played on the public's fears of increasing criminality. Mandatory sentencing and the escalation of the "War on Drugs" were examples of

how justice was to be served. The number of prison commitments for drug offenses grew six-fold between 1981 and 1989 and accounted for more than half the growth in state prison populations (Bureau of Justice Statistics, 1992a). Imprisonment was seen as the best possible solution to the rising crime rates. If offenders could not be changed, they could be incapacitated. The Bureau of Justice Statistics reported that in 1988 state courts sentenced 44 percent of convicted felons to a state prison and 25 percent to a local jail either as a part of their sentence or for their entire sentence (Bureau of Justice Statistics, 1990a). Only 31 percent were sentenced to straight probation or other alternatives to incarceration (Bureau of Justice Statistics, 1990a).

**The prison construction boom:** The 1980s was the growth decade for prison industries. "Get tough" philosophies combined with federal court mandates to ensure that more prisons would be built (Corbett, 1991). According to Penelope Lemov of *Governing* magazine (1992), corrections spending almost quadrupled during the 1980s. "Between 1976 and 1990, state corrections costs went from 19 cents per \$100 of personal income to 40 cents per \$100—a rate of growth twice as fast as that of the economy" (Lemov, 1992). A large proportion of this spending increase was due to prison construction costs. Prisons that are currently on-line are eroding the revenues that are appropriated to corrections. Prisons are still overcrowded despite the building boom and the burden of operating costs has even prevented some prisons from opening their doors (Lemov, 1991).

Funds available to the rehabilitative ideal traditionally advanced by probation and parole have been severely limited by changes in governmental focus and resources. A conservative climate both in terms of economics and political philosophy has led to corrections programming centered on incapacitation, fueling prison building and exhausting resources for any other corrections purposes.

### **Competition with Other Programs**

Due to the fiscal conservatism of state and local governments necessitated by the relatively "free spending" nature of the 1980s, publicly funded programs find themselves in direct competition with one another. Corrections itself is competing with education, health care, child care, and other social services for a circumscribed amount of state and local dollars. According to the Bureau of Justice Statistics (1990b), federal, state and local government spent six times as much on social insurance payments, four times as much on education, over twice as much on housing and the environment, and twice as much on public welfare compared with justice expenditures.

Furthermore, corrections programs themselves are in competition with one another. State and local policymakers are faced with the decision of whether to fund front-end, "preventive" types of social programs or back-end, "reactive" types. According to the Bureau of Justice Statistics (1990b) "all levels of government are spending a greater proportion of their corrections dollars on institutions versus probation, parole, and pardon" indicating that so far

corrections spending has been predominantly reactive to the perceived increase in crime.

The challenge for corrections administrators is to demonstrate to policymakers that corrections programming can be preventive, and be part of a continuum of social services as well as corrective services. The efforts aimed at education, health care and child care serve to reduce the chances of criminal involvement later in life. Corrections should not be sensed as a threat to these services, but rather as a logical extension of a full range of social services.

### **Short-Term Focus**

The focus of our government is decidedly in the short-term. Our elected officials serve terms as long as six years and as short as one year. Part of their time in office is spent seeking reelection. This has led to elected officials who must give their attention to matters which will produce positive, visible results in the short-term. The electorate responds positively to officials who "get results." Building prisons and focusing attention on "get tough" policies are visible and do provide short-term results. Prisoners are at least incapacitated for a period of time whether it deters their future criminal activities or not. Prisons are visible. Probation and parole are not. Incapacitation can be achieved in the short-term, while rehabilitation is a long-term endeavor.

The evaluations of ISP are a case in point. Programs that have been in operation for a year or less are evaluated for effectiveness. Yet, these programs have not really been given an opportunity to work out their flaws and truly become functioning. Based upon one year of service, it is determined whether or not an entire system is viable.

Corrections is about human behavior. As scientifically as human behavior has been studied, it still remains a highly inexact and confounding area of science. Behavior which has been learned and ingrained into an individual over a lifetime cannot be expected to be totally reversed in only a year. The services of probation and parole, and particularly ISP, will require a long term commitment. This is highly problematic in a governmental system where programs must prove their continued viability in the short-term.

ISP administrators must contend with these fiscal realities. Limited funds, competition from other programs, and government operating on a short-term schedule, have all served to create a difficult environment in which to foster programs that center on long-term behavioral change.

### Examining Benefits and Costs

Given the aforementioned fiscal realities with which ISPs must contend, it is crucial to ISP administrators that they be able to articulate the benefits and costs of their program in relation to other correctional options for ISP's population. Policymakers need convincing. They need to know that the dollars going into ISP are being used

effectively and efficiently toward ISP's goals and in comparison to other programs.

