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Federal PROBATION

*a journal of correctional
philosophy and practice*

Implication and Impact of the Central District of California's Suicide Prevention Program
for Federal Sex Crime Defendants

By James M. Byrne, Donald Rebovich, Arthur Lurigio, Karin Tusinski Miofsky, Jacob Stowell

Determining the Long-Term Risks of Recidivism and Registration Failures among Sexual Offenders

By Daniel B. Freedman

Characteristics of Parole Violators in Kentucky

By Gennaro F. Vito, George E. Higgins, Richard Tewksbury

Computer-Based Employment Applications: Implications for Offenders and Supervising Officers

By Christopher E. Kelly, Jamie J. Fader

Prisons, Community Partnerships, and Academia: Sustainable Programs and Community Needs

By Peter Boghossian, Megan Glavin, Tom O'Connor, Jeff Boyer, Dave Conway

The Probationer's Perspective on the Probation Officer-Probationer Relationship and
Satisfaction with Probation

By Brian DeLude, Damon Mitchell, Charles Barber

Supervision Fees: State Policies and Practice

By Paul Peterson

Developing Leaders in the Federal Courts: Twenty Years of the Federal Judicial Center's
Leadership Development Program for Probation and Pretrial Services Officers

By Michael Eric Siegel, Alyson J. Higgins, Christine Valentine

Juvenile Focus

By Alvin W. Cohn

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The articles and reviews that appear in *Federal Probation* express the points of view of the persons who wrote them and not necessarily the points of view of the agencies and organizations with which these persons are affiliated. Moreover, *Federal Probation's* publication of the articles and reviews is not to be taken as an endorsement of the material by the editors, the Administrative Office of the U.S. Courts, or the Federal Probation and Pretrial Services System.

Implementation and Impact of the Central District of California's Suicide Prevention Program for Federal Sex Crime Defendants

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THE COMMUNITY CORRECTIONS field appears to have embraced the notion that new program development should be guided by systematic, evidence-based reviews and the identification of “best practices” for the field (Tusinski Miofsky & Byrne, 2011; Byrne, 2009). However, new programs are developed and implemented in the community corrections field for a variety of reasons, often without the guidance of empirical research to inform policy and practice. The federal pretrial program highlighted in the following article fits this depiction. Between 2004 and 2005, four individuals charged with possession of child pornography, a federal sex crime, committed suicide in California's Central District. One of the four suicide victims was identified in news accounts as a 63-year-old engineering professor at California Polytechnic in San Luis Obispo, who hanged himself in June, 2004, approximately nine months after being indicted in federal court for the possession of child pornography (Levine, 2008). One has to wonder about the timing of the suicide, and what triggered the event. Hoffer, Shelton, Behnke, and Erdberg's preliminary review of suicides during federal sex crime investigations revealed that a significant number of suicides—about 1 in 3—occur within 48 hours of an

individual finding out he is under investigation by the FBI for sex crimes. There are a range of possible stressors—shame, remorse, marital/relationship, job, physical injury/illness, financial strain, fear of prison—that may vary over time for these defendants. In the four California cases, we do not know what triggered the decision to commit suicide; however, the cases did raise questions about the impact of aggressively pursuing child pornography and other forms of Internet sex crime. The problem of suicide by sex crime suspect (Hoffer et al., 2010) and sex crime defendants (Byrne, Pattavina, & Lurigio, 2012) is now gaining increased attention; as public scrutiny grows, new approaches to suicide assessment and new strategies for suicide prevention will need to be designed, implemented, and evaluated.

Media accounts of this case—and other suicides by individuals awaiting trial on federal sex crime charges around this time—prompted meetings in 2005 and 2006 among representatives from federal agencies involved with sex crime defendants at the pretrial stage in the Central District, including the pretrial services office, probation office, public defender's office, the U.S. Attorney's Office, the Judiciary, and the Administrative Office of the U.S. Courts. Based on input from these interested parties, pretrial

services in the Central District California “created a program to protect defendants against self-incrimination while managing symptoms of anxiety, depression, and suicidality” (Byrne, Lurigio, & Pimentel, 2009: 42). The program was developed in collaboration with a mental health provider, *Sharper Future*, which was already providing treatment services for convicted sex offenders under community supervision. The challenge was to design a similar treatment program for sex crime defendants that provided support to these defendants, while protecting their rights against self-incrimination during group sessions. The curriculum and final program model were reviewed and approved by all parties, including the chief magistrate judge, the U.S. Attorney's Office, and the Federal Public Defender. The program began in 2006 with two clients, and it has grown steadily over the past six years. By 2010, there were more than 40 pretrial sex crime defendants in the program, and over 100 defendants that participated in the program prior to trial/sentencing. There have been no reports of suicide by sex crime defendants referred to the program since its inception, which suggests that the program—despite its origins in tragedy rather than evidence-based

research—may actually be working. In 2009, the Central District's Pretrial Services Office decided to request an independent evaluation of the program; the evaluation was completed in October, 2011.

In the following article, we highlight the results of our evaluation of the program's implementation and provide a preliminary assessment of program impact. Due to space limitations, we do not include our review of the available research on the nature and extent of the suicide problem among sex crime defendants (but see Byrne, Pattavina, & Lurigio, 2012). In addition, our findings related to the impact of the program on the mental health status of sex crime defendants are only briefly summarized here (but see Byrne, Rebovich, Lurigio, Tusinski Miosky, & Stowell, 2011). In the concluding section, we discuss the implications of the study for research, policy, and practice.

The *Sharper Future* Intervention Model

Once an individual is arraigned in the Central District of California for violating a federal sex crime statute, a decision is made on the appropriateness of pretrial release or pretrial detention. The pretrial detention rate for sex crime defendants is 53 percent nationally, and the rate of detention here is about the same. As a group, sex crime defendants are overwhelmingly a low-risk population, based on previous research (see, e.g., Motivans, 2007). The sex crime defendants we examined faced a variety of charges, including child pornography, sexual exploitation of minors, coercion or enticement of minors, transfer of obscene materials to minors, and other sex crimes violating federal statutes. In the Central District, *all* defendants with charges for sexual offenses were released with a mental health or treatment condition. (In addition, several defendants had other conditions of release imposed, including curfews, computer monitoring, and drug testing.)

In the Central District, pretrial "treatment" involves participation in the *Sharper Future* program. As we have observed in an earlier review: "At first blush, it seems logical that such a defendant would be referred to sex offender treatment. However, the unique dynamics of traditional sex offender treatment can impinge on a pretrial defendant's rights against self-incrimination, which is protected under the Fifth and Sixth Amendments" (Byrne, Lurigio, & Pimentel, 2009:41). The challenge faced by program developers in the

Central District of California was to design an intervention strategy that did not violate these basic constitutional protections. Unlike traditional sex offender treatment, sex crime defendants in the *Sharper Future* program are not encouraged to admit guilt or even discuss details of their alleged crimes. In fact, group session facilitators prohibit any discussion of the alleged offenses of sex crime defendants.

We note that some therapists who have reviewed the program are skeptical of providing treatment in a group setting without discussing the defendant's alleged offenses. In a 2008 *Cal Law* article, Los Angeles Federal defender Myra Sun provided the following assessment of the *Sharper Future* intervention model: "Even if therapists avoid implicating details, it is inevitable that group participants will compare notes about their situations. I don't think it is humanly possible not to talk about the case" (as quoted in Levine, 2008). Sun explained the problem raised by such disclosures during group sessions: the government may seek "information from people in group therapy" (as quoted in Levine, 2008). While this situation has not arisen in the Central District, it could occur if the program is replicated in other sites without the partnership agreements put in place in the Central District. Therefore, any site seeking to replicate the *Sharper Future* model or anything similar to it would need to seek out similar agreements with all players, including the U.S. Attorney's Office and the Federal Public Defender or, in state and local systems, their equivalents.

The *Sharper Future* program model consists of three components: (1) Crisis Intervention, (2) Initial assessment/treatment plan development, and (3) Group/individual treatment. In the section below, we briefly describe this model. Our description is based on an earlier published review (Byrne, Lurigio, & Pimentel, 2009), along with presentation materials by pretrial services and *Sharper Future* personnel (Chankin, Pimentel, & Sandoval, 2009; Pimentel & Byrne, 2010), and interviews with the treatment provider staff.

Program Component 1: Crisis Intervention:

Upon release from court, the defendant is immediately referred to the *Sharper Future* program for an initial psychological assessment. During this initial assessment, the defendant is evaluated for depression, anxiety, and possible suicidal ideation. The need for any additional services, such as psychiatric medication or individual counseling, is also

identified at this time. The primary focus of this initial assessment is suicide risk, based on the assumption that defendants charged with federal sex crimes are at the greatest risk of self-injury at arraignment, due to the shame and embarrassment associated with the public airing of the charges. As we noted earlier, the preliminary research by the FBI on suicide among individuals investigated for sex crimes appears to support this view (Hoffer et al., 2010), since almost a third of the suicides being investigated by the FBI researchers occurred within 48 hours of these individuals becoming aware that they were the subject of an FBI sex crime investigation. However, these findings may not be applicable, since our sample of indicted sex crime defendants have known they were the subject of a federal investigation for some time. Unfortunately, there is currently no research to substantiate the view that suicide risk is greater at this point in the court process. In fact, it is well documented that suicide is difficult to predict at any decision point or specific time period; most prediction instruments can barely improve on chance (Perry, Marandos, Coulton, & Johnson, 2010). In a recent review, Peterson, Skeem, and Manchak (2011) have suggested a simple alternative strategy: asking the individual whether he/she is at risk to self-harm in the next few weeks; their research suggests that this simple strategy works just as well as the more intensive reviews. This caveat aside, there are a variety of reasons to conduct the type of initial assessment used here:

- Determine level of suicidal ideation and level of anxiety
- Determine if a suicidal contract (or 5150) is needed
- Determine if client needs to be referred to a psychiatrist for evaluation and/or medication monitoring
- Determine if client is in need of individual therapy in addition to group therapy (Pimentel & Byrne, 2010).

Program Component 2: Initial Assessment and Treatment Plan

The preliminary assessment of suicide risk is followed by a clinical interview and the completion of several standard assessment instruments, including the Beck Depression Inventory, Beck Hopeless Scale, and Beck Anxiety Inventory. The specific treatment protocol used by *Sharper Future* is developed based on the results of this initial assessment. During the clinical interview, the following items are reviewed:

- Medical History
- Mental Health History
- Educational and Occupational History
- Social Support System
- Current Diagnosis
- Suicide Assessment (intent, plan, means)
- Mental Status
- Developmental History
- Substance Use History (Pimentel & Byrne, 2010).

Included in each defendant's treatment plan is a current diagnosis (axis 1-5), the initial course of treatment (see monthly treatment report (MTR) used by *Sharper Future* in Byrne et al., 2011, Appendix), and a brief narrative summary. The primary treatment modality recommended by *Sharper Future* is the group session, supplemented when needed by individual treatment, psychiatric consults, and other services (such as family and medical) as needed. Each month while on pretrial supervision, *Sharper Future* staff complete a monthly treatment report, where defendant progress in treatment is assessed and any changes in treatment are recorded.

Program Component 3: Support Group Sessions:

The vendor, *Sharper Future*, utilizes group therapy sessions—held weekly—as the primary treatment modality. In these group sessions, a variety of issues are addressed:

- Individual court issues
- Daily life stressors
- Learning new coping mechanisms for current situation
- Adaptation strategies in prison (e.g., identity manipulation techniques)
- Introduction of new group members
- Discussion of failures (e.g., technical violators)
- Employment options after incarceration

As we noted earlier, information related to the offense or other deviant behavior is prohibited from discussion during these weekly group sessions. Tom Tobin, one of the co-founders of *Sharper Future*, argues that “even without discussing alleged offenses...patients can use the group to get used to therapy and introspection, which will help them in the future. But one of the biggest benefits...is that defendants see others in the same situation as themselves, which helps reduce feelings of isolation” (Tobin, as quoted in Levine, 2008).

According to the facilitators we interviewed, the group's focus is on dealing with

the impact of arrest on defendants' daily lives. “Group sessions provide social contact for isolated defendants and support from others who are experiencing similar feelings. Defendants learn how to manage the stress of the federal judicial process in healthy ways. Defendants are taught how to eliminate their catastrophic thinking patterns (e.g., I will never find a job when released from prison; I will get killed in prison). Participants are educated about the Bureau of Prisons System. They learn about designation, facilities, communication with court and detention officers, and self-surrender procedures” (Byrne, Lurigio, & Pimentel, 2009:42). They are even coached on the use of basic identity manipulation techniques to use while in prison, so that other inmates will not know the nature of their conviction offense.