This section examines the benefits and costs of prison, probation and ISP. Prison and probation were chosen for comparison as they are the two most likely corrections options to which ISP's target population would be sentenced if ISP did not exist. Several factors affect the outcome of benefit/cost analysis. The choice of sample populations, the equations developed, and the choice of benefits and costs to measure, all guide benefit/cost analysis in a certain direction, whether that direction was intended as biased or not.

Benefit/cost analysis is quite complex. Its strength is in providing a framework for evaluating programs and their alternatives in dollar terms; something that has become critical in this austere financial climate. It has its shortcomings, which should not negate its use, but rather should be acknowledged and taken into account during the decision-making process. Benefit/cost analysis is time consuming and it is impossible for all benefits and costs to be considered due to the difficulty in measuring some concepts. Other factors which must guide decisions about correctional policy, such as values of human rights and dignity, are usually left out of benefit/cost analyses. Yet these concepts are crucial. Thus, benefit/cost analysis is best viewed as a decision-making tool rather than being the sole criterion on which to base a decision.

This is only a cursory examination of benefits and costs to serve as a

springboard for further analysis and discussion by jurisdictions in applying these concepts to their particular situation.

### **Benefits and Costs of Imprisonment**

The benefits and costs of imprisonment center around providing the service of incapacitation. In the past, prisons have been conceived as places of reform and corrections as well as incapacitation; but given the overcrowded conditions of most prison systems, reform and correction are only remote possibilities which may occur by happenstance rather than being an actively pursued goal of the prison system.

**Benefits:** While offenders are imprisoned they no longer commit crimes in the larger society. This reduces losses from victimizations such as medical expenses, insurance costs, replacement of personal property and personal anguish.

**Costs:** The costs of prison include operating costs and may include construction costs if additional space is required due to overcrowding. Overcrowding increases the marginal cost of prison. Prison costs are cited as being around \$44/day, but the provision of an extra unit of prison space is lower than that if the prison is not at capacity (Lemov, 1991). This is because services are already in place to accommodate the extra units. However, if a prison is overcrowded the cost of accommodating another unit means increasing costs due to several factors: extra personnel are needed to deal with the overload; and tension among inmates and personnel may mean increased risk of injury or death and

increased liability costs for prisons.

**Other Cost Considerations:** Some factors have not traditionally been taken into account when examining the costs of prison. Prisons do not prevent offenders from continuing their criminal careers. Offenders commit crimes while in prison: drug offenses, theft, rape, and murder all take place within prison walls. To ignore the costs of these crimes is to inaccurately reflect the costs of prison. In his address to the 1992 Annual Meeting of the American Probation and Parole Association, Todd Clear (1993) cited a study done by Andrew Golub of Carnegie-Mellon University which suggests that imprisoning offenders does not diminish their criminal careers. Petersilia and Turner (1986) have found that imprisonment may even enhance return to crime rates.

### **Benefits and Costs of Probation**

The benefits and costs of probation reflect its grounding in rehabilitation and its base within the community.

**Benefits:** Probation offers the benefit of being a low cost method of supervision. Individual taxpayers may benefit from offenders being supervised within the community by not having to pay to support families who might be on public assistance if offenders were imprisoned. Offenders benefit from probation in that they can avoid the harsh realities of prison and enjoy a life relatively free of intrusive restrictions. Society benefits from probation in that the offender is given the opportunity to change their criminal behavior; thus, reducing their future costs

to society.

**Costs:** Offenders are able to commit crimes while on probation. This increases costs of insurance, medical expenses, and personal suffering and anguish related to victimization. High caseloads mean that the possibility of behavioral change occurring in high risk offenders is minimal, at best. High risk offenders can cost the most in the number and magnitude of offenses they can commit while on probation.

### Benefits and Costs of ISP

The costs of ISP have been a controversial issue since the new generation of ISPs were developed and expanded based upon their cost saving capabilities. Recent evaluations have found that their costs may actually approach those of prison (Petersilia, Peterson and Turner, 1992; Petersilia and Turner, 1990). What has not been taken into account are the benefits that ISP offers to society as opposed to those of other correctional options such as prison and regular probation.

**Benefits:** Developing ISP based upon effective correctional interventions and treatment offers the possibility of achieving positive, long-term behavioral change with a high risk/high need offender population. This offender population can cost society the most, whether they are on regular probation or in prison, if they do not receive the services and assistance they need. Focusing reintegrative efforts on a high risk offender population could mean decreased rates of crime and greater community stability in the long-term.

**Costs:** ISPs' operating costs will be greater than that of regular probation or parole due to smaller caseloads and the increased services and assistance required for offenders in this category. In their nationwide evaluation of ISPs, Petersilia, Peterson and Turner (1992) found that costs of ISP in Oregon are approximately 75 percent of prison costs and that probation/parole enhancement ISPs cost 50 percent more per offender than regular probation and parole. They noted that the strict enforcement of conditions and return to prison accounted for much of the increased costs.