Taken together, it appears that what defendants are learning in these sessions may be resiliency. According to the recent review by Hoffer et al. (2010: 780),

Researchers believe an individual's resiliency—his degree of resourcefulness—is key to coping with stressors and thus avoiding suicide. People with greater resilience have protective factors, such as positive emotions, that ward off mental disorders like depression or anxiety and decrease vulnerability to suicide (Johnson et al., 2010). Therefore, resiliency may be the key component that enables child sex offenders who do not choose suicide to cope with the shame they experience as a result of the investigation.

While the group focus on strengthening resiliency certainly makes sense intuitively, there is no research currently available for review that assesses the effectiveness of this strategy. It is certainly possible that resiliency is a characteristic that a sex crime defendant brings into a group; it may not be amenable to change in group settings.

One assumption we made when we began this evaluation is that there is a new breed of defendants entering our federal court system: the typical sex crime defendant being charged in federal court has no prior record, a stable job, a family, and a good reputation in the community. When faced with the public disclosure of his activities, it certainly seems likely that he would be “at risk” for suicide, due to depression and/or anxiety. However, this does not appear to be the case. According to a review completed by *Sharper Future* (Chankin, Pimentel, & Sandoval, 2009). Initial Assessment of Suicide Risk among sex crime defendants reveals that the risk of suicide in this population appears low:

- 49 percent scored minimal on Beck's Depression Inventory,
- 58 percent scored minimal on Beck's Hopelessness Scale, and
- 44 percent scored minimal on Beck's Anxiety Inventory.

While a subgroup of the defendants referred to *Sharper Future* do have moderate or severe scores on each of these scales, these findings suggest that perhaps this group of sex crime defendants is more resilient—and at lower risk for suicide—than we anticipated. As part of our evaluation, we reviewed the initial assessment data provided by *Sharper Future*. Our assessment was consistent with the findings reported by the vendor, *Sharper Future*, and is described below:

On that basis of our review of the aggregate diagnostic data alone (no direct client contact, file reviews, further assessment, or other clinical information etc.), we draw the following definitive conclusions. First, the men in this sample suffer from a low prevalence of serious psychiatric disorders. More than one-fourth was given no diagnosis on Axis I, indicating that they currently met none of the diagnostic criteria for any of the clinical syndromes specified in the Diagnostic and Statistical Manual.

Second, another 25 percent were diagnosed with an adjustment disorder, which is a transient condition in response to stressful life circumstances. We surmise that these diagnoses arose from clients' recent involvement in the criminal justice system and the uncertainty surrounding their pending court cases. Adjustment disorders, by definition, are contextually bound and likely to remit when the travail subsides. My observation regarding the source of the symptoms of adjustment disorder is overwhelmingly confirmed by the large number of clients who had entries on Axis IV, which shows that a significant percentage of the sample is experiencing psychosocial and environmental problems stemming from their embroilment in the legal system and corollaries thereof, such as marital estrangement, legal costs, and job loss.

Third, the most common diagnosis was major depression, which was diagnosed in approximately one-third of the defendants. A few of the cases appear to be in the moderate to severe range and require an immediate assessment of suicidality; the use of psychotropic medication might

be indicated in these instances. Hence, save for the handful of men with serious affective disorders, the most appropriate interventions with this group would focus on the acquisition of more effective coping skills. Anxiolytic medications could be prescribed for debilitating anxiety but should be dispensed only with great caution because of the safety of some classes of such medications as well as their potential for abuse and sales in a criminal justice setting. The data on Axis III are unremarkable, especially if this sample contained several andropausal men.

Fourth, the paucity of Axis II diagnoses is unusual in this population. We suspect that a thorough evaluation on personality dimensions or clusters was never undertaken because of the lack of clinical expertise or time. Further, given the short stay of pretrial populations and the intransigency of Axis II diagnoses, the neglect of this axis is understandable and warranted. Finally, the absence of any diagnoses of paraphilia is inexplicable as the sample consists of individuals who have been indicted for a sex offense. We suspect that because all of the members of the sample have such a diagnosis, none were listed. However, given the heterogeneity within the sex offender population, the nature of the diagnosis would be useful for the purpose of making decisions about future interventions and services (Lurigio, 2010, personal communication, as cited in Byrne et al., 2011).

The Role of the Pretrial Supervision Officer

The pretrial supervision officer (PSO) is responsible for supervising the sex crime defendant in the community. As part of this supervision process, a pretrial risk assessment is completed and reviewed, a substance abuse and mental health assessment is completed and reviewed, and targeted risk factors (e.g., other violence, computer-assisted crime) are identified. The PSO will also review the various conditions of release with the defendant.

The pretrial supervision officer (PSO) plays an important, linking-pin role in the *Sharper Future* program. It is the PSO's responsibility to monitor sex crime defendants in the community, and as part of this supervision process, the PSO may discuss individual defendants' progress in treatment. According to Roger Pimentel, who was a Central District PO, information sharing between the treatment

provider and pretrial services officers is critical at the pretrial stage, because treatment personnel will learn information about the defendant during individual/group sessions that may be used by the PSO to improve community supervision. Pimentel noted that information gleaned through discussions with facilitators from group treatment can be used to:

- Estimate defendants' performance in the community,
- Monitor interest in or susceptibility to continued risky behavior or sexual offending,
- Structure a defendant's time in the community (Pimentel & Byrne, 2010).

In addition to reviewing monthly reports charting defendant progress in treatment obtained from the vendor, *Sharper Future*, the PSO meets with the defendant and monitors compliance with the conditions of pretrial release. The Central District of California's suicide prevention program includes a combination of treatment and control components, and it is ongoing information sharing between the treatment provider, *Sharper Future*, and the pretrial supervision officers responsible for supervision and control that is the defining feature of this program. While the pretrial services officer may appear to be focused on formal social control, it is certainly possible that informal social control mechanisms are also at work here, based on the relationship that develops between the defendant and the pretrial services officer in the course of supervision (Byrne, 2009).

Our Evaluation: An Assessment of Implementation and Impact

The study utilized an exploratory, non-experimental research design, which is useful in providing a snapshot of one program, but does limit our ability to offer definitive assessments about the program's impact (Tusinski Miofsky & Byrne, 2011). We used this strategy for a variety of reasons, including the fact that this was a relatively new program in the early stages of development at one model site and the costs associated with using a more rigorous evaluation design (e.g., the collection and analysis of data at one or more comparison group sites). Using a non-experimental design, we first documented the operation of key program components, employing both qualitative and quantitative research strategies, and then examined the progress of a cohort of sex crime defendants through the *Sharper Future* program. We focused our evaluation on the implementation and preliminary impact of

the program on a cohort of sex crime defendants (n=52) that was placed on pretrial supervision and referred to the *Sharper Future* program between May, 2009, and February, 2010. We tracked the progress of these defendants in treatment, using data provided by the vendor in a monthly treatment report (MTR). While we believe our research design choice was appropriate, given the pragmatic considerations just outlined, we emphasize that without evaluation research findings using quasi-experimental or experimental research designs, we will not be able to determine "what works" in the area of pretrial treatment and supervision for sex crime defendants (Byrne, 2010; Byrne, Lurigio, & Pimentel, 2009). The current study was designed in part to spur interest in this research topic, leading to more rigorous research using larger samples and higher-level research designs (for a more complete discussion, see Byrne et al., 2011).

Data and Method

Our data collection strategy used a mixed method approach, utilizing both quantitative and qualitative methods. A variety of data sources were examined during the course of our review. First, we requested data on the criminal history, current charges, and pretrial progress (e.g., violations, revocations, sentence, etc.) of each sex crime defendant referred to the *Sharper Future* program since its inception in 2006 (see Byrne et al., 2011, Appendix for a detailed listing of the PACTS data elements we examined). A total of 103 sex crime defendants were identified. The offender profile, charge summary, criminal history, and court processing data included in this evaluation are based on *all* sex crime defendants referred to the program since its inception in 2006. While we considered limiting our analyses of these data to the subgroup of sex crime defendants (n=52) that were in the *Sharper Future* program at the time of our review (May 2009–February 2010), we decided to present the findings on criminal history, charge type, and pretrial arrest using the total population (n=103); separate analyses (not shown) of these data using the smaller subsample would not change the substantive findings reported here. It is our view that in this type of preliminary review, we should use the data—all of it—available for review.

In addition to pretrial data, we were given access to the monthly tracking reports (MTRs) submitted by the treatment provider, *Sharper Future*, to pretrial services each month. These records included information on the mental

health status of each defendant, the types of treatment provided, significant issues being addressed, current diagnosis, the defendants' progress in treatment, and a narrative summary by a *Sharper Future* staff member (see the sample MTR included in the appendix). A total of 225 monthly treatment reports were included in our review, allowing us to examine *staff members' perceptions* of the progress in treatment of the 52 sex crime defendants referred to the *Sharper Future* program between May, 2009 and February, 2010. A detailed breakdown of the length of time sex crime defendants spent in group sessions (based on completed MTRs) is included below.

We supplemented our secondary analyses of pretrial and vendor databases with an analysis of qualitative data that we collected through structured observation and interviews (see Appendix of our final report for a sample interview and observation guide). We collected data on the treatment and supervision components of the program by interviewing pretrial probation and *Sharper Future* treatment providers about the key components of the suicide prevention program. We also asked staff members to offer their perceptions of the program's design and implementation. We then observed group sessions "in action" using a noninvasive observation strategy (we observed the sessions through a two-way mirror), designed to minimize the intrusiveness of the observer and to maximize human subject protections. At the group session, sex crime defendants were made aware of the presence of the observer by the group facilitator, and they agreed to allow the observation.

Qualitative Review: Group Sessions and Interviews with Program Staff

The following description of a typical group session for pretrial sex crime defendants is based on observation of *Sharper Future's* group therapy sessions, brief discussion with participants about the sessions, and interviews with group therapy session facilitators, conducted in the spring of 2010.

The Group Session

The first group session we observed started promptly. It consisted of nine sex offender participants, the facilitator, and the facilitator's assistant. The facilitator started out by explaining the goals of the group session. He also explained that an observer from a research project would be in attendance in the next room and would be viewing the session through a two-way mirror area. The facilitator explained that none of the participants in the session would be identified in any reports emanating from the researcher's observation of the session. None of the group members raised questions about the observer, and the session commenced. In terms of human subjects protections associated with this type of unobtrusive observation strategy, the treatment provider, *Sharper Future*, followed appropriate procedures by gaining informed consent from group session participants in this manner. The *Sharper Future* program has a human subjects protection protocol in place when group sessions are observed; if a group member expressed discomfort to the facilitator, then the observer would not be allowed

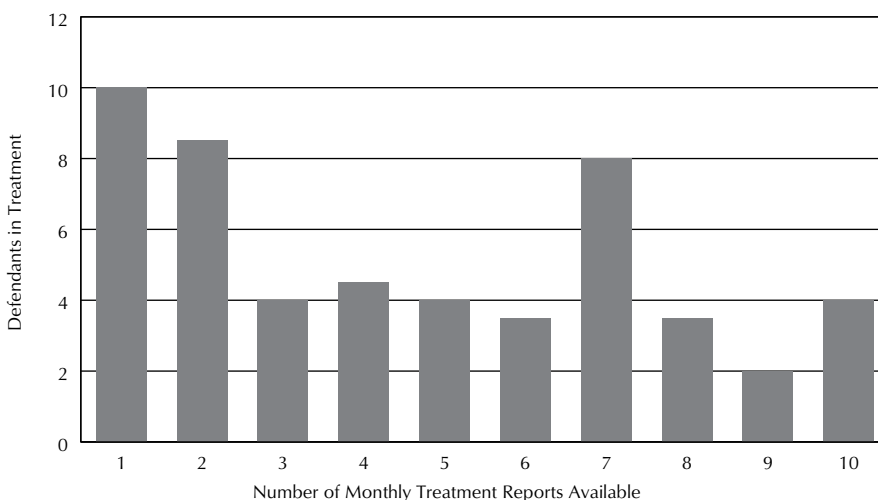
access to the session (for a full discussion, see Byrne et al., 2011).

At the beginning of the session, the facilitator announced to the group the purpose and goals of the session. The basic goals were stated as gathering the participants together to exchange information on their personal situations that could, in some way, help each other with their problems. The facilitator stressed that this session, as with other sessions, would represent part of the helping process that the participants should be familiar with from their experience with previous sessions. The atmosphere appeared to be welcoming to all of the participants. In general, the session was very open. The facilitator opened by inviting the participants to talk about any new problems they may have encountered since the previous session. The first respondent to the facilitator's request about this problem said that he was having a problem with his wife threatening to file divorce. He indicated, in fairly graphic terms, that his wife had come to him sobbing, stating that he had ruined her life and the lives of their children by his acts. He continued that he believed the wife was being unduly influenced by her relatives. He asserted that the relatives had encouraged his wife to leave him, characterizing him as a "monster." The participant was fearful that his wife would get "everything" in a divorce decision because of his history. The participant stated that he was in a great state of anxiety because he did not know what the future would bring.

After participant number one finished his statements to the group, the facilitator solicited advice from each of the other participants. One respondent observed that participant number one was having a problem with accepting the fact that his actions had negatively affected his wife and his children. This respondent empathized with participant number one's situation and felt that he had a formidable struggle ahead of him. One of the other respondents stressed the theme of seeking a compromise with his wife but making sure that in doing so he would protect his own financial interests. This respondent stated that that protection should extend toward their children. The facilitator took the situation and reflected upon it precisely and objectively. The facilitator drew out the rest of the group by asking them how they could relate to this situation. Every one of the other participants was able to verbally relate to their own personal experiences, describing similar circumstances with either their spouses or their significant others.

FIGURE 1.

Sex Crime Defendants in Treatment



An interesting part of this process was the facilitator's reliance on his assistant, who was female. This assistant gave a fleshed-out perspective of what the wife was probably feeling. She stressed the possible fears for the future that the wife might have. These could include adequate care for their children, their children's views of the plight of the husband and the family in general, and the reputations of the children in the family. The facilitator added that the participants should pay great heed to this viewpoint, for without doing so they could fall victim to being consumed by only one perspective: the perspective of themselves as victims. The facilitator emphasized that the participants all be mindful of the fact that it was their actions that had put them into such family conflicts. The facilitator reminded the participants that they must constantly be aware of the perspectives of others as they struggle to get their lives back.

These statements seemed to draw out another member of the group. This particular participant was in his 70s. He described a very different situation with his wife. He stated that he and his wife have been married for 44 years. He recounted his feelings of being treated unfairly by the system, but nevertheless did not lose sight of the fact that he alone had put himself in this predicament. He ended his reflection by stating that the stress had been terrible but would have been unbearable if it had not been for his wife's support throughout all of this. He announced to the group that he was saying this to show the other side; the side of a situation in which the "significant other" provides invaluable support through the most trying of times. He stated that it was hard for him to comprehend what participant number one must be going through. Given that he considered himself lucky, this participant offered all the help he could give participant one in this very difficult time.

Throughout this whole first part of the session, the atmosphere was very open. Each and every participant seemed to have something to say about how they felt about what participant one and participant two had said about their personal experiences and how the commission of their crimes had changed their lives. Some of the participants reflected upon the support offered by the second participant's wife. Several other participants stated that they wished they had someone like that supporting them. They stated that such support would make a big difference in how they handled some of their problems. Two of the participants stressed that participation in the

group, although not an exact substitute for the support of a dedicated loved one, came close to this type of support. One other participant expressed that presently he is going through a period of depression in which he only gets 3 to 4 hours of sleep every night. He added that without the participation in the help group, he would be in a much worse state. He said that at least the group allowed him to "cope" with his present problems. He wondered aloud how he would get along without his participation. He stated that he did not want to think about that.

As the session progressed to the halfway point, the facilitator began to draw out each participant by asking them how they had been progressing since the last session. The facilitator asked one participant if he had been coping better now as opposed to when he first started these sessions. The participant responded by saying that he does not feel "alone" anymore. He stated that exchanging information on individual experiences within the group had helped him enormously. He also added that because of the participation in the group, he has not let his criminal act define who he is. According to this participant, the exchanges in the group sessions have allowed him to move on with his life and gauge where he is. He stated that the experiences have allowed him to calibrate where he is in regard to what others in the group are experiencing and how they are handling their problems. It has allowed him to reflect upon how bad his situation is, but has also permitted him to recognize that others may have it worse.

Another participant related a very positive experience. He talked about how he had found what he considered the "right woman," and had started a relationship with her that he wanted to continue. He described how he had obsessed about how he would reveal to her that he had been convicted of a sex offense. His fears were allayed when he finally gathered the courage to break this news to her and she responded by saying that she accepted this as part of his past. The positive response the other participants had to this participant's description was palpable. The facilitator underscored that this was a "success story" demonstrating that there was always hope that one could start a new life. (During this period of the session this researcher observed a visible sigh of relief from participant number one. It was the only time he smiled during the session).

The facilitator ended the session by covering two areas that he believed were very important. The first was a short discussion about the difficulties that the participants

might experience in trying to lead a legitimate life in light of the "bombardment" by the media of anything of a sexual nature. The facilitator spoke about our present culture in the United States, and how it may often seem that the culture itself is obsessed with sex. He talked about how sex is presented in commercials and elsewhere every day, in seemingly benign situations. He related this to cultural differences between male and female roles in our society and the differences between how males and females typically react to depictions of sexual matters or sexual undercurrents in the media. He pointed out that there is no escaping from this culture, so it is critical that each person intelligently conclude how to deal with it.

The second topic area covered in the group session—which was covered more extensively and appeared to resonate very clearly with the participants—was the subject of entering prison and what they might expect once they get there. This subject was the one foremost on the minds of the participants, as evidenced by their responses. The facilitator described the types of prisons in which they could probably be expected to be incarcerated. He spent a great deal of time on the issue of being "outed" in prison. He gave specific advice to the participants on how to keep secret the sexual offenses they committed. He emphasized that they had a choice in prison; they could opt for isolation or they could be allowed in the general population of the prison. If they decided that they would opt for inclusion in the general population, the facilitator advised them to have an "ironclad" cover story. He stressed that this is "rule number one" in survival skills for them in the prison population. He indicated that if they take a cover story of something like being a tax evader, they would have to educate themselves extensively about tax evasion and tax evasion laws before they even enter the prison. The facilitator advised them that they could expect to be tested on the truth of their assertions. One of the respondents expressed some anxiety about this strategy. He offered a scenario in which, after being tested, a prison inmate might ask his wife during a prison visit to check the validity of the cover story on the Internet. The facilitator said that there was no way to prevent something like this; it was a risk one would have to take or face being "low man on the totem pole" in the prison population.

The Role of the Facilitator

In the session described above, the facilitator created and sustained a very open, responsive, and reflective group activity. Throughout the

session, the facilitator was very accepting and not at all judgmental. It was apparent that the facilitator was quite cognizant of what the participants were feeling and was careful to reflect upon their descriptions so that other participants could be drawn into a substantive discussion. A constant theme of the session was that the participants acknowledge the problems they are experiencing without placing blame on others. The facilitator often brought the participants back to the fact that they were responsible for the actions that have brought them to the point where they are going to prison.

In a discussion with the facilitator after the session ended, he reiterated that he always makes sure that the offenders in the groups do not try to shirk the responsibility of their actions. In particular, he makes sure that they do not play the role of victim. If he senses that they do, he brings them back to the original offense and reestablishes who the victim of that offense really was. The facilitator indicated that, in almost all cases he observed, the participants will ultimately accept responsibility within the group. In effect, the facilitator's comments on this will force the participants to catch themselves and avoid any additional comments that might portray them as victims.

When asked if the facilitator had ever experienced problems of nonparticipation or confrontational participation in the group, the facilitator responded that he rarely experienced this but knew how to handle these situations if they did occur. In particular, the facilitator described incidents in which new members of the group would interrupt others before they were finished describing their experiences. In these cases the facilitator said that he would remind these new members of the "ground rules" of the group, which are short and finite but clear. He said that once he had done this he would have no further problems with participants. He has never experienced any incorrigibility within the group that would need to be addressed in any penalizing way. The facilitator portrayed the group therapy experience as a helpful one for all participants. He also emphasized the importance of the unique collaboration of law enforcement with psychological therapy to reach a positive end. Even though his personal opinion is more treatment based, he feels strongly that the program has been able to successfully merge both treatment-based and penalty-based philosophies in an effort to reduce anxiety, depression, and the risk of suicide attempts among the sex offenders who are participating in the program.

Clients' Perceptions of the Sessions

After the end of the session, an informal discussion session took place with the facilitator and four participants. Each was very supportive of the sessions. One referred to the sessions as an "emotional oasis." Another participant expressed himself by saying that he was not sure where he would be without these sessions. He stated that many times he would feel that everyone was "against him." He stated that he understood why others would feel that way. Sometimes, he said, he felt that way too. But coming to the sessions allowed him to pull himself up from the belief that "all was lost." In these sessions, he could express himself to others who were "in the same boat." According to this sex crime defendant, this alone had an important effect on whether or not he wanted to continue living.

While these comments are anecdotal, they do provide some context for the group session under review. Unfortunately, a detailed assessment of sex crime defendants' perception of the *Sharper Future* program was beyond the scope of our review. However, this line of inquiry represents an important avenue for future research, assuming the requisite human subjects protections are put in place (Ward and Salmon, 2011).

Facilitators' Perceptions of Group Sessions

Our observations of the group session strategy employed by *Sharper Future* were supplemented by additional interviews with two therapist facilitators. The interviews consisted of additional questions about the facilitation of group therapy sessions (see interview schedule in appendix of our final report). Both facilitators pointed out that facilitation of the sessions depended upon the ability to get participants to talk about their emotions and personal feelings. In effect, this is a process that supports an ongoing self-assessment of emotions. Both therapists stressed that all of the therapy sessions are similar in structure, and must be so for consistency sake. Both facilitators agreed that the style of facilitation must be similar from one group to the next. The structure is basically the same, although the content of the sessions can differ.

Both facilitators were asked how they would characterize a successful session. Once again, they were in agreement. They said that a successful session is one in which interaction is "high." In essence, the sessions must be "open." One of the facilitators stated that the degree of openness is positively associated with the

degree of interaction. High interaction makes each individual session successful. In addition, the level of trust between participants and the facilitator must be high. That is not to say that there are not times when the facilitators are tested. One facilitator said that sometimes it is like "pulling teeth to get them going." It is also important for the facilitator to recognize that the participants change over time. It is the job of the facilitator to influence that change to instill greater trust and openness.

We pointed out that in the beginning some participants can come off as "anti-government." In these cases it is the job of the facilitator to curtail the tendency to vent in these sessions. This is part of the tough task of the facilitator to get the participants to release themselves from the belief that they are victims. The facilitators agreed that one sign of success was the indication that the participants were looking forward to coming back to successive sessions. One of the facilitators reported that the greatest obstacle is the sense of shame. This facilitator pointed out that the offenders participating in the group sessions were experiencing rejection at all quarters. They had lost their status in society. They had lost their jobs. In some cases, they had lost their families. The facilitator also mentioned that most of the offenders participating in the group sessions had absolutely no history of criminal offenses, which in his opinion was critical. He believed that the participants in the sessions had gone from an acceptable/honorable status in society to an extremely low status. This facilitator stressed the role of the Internet for the group participants, arguing that most of the alleged offenses committed by the offenders were Internet-driven. If the defendants had not had access to the Internet, he believed that a significant number of them would not have been tempted to commit their crimes. He emphasized that technology in the form of Internet access and pressures put upon the offenders through the media's depiction of sexuality were important factors in the commission of their offenses.

Both facilitators were asked to describe the general objectives of the group therapy sessions. One facilitator stated emphatically that the goal of the sessions was to prevent the offenders from "killing themselves." The other facilitator agreed and added that the goal of the sessions was to ingrain in the participants that their offense was not a "life-ending event." Both stated that the facilitator must consistently remind the participants that there is a life beyond the offense they

committed. Despite the rejection that these defendants have experienced from loved ones and society in general, it was the goal of the facilitators to encourage the participants to rise above the temptations to give in to the pressures put upon them by their own actions. The facilitators stated that the first hurdle is to get the participants to march past the elements causing their depression and then to prepare themselves for what to expect in prison. The formula in the sessions was simple. It is to open discussions to the group, to find out what is new in their lives, to bring up new topics of concern, and to address anxieties that they may have about the future.

Quantitative Review: An Assessment of Implementation and Impact

In the following section, we have highlighted the key findings from our study, including (a) our review of the sex crime defendants' profile data (demographic, charge, and criminal history), (b) examination of available client data on initial mental health assessment and progress in treatment, and (c) preliminary review of the impact of the program on the traditional outcomes associated with pretrial release: failure to appear and new criminal activity. Due to space limitations, findings related to the impact of the program on the mental health status of sex crime defendants are only briefly discussed, but we urge the reader to read the full evaluation report (Byrne et al., 2011).