In their look at the costs of ISP, Clear and Hardyman (1990) posit how current ISPs could actually result in a net loss in prison space and a financial loss to the public.

*Assume that an ISP is supervising 1,000 offenders who, as a group, would have served an average of nine prison months each—a total possible savings of 9,000 cell months. Assume as well that offenders who fail under an ISP serve a premium of an average of 24 months per offender, and assume further that 25% fail. That reduces the net savings to merely 3,000 cell months. If the true diversion rate for those original 1,000 offenders is only 70% then the net savings is only 300 cell months. If 33% of the non-diversion are low risk cases who otherwise would have failed at a rate of 15% without the close supervision and would have received a lesser premium for a penalty for failure of, for example 12 months, then there is actually a net loss of 120 cell months. Whether these assumptions are completely accurate is open to debate, but as speculations, they are certainly not outlandish. In any event, they show how an ISP that is very successful at diversion can, through interaction effect and over-enforcement, result in a net loss in prison space at financial cost to the public (Clear and Hardyman, 1990).*

Since the prototypical ISP will focus its attention on offender assistance to achieve public safety, rather than being simply reactive to violations, it is anticipated that costs associated with revocations will decrease as violations are handled within the purview of the ISP. The opportunities to violate ISP will not be as great with the prototypical ISP as offenders will be involved in more activities and be under surveillance in more substantive ways.

In the prototypical ISP, conditions such as electronic monitoring and drug testing are individualized rather than used as blanket conditions as they are in today's surveillance-oriented ISPs. Less emphasis on such technology may reduce costs.

Jurisdictions considering implementation of the proposed ISP will need to weigh for themselves the benefits and costs of the program giving special consideration to the attendant political climate of their area. Though the model suggests certain elements, every jurisdiction will need to evaluate their target population's particular needs to determine which elements warrant inclusion.

The analysis of costs and benefits involved in implementing and operating the model ISP is merely a preliminary step. The process of determining the viability of a particular ISP should involve a detailed policy analysis including specific dollar amounts of identified costs and benefits, and an exploration of the political ramifications and incidence of the policy.

When considering benefits and costs, one needs to determine whose values will

receive the greatest weight. Some jurisdictions may wish to evaluate benefits and costs from a societal perspective while others may wish to evaluate benefits and costs from the offender's perspective or from the perspective of taxpayers. Certainly, all three groups may be included in the analysis, but giving each group a particular weight will determine whose costs (and therefore, benefits) matter most. While this may seem an uncomfortable task, it is essential.

### **A Cost Analysis of ISP, Prison and Probation**

Whereas Clear and Hardyman (1990) provide a hypothetical examination of how ISP's good intentions could actually end up being economically detrimental, Figure VI-6, on the following page, presents an analysis which demonstrates the **possibility** of cost savings that could be realized by developing the prototypical ISP. The data does have limitations which should be acknowledged when attempting to provide justification for ISPs existence. It does, however, demonstrate the cost saving potential of an ISP based upon rehabilitation and reintegration.

The costs per day for prison, jail, current ISPs and probation come from The Corrections Yearbook (Camp and Camp, 1991) editions on Adult Corrections, Jail Systems, and Probation and Parole. The analysis assumes that the cost of the prototypical ISP is double that of current ISPs to account for an increase in intervention programs. The recidivism data for probation and the current ISP is for felony probationers across the United



Figure VI-6

**COST ANALYSIS OF ISP, PRISON AND PROBATION FOR 100 OFFENDERS**

Current ISP

|                        |  |
|------------------------|--|
| \$ 271,925.00          | Cost of 1 year of ISP (( $\$7.45 \times 365$ ) x 100)  |
|                        | 56% are rearrested within 3 years:   |
| 412,671.33             | 42% are sentenced to prison (( $\$48.07 \times 365$ ) x 23.52)   |
| 93,288.16              | 10% are sentenced to jail (( $\$45.64 \times 365$ ) x 5.6)   |
| 176,012.92             | 36% are sentenced to jail and probation (( $\$45.64 \times 182.5$ ) + ( $\$2.20 \times 182.5$ ) x 20.16) |
| 4,047.12               | 9% are sentenced to probation (( $\$2.20 \times 365$ ) x 5.04)   |
| 127,344.00             | Crime costs of the 56% who were rearrested (56 x \$2,274)  |
| 84,000.00              | Processing costs of the 56% who were rearrested (56 x \$1,500)   |
| <b>\$ 1,169,288.50</b> | <b>Cost of the Current ISP</b>   |