Sex Crime Defendant Profile

We examined the racial/ethnic composition of individuals charged with sex offenses since the start of the *Sharper Future* program in 2006. Non-Latino whites comprise the largest share of this sample, accounting for over two-thirds of the members of the sample. Latinos represent nearly a quarter of the sample, followed by non-Latino blacks and Asians. What is interesting about this pattern is that each of the minority groups is underrepresented in the sample, and this is particularly true for Latinos and Asians. According to recent census estimates provided in the American Community Survey (ACS), Latinos and Asians are 47.3 percent and 12.8 percent of the population in Los Angeles County, respectively.¹ Conversely, non-Latino whites are over-represented in

these data at over twice their proportion in the broader population (29 percent compared to 67 percent).

The study sample is exclusively made up of males. The average age of the sampled individuals is 44 years old, with a range of 54 years (from 22 to 76 years). There are notable differences in the average across the primary racial/ethnic groups. Specifically, the average age for non-Latino whites was older than the overall average (48 years), whereas that for both non-Latino blacks and Latinos was less than the average (41 years and 34 years, respectively). As may be expected, the age range also varies across groups, with that for non-Latino blacks and Latinos being somewhat more truncated than for whites (52 years for whites compared to 28 years for blacks and 34 years for Latinos). The differences in average age by racial/ethnic group correspond to those found in Los Angeles County more generally, where recent census data report that non-Latino whites have the highest median age (44 years) and Latinos the lowest (28 years).

These data also indicate a high degree of homogeneity regarding citizenship, with an overwhelming majority of the individuals in our sample holding American citizenship (92 percent). All of those who are not American citizens are Latino (N=7). It is important to keep in mind that the immigration status of these individuals was not specified in the data, so it is not possible to designate whether the non-citizens in our sample are undocumented immigrants. However, the data do suggest that citizens are much more likely to be charged for sex offenses than those not holding American citizenship.

We examined the types of charges alleged to have been committed by the sex crime defendants in our sample. Possessing (including distributing) child pornography was the most common offense for which individuals in this sample were charged. Charges include child pornography (n=82; 80 percent), sexual exploitation of minors (n=10; 10 percent), coercion or enticement of minors (n=7; 6 percent) and other sex offenses (n=4; 4 percent), including transfer of obscene material to minors (n=2), abusive sexual contact without permission (n=1), and other sex offense (n=1). While the majority of these alleged offenses involved noncontact crimes, we were told that in a number of these cases the defendant was also believed to be involved in contact-related sexual activities. We should emphasize that we have seen no data corroborating these claims; more to the point, very few of the defendants

in our sample were charged with sexual contact-related offenses.

We also examined the prior criminal history of the defendants in our sample. We examined both prior arrest and prior conviction data for the sex crime defendants with data provided by the federal pretrial system. Approximately 20 percent of our sample had a prior conviction (20/103), but only 6 of these convictions were for felonies (2 drug, 4 violence-related). In addition, 36 percent of our sample had at least one prior arrest (37/103); 17 defendants had a prior misdemeanor arrest, 8 defendants had both a felony and a misdemeanor arrest, and 12 had a prior arrest for a felony. As a group, these defendants do not have a previous history of sex crime arrests or convictions. However, about 10 percent of the sample (11/103) includes defendants with a prior conviction involving violence of some kind (4 felony conviction; 7 misdemeanor convictions).

Below is a profile of our study sample, based on our review of the available data from the federal pretrial database, supplemented with data from *Sharper Future's* database. One caveat is in order: we did not conduct an assessment of pretrial risk assessment data; we relied instead on estimates provided by the pretrial program (see Byrne, Lurigio, and Pimentel, 2009; Pimentel and Byrne, 2010).

FIGURE 2.

Profile of Sex Crime Defendants in California's Central District

- **Charges include child pornography (80%)**, sexual exploitation of minors (10%), coercion or enticement of minors (6%), and other sex offenses (4%)
- **Overall, criminal histories are minor**, but about 10% have prior felony arrests and an additional 20% have a prior misdemeanor arrest.
- **Mental health histories are minimal**, but 10% are classified as severe, using standard assessment tools.
- **Pretrial risk assessment** indicates that most are low-risk offenders, using traditional outcome measures (re-arrest, failure to appear).
- Given this risk profile, the **detention rate** for sex crime defendants is high (over 50%).

Source: Pimentel and Byrne (2010)

¹ http://factfinder.census.gov/servlet/ADPTable?_bm=y&-geo_id=05000US06037&-qr_name=ACS_2008_3YR_G00_DP3YR5&-context=adp&-ds_name=&-tree_id=3308&-_lang=en&redoLog=false&-format=

Among individuals for whom conviction information was available at the time of our review (n=48), we see that nearly 92 percent of those convicted sex offenders were incarcerated. The average sentence length for these offenders was approximately 4 years (45.5 months). In addition, as part of their sentences, these individuals also were to remain under supervision of the criminal justice system for various lengths of time. The average time of post-release monitoring for this group of offenders was approximately 9 years (101.7 months). The small group of offenders who were convicted but not incarcerated (roughly 8 percent of those convicted) received monitoring as a component of their sentence. The duration of the supervisory period was shorter than for the former group, averaging just over 4 years (49.5 months). For nearly a quarter (22.9 percent) of the convicted offenders, payment of a fine was mandated by the court. The average fine was just under ten thousand dollars (\$9,955). It was much less common for sentenced individuals to be ordered to pay restitution. In only two of the cases in our data was such a requirement imposed, at a cost of over \$13,000.

The Implementation and Impact of Suicide Risk Reduction Strategies on the Mental Health Status of Sex Crime Defendants

In order to determine the level of implementation and impact of the *Sharper Future* suicide prevention program, we collected and analyzed data from the *Sharper Future* database. To minimize the intrusiveness of the evaluation, we limited our review to a secondary analysis of existing data. Our primary data source for this review was the Pretrial Services Monthly Treatment Report (MTR), which *Sharper Future* staff use to track service provision and defendant progress in the program. When access to data was not possible (in cases such as the initial suicide risk assessment and the various mental health assessment tools utilized by staff), we relied on available agency reports and presentations that summarized the findings from these assessments (see, e.g., Chankin, Pimentel, & Sandoval, 2009). The key findings from this review are briefly summarized in Table 1, but for a complete discussion and review, see our evaluation (Byrne et al., 2011).

TABLE 1.

Key Study Findings: Implementation

- ▶ **Mental Health History:** Mental health histories were minimal, but 10 percent (of our treatment subgroup) was classified as severe using standard assessment tools.
- ▶ **Pretrial Risk Assessment:** most sex crime defendants were classified as *low-risk* offenders, using traditional outcome measures (re-arrest, failure to appear). Given this risk profile, the detention rate for sex crime defendants appears high (over 50 percent), but in line with national detention estimates for this group.
- ▶ **Program Capacity:** Program began in 2006 with only two sex crime defendants, but by the end of our review (February, 2010) there were 42 sex crime defendants in the program, with four different groups meeting regularly. The number of active cases in a given month during our review period ranged from 19 to 27 (total in review sample=52).
- ▶ **Sharper Future Program Implementation:** The level of program implementation was found to be high in terms of treatment participation, based on data provided by the vendor, *Sharper Future*. **Attendance:** The percentage of defendants attending group sessions on a regular basis ranged from 50 to 70 percent across the months we reviewed.
- ▶ **Pretrial Supervision Program Implementation:** data were not examined on the supervision practices of the FPO, so no assessment of the level of implementation of the pretrial component can be offered.

Key Study Findings: Impact

- ▶ **Findings-Defendant Progress/Change:** Sex crime defendant improvement during treatment was examined using data included in the monthly treatment reports provided by the vendor, *Sharper Future*. Significant improvement in the functioning of participants over time was difficult to document using available MTR data. We examined the following dimensions identified in the monthly treatment narrative and/or ranked by *Sharper Future* staff: group process goals, trust, dysfunction, and overall impact.
- ▶ **Progress:** Defendant progress in meeting group process, trust, and dysfunction goals in sessions was listed as moderate or higher (most, complete) for the majority of defendants (n=52) in monthly reviews by project staff.
- ▶ **Change:** Initial Defendant improvement in each of the four assessment areas during group treatment (month one vs. month two comparisons) was not found. Based on our review of MTRs completed by staff, "No change" in each of the progress goals was the modal response. However, this finding needs to be viewed in the context of the moderate and higher assessments of defendant progress in these areas in month one.
- ▶ **Optimal Time:** Due to small sample size, longer-term comparisons (e.g., month one vs. month six in treatment (n=20)) could not be used here. However, these analyses are critical to an assessment of the optimal time in treatment.

Pretrial Supervision, Technical Violations and Pretrial Crime

Although we collected no data on the quantity and quality of federal pretrial supervision in the Central District of California, we recognize the importance of this line of inquiry. Unfortunately, time and cost constraints limited our ability to conduct a comprehensive evaluation of *both* supervision and treatment. For the purposes of our evaluation, we examined the two primary outcomes of interest to pretrial decision makers: (1) Did the defendant appear as scheduled in subsequent court proceedings? and (2) Did the defendant get arrested while under federal pretrial supervision?

While overall compliance with conditions of pretrial release was high (91 percent), several defendants (10/104, or 9 percent) were found

to have violated one or more of their pretrial release conditions and were remanded. Types of violations included the following:

- Defendant did not follow program rules at a halfway house and was discharged unsuccessfully and returned to custody
- Two defendants were found in possession of new child pornography and returned to custody
- Defendant had substance abuse issues, conditions were modified following violations, and defendant continued in the community
- Defendant was accessing adult pornography in violation of computer monitoring conditions, release conditions were modified, and defendant continued in the community

- Two defendants were found loitering in a park and returned to custody
- Defendant violated his curfew and was remanded for sentence, earlier than scheduled
- Defendant was associating with minors by working as D.J. at a teenager-oriented dance and was returned to custody

In addition to examining technical violations that were identified during a defendant's pretrial supervision period, we also tracked defendants' failure to appear rates and any new crime commission. Our review revealed the following:

- **New Arrests:** Only two of 104 defendants were arrested for new crimes—both misdemeanors—during our review period (May 2009 to February 2010).
- **Failure to Appear:** All defendants appeared in court as required during our review period.

Given the overall low-risk profile of sex crime defendants, the above findings are not surprising, and support the view that low-risk sex crime defendants can be released safely into the community.

Limitations of Study

The most critical outcome reported in our study was the fact that no program participants have committed suicide. However, the base rate for suicide among pretrial sex crime defendants was *already* very low (i.e., four known suicides of sex crime defendants in the Central District of California in 2004–2005); thus, the measurement of a district-level suicide *risk reduction* effect among a specific subgroup of defendants in a single court is quite difficult to achieve. In this jurisdiction, you would be comparing a rate based on four suicide cases (over an unknown number of sex defendant releasees during this period) to no suicide cases (over 103 cases during a five-year post-test period). This is a problem in all research on the impact of suicide prevention strategies on subsequent suicide. To address this low base-rate problem, researchers typically combine the suicide outcome with other indicators of self-harm and mental health (for an overview, see Perry et al.). We did not attempt to collect these types of outcome data ourselves; we relied instead on a secondary analysis of monthly progress reports, which essentially amounts to an assessment of staff perceptions of defendants' progress in treatment. This caveat aside, we believe that examining the MTR data does provide

useful, albeit limited, measures of defendant progress in treatment. The current study has several other limitations—small sample size, weak research design, low base rate, no independent external assessment measures—that make it impossible to offer definitive findings regarding the effectiveness of the suicide prevention program under review. However, our study does provide a preliminary examination of the implementation and impact of a novel approach to suicide prevention in an emerging federal pretrial population: sex crime defendants.

Conclusions and Recommendations

Our study has provided preliminary support for the strategy developed in the Central District of California to address the potential problem of suicide by sex crime defendants. Individuals charged with federal sex crimes, including Internet-facilitated crimes involving child pornography and the solicitation of minors for sex, are often new to the justice system, with relatively minor previous involvement in the criminal justice system, based on such indicators as prior arrests and convictions. Because their alleged crimes are viewed by the public as heinous in nature, it has been theorized that sex crime defendants—due in large part to the shame and humiliation associated with public disclosure—are “at risk” for suicide during the period of time between initial arrest, formal arraignment, and final case disposition (Perry et al., 2010). It has also been theorized that *resiliency* (or lack of it) is a factor that appears to distinguish sex crime defendants who attempt suicide from those sex crime defendants that do not (Hoffer et al., 2010).

The suicide prevention program developed by the vendor *Sharper Future*, in partnership with the federal pretrial office, the public defender's office, and other key decision makers in the Central District of California, has been designed to address these potential suicide stressors in a group treatment setting. The Central District program represents a unique approach to suicide prevention at the pretrial stage of the federal court process, in that the treatment modality—the group—focuses on offender adjustment, coping, and change without open discussion of the alleged sex crime charges under court review. The curriculum (cognitive behavioral) is grounded in the best practice research literature (see, e.g., Hanson, Bourgon, Helmus, & Hodgson, 2009), but also recognizes the “Importance of therapist and therapy (process) factors in producing good outcomes with sex offenders”

(Ward and Salmon, 2011: 402). In our view, this program was designed and implemented based on a shared belief that the federal court system has an ethical responsibility to protect alleged offenders—even sex offenders—from self-harm (Ward and Salmon, 2011).

The findings we report here are preliminary, given the non-experimental study design, small sample size, and measurement/instrumentation limitations we highlighted earlier. However, the positive findings we report about level of program implementation and the generally positive impact of the program on defendants' daily functioning, awareness, trust, and self-regulation are worthy of careful consideration. We recommend that this program be evaluated more rigorously, using the type of high-quality evaluation design (level 3 or higher) required for inclusion in a systematic, evidence-based review (i.e., quasi-experiments or experimental design). Until this research is completed, definitive conclusions about “what works” in the area of pretrial suicide prevention cannot be offered. In the following section, we offer a brief agenda for research and program development at the pretrial stage, based on the major findings from our review and evaluation.

Evaluation Research:

This study highlights the implementation and impact of one possible approach to the problem of suicide by sex crime defendants. Follow-up evaluation is needed using a more rigorous research design, larger sample, and improved data collection protocol, including independent, external assessments of defendants' mental health status and quantity and quality of pretrial supervision. Research using an experimental design is preferable, with random assignment to treatment and control groups, and independent assessment of changes in the mental health of sex crime defendants.

Basic Prevalence Research:

Baseline data on the extent of the suicide problem among *all* categories of pretrial defendants needs to be collected and analyzed (Byrne, Pattavina, & Lurigio, 2012). Until this research is completed, we simply will not know the nature and extent of the suicide problem for defendants under federal pretrial supervision. In addition, suicide attempt/completion data need to be collected on a cohort of jail defendants, focusing initially on sex crime defendants. Examination of these data will allow researchers to address two important questions: (1) Do sex crime defendants have

a greater risk of suicide/self-harm than other pretrial detainees?, and (2) Does the pretrial detention decision affect the subsequent risk of suicide among sex crime defendants?

Policy and Practice Recommendations:

Based on the preliminary research study findings presented here, it seems safe to assume that several other pretrial jurisdictions across the country will be interested in learning more about the Central District of California's suicide prevention program. For this reason, we recommend that the *Sharper Future* program develop and prepare a model program description for dissemination in the near future. While the results of our review of initial mental health assessment data revealed that the majority of sex crime defendants had only minor mental health problems, even small numbers of suicides are problematic. Given the documented poor performance of suicide prediction instruments, the current practice of referring all sex crime defendants to the *Sharper Future* program for assessment and treatment appears to be justified; by design, it minimizes the false negatives problem (i.e., assuming a defendant is not a suicide risk when in fact he is). Finally, it would seem reasonable to propose that we examine suicide risk among the entire federal pretrial population, and to consider the implementation and evaluation of a new generation of risk reduction strategies incorporating suicide risk in assessment systems currently focused on the narrower issue of appearance and new criminal behavior.

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Determining the Long-Term Risks of Recidivism and Registration Failures among Sexual Offenders¹

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SINCE THE PSYCHOPATHOLOGY statutes of the 1930s, concerned members of society have emphasized the penology of sexual offenders (Cole, 2000). Because sexual crimes are perceived as so heinous, crimes committed by known sexual offenders, acts referred to as recidivism, have become a salient area of scholarship (Furby, Weinrott, & Blackshaw, 1989). In research, sexual offender recidivism is made operational as arrests, convictions, or incarcerations for criminal activities (Center for Sex Offender Management, 2002). Research on rates of sexual offender recidivism have found results varying among studies from occurrences lower than 10 percent to higher than 50 percent (Hanson & Bussiere, 1998).

In an effort to account for the differences, risk factors that predict recidivism have been postulated (Proulx, Pellerin, Paradis, McKibben, Aubut, & Ouimet, 1997). The results are two disparate types of risk factors: static and dynamic. Static factors are unchangeable characteristics such as age and number of previous convictions, while dynamic factors are potentially changeable (e.g., levels of empathy and pro-criminal attitudes). Additionally, Hanson (2002) discerned that sexual offenders are at risk of recidivism for many years. Hanson and Morton-Bourgon (2005) commented that tracking periods as long as six years still underestimated recidivism, because many episodes were not detected.

Legislators, spurred on by special interest groups, have sought to address the risks sexual offenders pose to the community through such means as the sexual offender registration and community notification mandates of the 1990s and early 21st century (Edwards & Hensley, 2001). These risk management paradigms involved identifying sexual offenders as low-, moderate-, or high-risk based on likelihoods for recidivism (Edwards & Hensley, 2001; Winick, 1998). For the purposes of refining assessments, static risk factors were aggregated into actuarial instruments, and in turn these measures predicted recidivism with at least moderate accuracy (Ducro & Pham, 2006; Hanson & Thornton, 2000; Harris, Phenix, Hanson, & Thornton, 2003; Vogel, Ruitter, Beek, & Mead, 2004). Examples of these instruments include the sex offender risk appraisal guide (SORAG) and Static-99.

The findings consistently revealed that age, previous convictions, and offender type were static predictors of recidivism (Hanson & Bussiere, 1998). While there was some evidence that supported the association between being a racial minority and recidivism (Hanson & Bussiere, 1998), other evidence negated the association (Duwe & Donnay, 2010; Hanson & Harris, 2001). Overall, these studies did not qualify the specific races, thereby leaving considerable ambiguity. Levenson, Letourneau, Armstrong, and Zgoba (2010) did find that being white decreased the likelihood of recidivism. However, there remained a paucity of information on which race(s) predicted recidivism.

Registration failure, another potential risk factor, has only recently been linked to recidivism. Research on this risk seemed

prudent because sexual offender registration has become ubiquitous across the United States and globally (Center for Sex Offender Management, 2002, 2009). Moreover, Duwe & Donnay (2010) found that registration failures were the most common infractions among sexual offenders. So far, scholarship has yielded mixed support for predicting recidivism from registration failures. Levenson et al. (2010), in a sample of 2,970 sexual offender registrants, found that failure to register significantly increased the likelihood of recidivism (by 65 percent). On the other hand, Duwe and Donnay (2010), in a sample of 1,561 sexual offender registrants released from prison, determined that registration failures did not have a significant effect on recidivism.

The present study examines (1) the association between recidivism and registration failures, and (2) the utility of static risk factors, including registration failures, for predicting recidivism. In some aspects, this study replicates the project by Levenson et al. (2010); however, this is necessary because of the novelty of the topic and because registration requirements vary among jurisdictions across the United States (Center for Sex Offender Management, 2002, 2009). As such, the following research questions for this project are:

1. How many sexual offenders recidivate?
2. How many sexual offenders have registration failures?
3. What is the survival function for recidivism?
4. Is recidivism associated with registration status?
5. Is recidivism associated with race?
6. Is registration status associated with race?

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7. Can the likelihood of recidivism be predicted from a combination of registration status, race, age, previous convictions, and offender type?

Method

This study analyzes secondary data from official crime sources. In an effort to provide fruitful results, sexual offenders are tracked for recidivism and registration failures for more than nine years (109 months). The correlates and predictors of recidivism and registration failures are race (black and white), age, previous convictions, and offender type (adult offender and child offender). Registration failures, in addition to being an outcome variable, also has a dual role as a predictor of recidivism.

Participants

The sample consists of 191 individuals who registered as sexual offenders in North Carolina. All registered in the same county, a jurisdiction with an approximate population size of 1,000,000. The participants have several characteristics in common, including (1) having been convicted of an offense that required sexual offender registration (chapter 14 of North Carolina state statutes), and (2) registering during the three-year time span from 2000 to 2002. The typical characteristics of the sample include being black (62.90 percent), $M_{\text{age}} = 45.82$, 1.63 convictions prior to registration, and convicted for taking indecent liberties with a child (65.60 percent).

Data Sets and Variables

All data come from the following three sources: North Carolina Department of Corrections (NCDOC), North Carolina Sex Offender Registry (NCSOR), and a county sheriff's department (CSD). Data from the NCDOC is the primary data source for recidivism, registration status, race, previous convictions, and offender type. The NCSOR has similar information, which is triangulated to improve accuracy, and additional information on the participants' age. Finally, the CSD serves as the source for the participants' names and dates of registration. To ensure confidentiality, names are immediately replaced with numbers (1 to 191) when inputting and analyzing the data.

Sexual offender recidivism research typically uses arrests, conviction, or incarcerations to approximate recidivism (Center for Sex Offender Management, 2002). In this current study, convictions are made operational for recidivism, because this represents a balance between arrest measures, which are more

lenient, and incarcerations, which are more stringent (Andrews & Bonta, 2003; Hanson & Bussiere, 1998; Hanson & Morton-Bourgon, 2005). Outcome variables, recidivism and registration failures, are dichotomous variables that have codes of zero (non-recidivist and registration compliant) and one (recidivist and registration failure). Recidivism indicates that a sexual offender has a conviction post-registration, while a registration failure demarcates that a sexual offender is not compliant with registration mandates.

Age and previous convictions are straightforward measures of participants' age and the total number of previous convictions prior to registration. Race and offender type are dummy-coded to produce two variables per construct: black, white; adult offender, child offender. Race, in the initial data set, is separated into five categories. However, only 6.80 percent ($n = 13$) of participants are considered Asian, Hispanic, or from the "Other" category. Thus, these 13 participants are placed into the reference groups when computing the variables black and white. As for offender type, this refers to the type of victim the sexual offenders target: adults or children. It is unclear what type of victim 13.60 percent ($n = 26$) of the participants targeted, and therefore these 26 individuals will also be part of the reference groups when computing the variables child offender and adult offender.

Data Analysis

This research uses descriptive statistics, including measures of central tendencies, measures of variability, and a Kaplan-Meier survival analysis estimator. Moving to bivariate analyses, multiple tests (chi-squares, Pearson coefficients, and eta coefficients) will determine the associations among the research variables. Finally, a proportional hazards model will estimate the likelihood of recidivism as a function of registration failures, black, age, previous convictions, and adult offenders.

Results

The results begin with descriptive statistics. In terms of the two continuous variables age approximates a normal distribution; however, previous convictions is positively skewed, as most sexual offenders have between one and four convictions, but several have more than four. Transitioning to the categorical variables, most sexual offenders do not have recidivism or registration failures, are black, and are child offenders. A total of 28.49 percent of sexual

offenders recidivated ($n = 53$), and 21.51 percent had registration failures ($n = 40$). As a group, the recidivists accounted for 132 acts of recidivism, or 2.49 convictions per individual. Most recidivists had one conviction (53 percent), with two and four convictions representing the second-highest categories (13 percent).

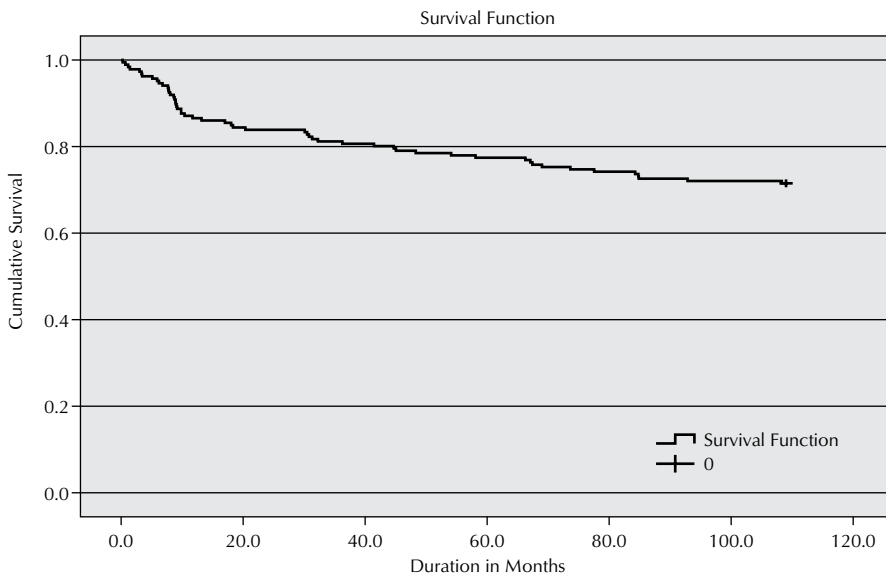
The typical characteristics of a recidivist include not having a registration failure (68 percent), being black (77 percent), $M_{\text{age}} = 43.0$, and being a child offender (64 percent). However, these factors change when accounting for group sizes among the categorical variables. In particular, race is the only variable that does not change, as blacks still have more recidivism than whites, with the former category having 35 percent compared to 17 percent for the latter. However, registration failures and offender type are reversed, as individuals with registration failures recidivated at a higher rate than those who were registration compliant (42 percent vs. 25 percent), and adult offenders recidivated more than child offenders (33 percent vs. 27 percent).