Prison

|                        |  |
|------------------------|--|
| \$1,754,555.00         | Cost of 1 year of prison (( $\$48.07 \times 365$ ) x 100)  |
| 593,039.59             | 33.8% return within 3.7 years of release. Assuming that 33.8% serves an additional year of prison time (( $\$48.07 \times 365$ ) x 33.8) |
| 76,861.20              | Crime costs of the 33.8% who return to prison (33.8 x \$2,274)   |
| 50,700.00              | Processing costs for the 33.8% who return to prison (33.8 x \$1,500)   |
| <b>\$ 2,475,155.70</b> | <b>Cost of Prison</b>  |

Probation

|                      |   |
|----------------------|---|
| \$ 80,300.00         | Cost of 1 year of probation (( $\$2.20 \times 365$ ) x 100)   |
|                      | 43% are rearrested within 3 years:  |
| 316,872.63           | 42% are sentenced to prison (( $\$48.07 \times 365$ ) x 18.06)  |
| 71,631.98            | 10% are sentenced to jail (( $\$45.64 \times 365$ ) x 4.3)  |
| 135,152.78           | 36% are sentenced to jail and probation (( $\$45.64 \times 182.5$ ) + ( $\$2.20 \times 82.5$ ) x 15.48) |
| 3,107.67             | 49% are sentenced to probation (( $\$2.20 \times 365$ ) x 3.87)   |
| 97,782.00            | Crime costs of the 43% who are rearrested (43 x \$2,274)  |
| 64,500.00            | Processing costs of the 43% who are rearrested (43 x \$1,500)   |
| <b>\$ 769,347.06</b> | <b>Cost of Probation</b>  |

Prototypical ISP

|                      |  |
|----------------------|--|
| \$ 543,850.00        | Cost of 1 year of ISP (( $\$14.9 \times 365$ ) x 100)  |
|                      | 28% are rearrested within 3 years:   |
| 206,335.66           | 42% are sentenced to prison (( $\$48.07 \times 365$ ) x 11.76)   |
| 46,644.08            | 10% are sentenced to jail (( $\$45.64 \times 365$ ) x 2.8)   |
| 88,006.46            | 36% are sentenced to jail and probation (( $\$45.64 \times 182.5$ ) + ( $\$2.20 \times 182.5$ ) x 10.08) |
| 2,023.56             | 9% are sentenced to probation (( $\$2.20 \times 365$ ) x 2.52)   |
| 63,672.00            | Crime costs of the 28% who are rearrested (28 x \$2,274)   |
| 42,000.00            | Processing costs of the 28% who are rearrested (28 x \$1,500)  |
| <b>\$ 992,531.76</b> | <b>Cost of the Prototypical ISP</b>  |

States arrested while under supervision (Bureau of Justice Statistics, 1992b). The recidivism data for prisoners is from The Corrections Yearbook (1991) edition on Adult Corrections. Recidivism data for the prototypical ISP assumes a 50 percent reduction in recidivism achieved by following effective correctional interventions as reported by Gendreau (1993). The sentencing statistics are for felony probationers arrested while under probation supervision (Bureau of Justice Statistics, 1992b). The cost of crimes prevented comes from Gray and Olson (1989). Processing costs were obtained from Petersilia and Turner (1990). It is assumed that all initial sentences are for one year.

This hypothetical analysis demonstrates that by focusing on the rehabilitation of high-risk offenders and the reduction of recidivism over the long-term, the prototypical ISP does have the potential to cost less than prison and current ISPs. Incarceration simply serves as a revolving door for this population and the current orientation of ISPs does not offer high-risk offenders the supervision they need; thus, offenders are continually reprocessed costing the system more and more. The prototypical ISP offers the possibility of stopping the revolving door for a great number of offenders resulting in fewer costs to society than are currently incurred using traditional options.

### Conclusion

The analyses of the benefits and costs of prison, probation and ISP has shown that ISP has its place in correctional programming. Neither prison nor present ISPs offer the hope of achieving long-term behavioral change with the high risk/high need offender population targeted by ISP. It has been shown that prison does not result in positive behavioral change for offenders and may actually increase criminality which results in higher costs to society without the benefits of rehabilitation. Regular probation is best used for low to moderate risk offenders who do not need the close supervision and assistance required for high risk/need offenders. Placing high risk/need offenders on regular probation may increase costs to society through the number and magnitude of offenses committed by these offenders while they are in the community and inadequately supervised.

ISPs up-front costs will be more than regular probation/parole and may even approach the cost of prison due to the increased services and assistance to offenders, but the benefits achieved through the possibility of positive, long-term behavioral change for offenders will pay off in terms of reduced costs of crime and in generations to come as offenders become able to support themselves, their families and become functioning and contributing members of society.

**MODULE VI**

**REFERENCES**

## MODULE VI

## REFERENCES

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