The typical characteristics for those with registration failures include being a non-recidivist (58 percent), black (80 percent), $M_{\text{age}} = 45$, and a child offender (82 percent). In a similar pattern to recidivism, these typical factors are portrayed differently when accounting for the group sizes of categorical variables. However, recidivism is the sole variable that is reversed, as recidivists have more registration failures than non-recidivists, with the former category showing 32 percent compared to 17 percent for the latter. The trends for race and type of offender remain consistent: blacks have more registration failures than whites (27 percent vs. 12 percent), while child offenders have more registration failures than adult offenders (26 percent vs. 12 percent).

The Kaplan-Meier survival function estimator indicates that the average recidivist survives for 30.37 months ($SD = 29.73$), and that this distribution is positively skewed. More specifically, the risk of recidivism is greatest during the first year of tracking and then systematically declines as a function of time. A proportion of .87 survive the first year, and then the risk curve flattens over the subsequent five years to .84 (second year), .81 (third year), .79 (fourth year), .77 (fifth year), and .75 (sixth year). At the time of data censoring (109 months), a proportion of .72 sexual offenders survive. The survival function is located in figure 1.

FIGURE 1.

Survival Function for Recidivism



Bivariate Analysis

Chi-square analyses reveal that there are associations between recidivism and registration failures ($\chi^2 = 4.91, p < .05$), recidivism and black ($\chi^2 = 6.64, p < .05$), registration failures and black ($\chi^2 = 6.38, p < .05$), plus registration failures and child offenders ($\chi^2 = 4.45, p < .05$). While the eta coefficient for recidivism and age is .21, recidivism and previous convictions is .18, and registration failures and previous convictions is .21. Out of all of these relationships, the only negative association is between recidivism and age. Correlations among the eight research variables are displayed in table 1. Taken as a whole, recidivism is associated with registration failures, black, age, and previous convictions, while registration failures are associated with recidivism, black, previous convictions, and child offenders.

Multivariate Statistics

A proportional hazards model determines the influences of five predictors (registration failures, black, age, previous convictions, and adult offenders) on recidivism. Table 2 displays that the proportional hazards model statistically fits the data at a -2 log likelihood of 471.84 ($\chi^2 = 24.41, p < .001$). As for the predictors, age (Wald = 10.97, $p < .01$), previous convictions (Wald = 5.63, $p < .05$), and adult offenders (Wald = 4.84, $p < .05$) are associated with recidivism. In summary, a 1 year decrease in age increases the likelihood of recidivism by 6 percent, an increase of 1 conviction increases the likelihood of recidivism by 13 percent, and being an adult offender increases the likelihood of recidivism by 211 percent. Further, there are substantive implications for registration failures and black,

as having a registration failure increases the likelihood of recidivism by 64 percent, while being black increases the likelihood of recidivism by 87 percent.

Discussion

Sexual offender recidivism has been well documented in multiple settings, samples, and outcome measures (Hanson & Bussiere, 1998). As such, many of the findings in this study are expected. For instance, the recidivism rate (28.49 percent) falls within the range of 20 to 40 percent observed in many other projects (Hanson & Bussiere, 1998; Hanson & Morton-Bourgon, 2005). Additional consistencies include that sexual offenders are at risk for an extended period of time (Hanson, 2002), but the greatest risk is during the first several years of tracking (Firestone, Bradford, McCoy, Greenberg, Larose, & Curry, 1999; Greenberg, Bradford, Firestone, & Curry, 2000; Hanson, Steffy, & Gauthier, 1993; Levenson et al., 2010). Further, age is negatively associated with recidivism (Hanson), while previous convictions have a positive association (Hanson & Morton-Bourgon, 2009).

In terms of registration failures, this study detected rates (21.51 percent) that doubled the observations from other research projects (Duwe & Donnay, 2010; Levenson et al., 2010). This may be due to this study's longer tracking period or smaller sample size, reflect differential law enforcement among jurisdictions, or combine all three factors. Similar to Levenson et al., this research yields support for the relationship between recidivism and registration failures. The bivariate association is statistical, while the multivariate link is substantive. Moreover, this research has substantive implications that are equal to the Levenson et al. study, since this research finds that having a registration failure increases the likelihood of recidivism by 64 percent (compared to 65 percent for Levenson et al.). The consistency of this finding is striking, and makes sense when considering the similar sampling frames (i.e., both drawn from state sexual offender registries).

Limitations

This study has two data collection issues. First, information for recidivism and registration failures is missing for five participants (2.62 percent of the sample). This may be due to multiple circumstances, including the possibility that individuals were noncompliant with registration mandates or were homeless. Second, the two dummy-coded variables for

TABLE 1.

Correlations among the Research Variables

Variable	1	2	3	4	5	6	7
Recidivism	—	—	—	—	—	—	—
Registration Failures	.16*	—	—	—	—	—	—
Black	.19*	.19*	—	—	—	—	—
White	-.14	-.14	-.86**	—	—	—	—
Age	-.21**	-.06	-.15	.20**	—	—	—
Previous Convictions	.18*	.21**	.21**	-.17*	.01	—	—
Adult Offenders	.13	-.10	.15*	-.08	.13	.13	—
Child Offenders	-.06	.16*	-.01	.08	-.11	-.10	-.70**

Note. The variables black, white, adult offenders, and child offenders are dummy-coded.

* Correlation is significant at the 0.05 level (2-tailed).

** Correlation is significant at the 0.01 level (2-tailed).

TABLE 2.
Proportional Hazards Model for Predicting Recidivism

Variables	B	SE	Wald	Sig	Exp (B)
Registration Failures	.49	.31	2.51	.11	1.64
Black	.63	.35	3.28	.07	1.87
Age	-.06	.02	10.97	.00**	.94
Previous Convictions	.13	.05	5.63	.02*	1.13
Adult Offenders	.75	.34	4.84	.03*	2.11
-2 Log Likelihood	471.84	Chi Square 24.41	DF 5	P < .001	

Note. The variables black, white, adult offenders, and child offenders are dummy-coded.

* Correlation is significant at the 0.05 level (2-tailed).

** Correlation is significant at the 0.01 level (2-tailed).

offender type may be inaccurate or skewed because specific crime information is unavailable for 26 participants. To review, these 26 cases are placed in the reference categories when dummy-coding the variables adult offenders and child offenders. However, it is plausible that most of these cases have offenses against children, or likewise that most enact crimes towards adults. Thus, there are most likely inaccuracies as offenders are misclassified into the wrong groupings.

In addition to the data collection issues, sample size is another limitation of this study. For instance, there are limited observations of sexual recidivism in this study. More specifically, 7 (3.66 percent of the sample) out of 191 participants have sexual recidivism, making it difficult to infer substantive implications. As a result, the variable sexual recidivism is deleted from this project. However, the observations of sexual recidivism will theoretically rise to 70 if the 3.66 percent base rate remains constant and the sample is increased tenfold to 1,910 participants. Thus, the rate of sexual recidivism will still be low, but the observations can be aggregated to create a meaningful variable that has substantive implications. Nonetheless, the sample size of 191 does have adequate sample size for the parameters ($df = 5$) of the proportional hazard model (Kraemer & Thiemann, 1987). Finally, it would strengthen the methodology if sexual offender registrants were randomly selected from all jurisdictions across North Carolina, and even among the 50 states. Yet, randomly assigning participants from the 50 states will be problematic, because each state has different criteria and protocols for sexual offender registration (Center for Sex Offender Management 2002, 2009).

Implications for Basic Research

Evidence is accumulating that registration failures are linked to recidivism. The substantive trends are clear, even in research that does not

find a statistical association (Duwe & Donnay, 2010). What is not apparent is whether registration failures truly approximate or predict criminal behaviors, or whether instead they represent other characteristics such as intelligence, poor communication skills, or systemic differences among criminal justice jurisdictions. In addition, to postulate a link between recidivism and registration failures, on its face, is rather simplistic. Instead, the association will most likely be convoluted by multiple mediating and moderating influences (Duwe & Donnay, 2010; Losel & Schmucker, 2005). For instance, this research finds that child offenders have more registration failures.

The implications for predicting registration failures from being a child offender are novel. This research clearly demonstrates an association between child offenders and registration failures; however, much more research is needed. This is interesting because adult offenders tend to recidivate at higher rates than child offenders (Hanson & Bussiere, 1998); thus, one implication may be that disparate processes facilitate recidivism and registration failures.

Moving to implications for race, Duwe and Donnay (2010) found that risk of registration failures was greater for minorities, but there was nothing specific for being black. Conversely, Levenson et al. (2010) determined that being white reduced the risk of having a registration failure. Taking these outcomes and then integrating them with results from this study, what emerges is that being black or a racial minority increases the odds of having a registration failure, while being white decreases the odds. Further, this study finds similar racial discrepancies for recidivism. It goes without stating that more research can be dedicated to understanding the links between race(s) and crime or registration failures; however, what emerges is a potential for systematic discrimination towards racial minorities and

blacks (Alexander, 2001) and privilege for whites (McIntosh, 2004). These assumptions can be bolstered from the findings that an offender's race is not so much a cause of crime but instead is moderated by systemic economic and social factors (Peterson, Krivo, & Harris, 2000).

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Characteristics of Parole Violators in Kentucky

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HISTORICALLY, PAROLE WAS established for the dual purposes of rehabilitating offenders and assisting in their reentry to society (Champion, 2002, p. 270). These functions have long served as the basis for parole supervision—guiding a treatment plan that emphasizes the need for reintegration while maintaining surveillance of parolees to verify their behavior (Allen, Eskridge, Latessa, & Vito, 1985, p. 128). However, three decades ago Marshall and Vito (1982, p. 37) argued that community supervision of offenders has emphasized the surveillance function over the treatment role. Such a belief remains common today. Thus, the key discretionary feature of parole supervision is the monitoring of the conditions of release by the parole officer. The offender's release can be revoked as a result of violations of these conditions, even in the absence of evidence of criminal activity. Conditions such as maintaining a curfew and abstaining from drug and alcohol use are related to the original offense and are monitored for the purpose of crime control.

Due to the rapid rise of the prison population in recent decades, some experts have suggested that parole violations should not automatically result in a return to prison. Less drastic measures should be used to control the parolee's behavior and ensure successful completion of the supervision period. Contrastingly, others argue that violations accompanied by revocation and return to incarceration prevent a return to serious

criminal behavior and thus protect society (Committee, 2008, p. 39).

To identify how supervision functions and is focused, Richards, Austin, and Jones (2004a) conducted interviews with 53 Kentucky parolees at parole offices and halfway houses and with technical parole violators who were returned to prison in 2002. Their study concluded that Kentucky was operating a "perpetual incarceration machine" that increased the prison population, contributed to overcrowding, and was costly to the state budget (Richards, Austin & Jones, 2004b). They noted that parole officers adopted a law enforcement style of supervision that fed the parole violation process. In particular, their interviews with Kentucky parolees awaiting revocation hearings before the parole board revealed that "without exception" the decisions of parole officers were to revoke parole with no credit given for time served under parole supervision when they were remanded to prison (Richards et al., 2004b, p. 97). To reduce the rate of Kentucky parole violations, Richards, Austin and Jones (2004a, pp. 256-257) recommended that parole violators (1) only be reincarcerated for a new felony conviction, (2) be held in local jails rather than prison, and (3) be given credit for all time served on parole.

Parole Revocation Rates

The Bureau of Justice Statistics provides a yearly report on the state of probation and parole in the country. A review of these

reports for the period of our study (2005–2009) finds that the national average rate of reincarceration for technical violation was 25.4 percent (Glaze & Bonczar, 2006–2010). This rate can be considered a reliable benchmark for national parole revocation rates over this period.

However, studies of parole revocation rates present varying figures. Nationally, Solomon and her colleagues (2005, p. 3) conducted a recidivism study of parolees and persons released unconditionally—utilizing data on a sample of 38,624 persons released from prison in 1994. They found that 68 percent of the mandatory and 63 percent of the discretionary parolees were returned to prison for a technical violation of parole conditions. Wilson (2005) tracked over 33,000 Tennessee prisoners released from January 1993 through the end of 2001 and examined their reincarceration rates. Forty-two percent of the parolees (11,570/26,201) were reincarcerated within two years of their release. Within this group, 75 percent of the recidivists were returned to prison on a technical violation (Wilson, 2005, p. 498).

A California-based study of parole revocation revealed that over a three-year period 66 percent of all parolees were reincarcerated—27 percent for a new crime and 39 percent for a technical violation (Grattet, Petersilia, & Lin 2008, p. 5). Attributes that predicted parole revocation included: number of prior adult incarcerations in California, age (18-30 as well as age at first California

commitment), race (black parolees in terms of the most serious and violent criminal revocations), and a record of mental health problems (particularly for violent criminal revocations) (Grattet, et al., 2008, p. 14). To deal with revocation, these authors recommended the use of a parole violation matrix that reflects the original risk level of the parolee coupled with a proportionate response to the seriousness of the violation (Grattet, et al., 2008, pp. 22–23).

Most recently a study by the Pew Center (2011) reported that Kentucky parolees released in both 1999 and 2004 had a technical violation rate of 30 percent. Additionally, The Justice Policy Institute (2011) reported that almost 20 percent of Kentucky prisoners admitted in fiscal year 2010 were incarcerated for technical violations of parole and had not committed a new felony.

Overall, parole revocation rates appear to be high and thus contribute to the size of the prison population. The general pattern is that parolees are more likely to return to prison for a technical violation than for a new crime. Kentucky is no stranger to these dilemmas. Over the last 25 years, Kentucky's prison population has increased 260 percent—the fastest-growing prison population in the nation for the past 10 years. As a result, Kentucky has spent about \$440 million per year on corrections—an average of \$19,000 per inmate (Justice Policy Institute, 2011, p.1). Thus, if prison returns are to be reduced for parolees, jurisdictions should consider alternatives to parole revocation.

Methods

The data for the present study come from the Kentucky Department of Correction's (KDOC) official reports on offenders from July 2002 to December 2004. The data for this study are drawn from offenders paroled during this 30-month period. This resulted in a

sample of 10,912 offenders. For each offender, data were collected on whether they returned to prison and, if so, the circumstances surrounding their return (i.e., when and for what reason/offense). All parolees were followed for a period of five years post release.

Measures

Several measures were used in this study. The sex of the offender was coded as (1) male and (0) female. The race of the offender was coded as (1) white and (0) non-white. The marital status of the offender was coded as (1) married and (0) unmarried. Education level was coded as (1) less than high school, (2) high school, (3) some college, (4) college graduate, and (5) post-college. The original offense was coded as (1) drug, (2) violent offense, (3) property offense, (4) theft offense, and (5) other offense. This measure was recoded into drug offense and coded as (1) yes and (0) no/other offense. The county of commitment was coded as (1) urban and (0) rural. Gang membership was coded as (1) yes and (0) no. The offender's custody level at the time of release was coded as (1) community custody, (2) minimum custody, (3) medium custody, and (4) maximum custody. Several measures were open-ended: number of parole hearings, number of institutions where time was served, number of days served, and number of prior incarcerations. Drug and alcohol problems during incarceration were captured as (1) yes and (0) no. In addition, reincarceration because of a parole violation was captured as (1) yes and (0) no.

Analysis Plan

The analysis plan for this study takes place in a series of steps. The first step is a descriptive presentation of the offenders that were paroled. The second step is a regression analysis. The regression analysis is performed

to determine the independent measures that are correlates of the dependent measures (Freund & Wilson, 1999), and in this case, the dependent measure is reincarceration for a parole violation. Reincarceration for a parole violation is a dichotomous measure. Menard (2002) argued that logistic regression is the proper technique in this situation, and this will be the technique that we use.

Results

Step 1

Step 1 presents the descriptive statistics of the offenders that were released on parole. Table 2 shows that two-thirds (66.6 percent) of the sample is white and 85.5 percent are male. In terms of age, more than one-half of offenders are age 37 or younger, and nearly one-third (30.9 percent) are over age 45. Additionally, one-third (31.5 percent) are identified as having a serious drug/alcohol problem, and two-thirds (67.1 percent) are identified as having no drug/alcohol problem. Offenders in the sample generally have low levels of education; more than one-half (55.4 percent) have not completed high school, and only 6.4 percent have any college experience. The large majority (86.8 percent) were unemployed after their release. Also, 80.3 percent of the offenders paroled were unmarried, and 19.7 percent of the offenders were married. Most of the offenders that were paroled were not involved in gangs (97.3 percent), but 2.7 percent were involved in gangs. Over 45 percent (45.4 percent) of the offenders paroled had a drug offense as their original offense. 14.2 percent of the offenders had a violent offense as an original offense. A total of 16 percent of the paroled offenders had a property offense as their original offense, 10.8 percent of the paroled offenders had a theft offense as their original offense, and 13.5 percent of the parole

TABLE 1.
Summary of Parole Revocation Rate Study Findings

Author	Inmate Release Year	Location	Rates
Wilson (2005)	1993	Tennessee	1993: 40.5% Reincarcerated
	1997		1997: 48% Reincarcerated
	1999		1999: 40.1% Reincarcerated
			Overall, 75% of the recidivist parolees were returned for a technical violation.
Glaze & Bonczar (2006–2010)	2005	Nationwide: Parolees	25.4% Reincarcerated on Technical Violation
Grattet, Petersilia, & Lin (2008)	2003	California	39% Reincarcerated on Technical Violation
Pew Center on States (2011)	1999	Nationwide	30% Reincarcerated on Technical Violation
	2004		

offenders had an “other” offense as their original offense. A clear majority (60.7 percent) of the paroled offenders had committed their offense in a rural county; 39.3 percent of the paroled offenders had committed their offense in an urban county. The paroled offenders had an average of 2.00 parole hearings, 2.05 prior incarcerations, 1227 days served, and 3.28 institutions served. Overall, these demographic findings demonstrate that this sample of Kentucky parolees had indicators of risk that are associated with failure on supervision (See Committee on Community Supervision and Desistance from Crime, 2008).

As an initial finding, we see that 51 percent of all parolees were returned to prison within 5 years due to a technical violation. Conversely, “only” 11.8 percent returned to prison for a new offense and 37.2 percent remained free in the community for the entire five-year period.

Step 2

Table 2 presents the results of the logistic regression analysis identifying correlates of offenders who were originally paroled being returned to incarceration for a parole violation. Five variables are statistically significant correlates of a parolee being reincarcerated within five years for a parole violation. White offenders are less likely to be returned to prison for a parole violation than blacks. Gang members are less likely to have a parole violation leading to reincarceration than non-gang members. As the number of prior incarcerations increases, the likelihood of a return to prison for a parole violation decreases. As the number of institutions in which the offender served increases by one, the likelihood of a return to incarceration on a parole violation increases by 1.21 times. And as an offender’s final custody classification at time of parole increases, the likelihood of a parole violation decreases by 0.16 times.

Conclusion

An initial look at the results of this study may suggest that there is only marginal value in these findings for guiding parole officers in supervising their caseload. All five statistically significant predictions of reincarceration for a parole violation are “static” variables that describe attributes of demographics (race) and experience (gang membership, number of prior incarcerations, number of institutions served in, and final custody classification). Although (perhaps) indicators of risk, these are not variables that can be affected by a method of supervision. Arguably the most

TABLE 2.
Demographic Attributes of the Served Out and Paroled Groups

Attribute	n/%
Race	
White	7170 (66.6%)
Black	3597 (33.4%)
Sex	
Female	1582 (14.5%)
Male	9331 (85.5%)
Age	
Under 28	1348 (33.0%)
28–37	933 (22.8%)
38–45	544 (13.3%)
Over 45	1264 (30.9%)
Drug/Alcohol Problems	
None	7317 (67.1%)
Abuse causing occasional legal or social problems	162 (1.5%)
Serious Abuse or Disruption of Functioning	3433 (31.5%)
Education	
Less than High School	2119 (55.4%)
High School	1465 (38.3%)
Some College	195 (5.1%)
College Graduate	48 (1.3%)
Employed Post Release	
Unemployed	9476 (86.8%)
Employed	1436 (13.2%)
Marital Status	
Unmarried	7353 (80.3%)
Married	1807 (19.7%)
Gang Involved?	
No	10,615 (97.3%)
Yes	297 (2.7%)
Original Offense	
Drug	4958 (45.4%)
Violent	1547 (14.2%)
Property	1750 (16.0%)
Theft	1178 (10.8%)
Other	1478 (13.5%)
Offense Location	
Rural	6627 (60.7%)
Urban	4286 (39.3%)
Mean Values	
Number of Parole Hearings	2.00
Number of Prior Incarcerations	2.05
Number of Days Served	1227.00
Number of Institutions Served In	3.28

TABLE 3.
Logistic Regression: Reincarceration for Parole Violation

Variable	Exp (b)	S.E.	Wald
Age	0.99	0.01	-0.73
Race	0.80	0.07	-2.39*
Gang	0.57	0.05	-5.83**
Married	1.05	0.15	1.20
Sex	0.95	0.01	-0.41
Drug Offense	1.37	0.03	0.85
Offense Location (urban)	1.00	0.04	0.34
Education	1.07	0.03	1.82
Parole Hearings	0.96	0.03	-1.13
Prior Incarcerations	0.93	0.03	-2.67*
Institutions Served	1.21	0.01	14.47**
Custody Class	0.84	0.00	-43.89**
Drug/Alcohol Problems	1.01	0.03	0.42

Note: * $p < 0.05$, ** $p < 0.00$; Tolerance levels were calculated for each independent measure to test for multicollinearity. The results did not reveal any multicollinearity and are available from the authors upon request.

informative finding from this analysis is that 51 percent of these parolees received a technical violation of their parole and were returned to a Kentucky prison. This rate is a bit lower than rates listed in previous studies. However, there is little doubt that this high percentage of reincarceration has contributed to the rise of the Kentucky prison population.

Kentucky might benefit from the use of alternatives to revocation and a return to prison for technical violations of parole. For example, Austin (2001) reviewed the release practices of eight states and determined that the proportion of parole violators returned to prison varied widely and thus reflected a diversity in how violations were handled. He recommended that parole release be expanded, with the responsibility for post-release behavior shifted to the parolee while supervision is conducted under a risk-determined system that would determine the length of the supervision period (Austin, 2001, pp. 331–332). Solomon (2006, p. 16) also recommended that parole supervision should include “an array of intermediate sanctions” for revocation rather than the “all or nothing approach” of sending parolees back to prison (see also Petersilia, 1999, p. 515; Pew Center, 2011, p. 30).

An evaluation of New Jersey’s nonvoluntary Halfway Back program for parole violators determined that program participants fared better on parole than a matched group of parolees who were not referred to the program due to program capacity, logistical barriers, or parole officer discretion. Re-arrest rates for the participants were somewhat lower at six and twelve months than they were for

non-participants (22.9 percent vs. 24.2 percent and 50.2 percent vs. 52.6 percent) (White, Mellow, Englander & Ruffinego, 2011, p. 151). Parolees in the program had their social needs identified (substance abuse, mental health issues, physical ailments, employment, and education issues) and met. They were referred to the program by their parole officers for failing to meet supervision conditions or for relapsing in drug use—both of which fell short of new criminal charges. A mix of graduated sanctions was then reviewed to match the violator to “the appropriate sanction based upon parolee need, resource constraints, and program availability” (White, et al., 2011, p. 147).

In order to deal with the problem of increasing revocations, Ohio developed a violation response grid in 2005. Research on the implementation and execution of the grid yielded favorable results, evidencing reliance upon revocation hearings, sanctions, local jail incarceration, and improved congruence between offender risk levels and revocation sanctions. In sum, the guidelines provided “a structural opportunity to align treatment sanctions with high risk and potentially chronic violators on the front end of supervision,” allowing them to remain in the community without the threat of immediate revocation while also providing for heavier sanctions when necessary (Martin, 2008, p. xiii).

An alternative method to deal with the problems faced by prisoners upon reentry is the Reentry Court model. Based upon the Drug Court model, reentry courts are designed to oversee the prisoner’s reentry to society and monitor his or her behavior

while providing a range of health, education, employment, housing, and family support services. It has been implemented on a pilot basis in a number of states, including Kentucky (Miller, 2007, p. 127). The Reentry Court model relies upon the “collateral authority” of the judge to act as an official intermediary between all agencies involved in the reentry process and combines an “individualized relationship between client and judge to intervene to change the client’s way of thinking and acting” (Miller, 2007, p. 128). Its core elements are (Maruna & LeBel, 2003, p. 92):

- Assessment and Strategic Reentry Planning
- Regular Status Meetings
- Coordination of Multiple Support Services
- Accountability to the Community
- Graduated and Parsimonious Sanctions for Violations of Conditions of Parole
- Rewards for Success

Maruna and LeBel (2003) advocate supplementing this model with a “strengths-based approach” that emphasizes the positive contributions that the client can make to society, rather than the potential sanctions faced when difficulties are encountered.

Kentucky had also developed a “half-way back” program for parole violators as a method to avoid revocation proceedings and a return to prison. The program focused upon offenders with substance abuse problems. Upon program entry, offenders had to acknowledge the technical violation and sign an agreement to enter and complete the program and to refrain from further parole violations. The program operated out of privately owned halfway houses and offenders were expected to attend counseling sessions and work (Munden, Tewksbury & Grossi, 1999, pp. 437–438). An evaluation of this effort indicated that the completion rate for the program was 65 percent and older offenders, those who had fewer times on parole, and those who maintained their employment were all more likely to be successful (Munden, et al., 1999, p. 442).

Given the high rate of revocation and return to prison revealed in this study, Kentucky, as well as perhaps other jurisdictions, should consider a return to the use of these alternatives to revocation. If these programs prove to be effective, they could help reduce the size of prison populations.

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Computer-Based Employment Applications: Implications for Offenders and Supervising Officers

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THE VAST MAJORITY of the more than 725,000 offenders who return to the community each year have as a primary goal getting a job. This also holds true for the millions under various forms of community supervision or awaiting release from custody. Whether the goal is to support themselves and their families, to satisfy a condition of their supervision, or to fulfill a major component of a commitment to living a conventional life, obtaining employment may be one of the most critical activities in which offenders participate. In fact, finding employment for those under justice system supervision has become an occupation itself and, in some ways, a cottage industry. Reentry specialists, social workers, and others are tasked specifically with generating employment contacts for offenders seeking work; non-profit organizations exist solely to assist offenders in finding and applying for jobs and to prepare them for interviews. Even for probation and parole officers, assisting offenders in finding work or setting up referrals to the organizations who specialize in employment can occupy a large part of their time.

The effort expended by justice system actors and other individuals and organizations working with offenders is not without good cause. Research has found fairly consistently that there is a positive relationship between employment and the cessation of criminal activity among adult offenders (Bushway & Reuter, 2002; Fagan & Freeman, 1999; Sampson & Laub, 1993). Although a number of intervening factors moderate the relationship between work and desistance, from supervising officers' and offenders' perspectives, employment offers distinct benefits

for discontinuing a life of crime. A job represents significant blocks of time that would otherwise be idle and possibly filled with criminal behavior, and gainful employment can remove the financial motivation to participate in crime. Many offenders maintain that if just the right job came along, gone would be the need to sell drugs or steal in order to make ends meet (Fader, 2011). If nothing else, obtaining and maintaining employment is a nearly universal condition for those under community supervision. As such, even if empirical studies are somewhat mixed on the relationship between work and crime, there are other tangible benefits of employment from the perspective of officers and offenders.

Because of the real or perceived benefits of employment for offenders, a great deal of scholarly attention has been paid to the barriers offenders experience in entering the labor market. For instance, having a criminal record (Pager, 2003) or having been incarcerated (Western, 2006) have been demonstrated to have a negative effect on the likelihood of obtaining employment. Though it has been argued that criminal behavior in the distant past should not influence current employment opportunities (Kurlychek, Brame, & Bushway, 2006), a criminal record and past periods of incarceration are significant static barriers to obtaining work. Offenders are at a severe disadvantage in achieving the benefits of employment as a result of what is, at least in the eyes of employers, an indelible part of who they are.

Although the research on the relationship between crime and work is interesting to those studying the complex connections between societal systems and structures, there

has been little written of practical value on the process offenders must navigate to actually land a job in the modern service economy. In other words, there is little to no discussion in the academic literature about what offenders could experience during the hiring process or the tasks that they must complete in order to apply for work. There exists, however, a large body of research documenting and explaining the hiring process, including searching for employment (Williams, 2006), the skills employers look for in applicants (Moss & Tilly, 1996), standardized testing (Cha, 2005; O'Connell, 2009), and the interview (Kirschenman and Neckerman, 1991). A great deal of recent scholarship in this area has focused on minority applicants and the challenges presented to them during the process, but none of the research has focused on the modern application process as it relates to individuals under community supervision.

The current article attempts to remedy this by presenting data on how the current application procedures of retailers relate to the already formidable challenges faced by offenders seeking employment. The conclusion of this research is that a substantial and increasing number of employers even at the lowest rungs of the retail sector are using computer- and Internet-based applications. With the development of electronic applications, it is increasingly easier to incorporate into the application lengthy pre-employment screening questionnaires. Such questionnaires are based on personality tests that have been normed on a white, middle-class population and so create disadvantages for less privileged groups when they are used to screen job candidates (Paul, 2004). Although the

present research was not designed to directly test how electronic applications affect offenders versus non-offenders, the findings have potential implications for those under community supervision who are applying for retail work and for those in the field working with this population.

Background & Data

While conducting field research on young men of color who had spent time in a juvenile reformatory, the second author on the present study observed several times the barriers her informants faced when applying for low-wage work in the community. For instance, when one informant was applying to be a “runner” (the person who brings the food to the table and removes the tableware once finished) at a high-end restaurant, several peculiar questions were asked of him on the application. In addition to some advanced high school math and geometry items, three questions tested his cultural capital by asking him to name three other restaurants in the Center City area (read: expensive) and two airlines and to identify Bill Gates. It should go without saying that neither the math nor the cultural capital items are in any way related to one’s ability to successfully perform the duties of a runner. On another occasion, when this informant went to a Best Buy store and asked if he could apply for a job, he was directed to the company’s website to complete an application. These two experiences prompted us to systematically investigate the application procedures for low-wage, entry-level employment.

Although there are many sectors of the labor market we could have explored, including manufacturing, shipping, and receiving (e.g., UPS, FedEx) and the hospitality industry, we limited this investigation to the retail sector. Within the service economy, retailers employ the largest number of low-wage and entry-level positions, including cashier, sales representative, associate, or clerk. Furthermore, the retail sector includes “backroom” positions such as stocker and inventory workers. The jobs in the retail sector require little to no previous experience, knowledge, or skills, and for the purposes of understanding the process of applying for low-wage work in the 21st century, the retail sector was an ideal choice.

To do this, we assembled a thorough though not exhaustive sampling frame of 125 retail outlets in the Philadelphia metropolitan region. The sample included nearly all corners of the retail sector landscape, including department stores and retailers of clothing, shoes,

and accessories; electronics stores; sporting goods stores; home improvement and decor vendors; and grocery markets, including convenience and drug stores. The vast majority of the retail firms in our sampling frame were part of national chains, so the practices documented here are largely mirrored elsewhere, enhancing the generalizability of our findings. Most application procedures are set up at corporate headquarters and thus are the same across cities and stores. Therefore, applying at Target is the same experience in Philadelphia and upstate New York (an assertion that we personally confirmed).

Our first step was to document the application procedure for each of the 125 sample sites. At this stage, one of the authors visited the retail location and requested an application for employment. We systematically catalogued the different types of application procedures used by each of the retailers; in many instances, the applicant could choose from a combination of types. Next, we documented employers’ requests for information that went beyond standard contact information, educational and employment history, and references. This additional information included releases for pre-employment criminal background investigations and credit history reports, requests for drug testing, and questionnaires of varying depth and complexity on a number of domains. The two authors collected all data for this project between November 2006 and August 2007.

Results

The final sample consisted of 113 retailers. From our original sample, 12 were eliminated from the analyses for several reasons, primary among them that several retailers were owned by a single company using the same application or that the retailer had gone out of business. Of the retailers in the final sample, approximately half ($n = 56$) retained traditional paper applications. Half of those retailers who used only paper applications are categorized as clothiers according to the Bureau of Labor Statistics (BLS) subsector classification scheme. Nearly one-third ($n = 35$) of the sample had moved to exclusively computer-based application methods, accessible via either a personal computer with an Internet connection or in-store computer kiosk. Within the BLS categories, the most common subsector that uses exclusively computer- and Internet-based applications is electronics retailers (e.g., Best Buy, Radio Shack). It should also be noted that among the

biggest employers in our sample—WalMart, Target, Home Depot, and Lowe’s—are also exclusively electronic-based applications. The remaining fifth of the sample employed a mixture of paper and electronic applications, with a majority utilizing “resume-builder” software that allows applicants to enter standard information (such as name, contact information, education, and employment experience) into pre-defined fields. It should be noted that where multiple types of application were available, the job seeker could choose one over another.

We next examined employers’ requests for information that went beyond traditional questions. Nearly three-quarters of retailers required the applicant to sign a release for a criminal background investigation to be performed. For both the drug-testing requirement and credit history report, a substantial number of retailers (40 percent and 54 percent, respectively) asked for the applicant’s permission to release this information. Moreover, paper and electronic applications differed in how they asked for this information. Paper applications included these requirements in the fine print at the end of the application, just above the space for the applicant’s signature. Electronic applications, on the other hand, typically asked the applicant to consent to the background investigations and drug testing near the beginning of the process, often before any personal information was requested. If the applicant refused to consent to either the drug testing or credit check requirements, the session would be terminated.

Forty-four percent of employers used some form of screening instrument that went beyond educational, employment, criminal, and credit histories. For example, many paper applications included one or two items that asked the applicant about hard skills (such as computer or cash register abilities). At the other end of that spectrum were personality tests that consisted of up to 150 items. While these tests have been used elsewhere in the hiring process in all sectors (Cha, 2005; Knight, 2006), the increasing use of electronic applications makes it easier and less expensive to administer such instruments. The very nature of paper applications is prohibitive to including lengthy questionnaires, and the following results are heavily weighted by the dominant use of these tests in electronic applications.

To make sense of the variety of the items in the application questionnaires, we created a classification scheme consisting of nine domains into which the questions fell: hard

skills, soft skills, past performance, willingness to perform, drug use, criminal behavior, drug test, criminal background, and credit history. The first two domains, *hard skills* and *soft skills*, have been documented in previous employment studies, though not in the application process (Moss and Tilly, 1996). Hard skills include familiarity with physical equipment and the technical know-how to perform a task. Soft skills tap the interpersonal skills an individual possesses, as in relating to others in a customer-sales associate interaction or interacting with co-workers and superiors. Examples of these Likert scale items included: "Talking with strangers has always been difficult for me," "You keep calm under stress," and "You know when someone is in a bad mood, even if they don't show it."

The *Past Performance* domain asks about prior work and educational experiences using questions such as: "You had nearly perfect attendance in your past job or when in high school," "You have always had good behavior in school or work," and "Your past employers have a favorable view of you." Related to this, *Willingness to Perform* taps into future behavior, particularly on the job. "How do you feel about a job that would require you to work overtime, nights, weekends or holidays?" or "How do you feel about cleaning inside the store as part of your job?" are examples. In the *Drug Use* domain, some screening instruments asked directly, "Have you ever taken illicit substances?" or "Do you know anyone who has used drugs?" The *Criminal Behavior* questions were often more general, asking if the applicant had ever taken something that was not theirs and stealing money or goods from previous employers.

The results showed that electronic applications employed far more of the screening domains. For example, electronic applications were four times more likely (84 percent versus 21 percent) than paper applications to contain questions measuring soft skills. The same ratio applies for questions on past performance on the job. Electronic applications were just over twice as likely (29 percent versus 14 percent) as their paper counterparts to ask candidates to report on their past criminal behavior. Meanwhile, none of the paper applications and 13 percent of the electronic applications asked about drug use. Interestingly, it also appeared to be more common to ask applicants to give permission for drug testing and credit checks when using an electronic medium for applications (87 percent versus 43 percent and 84 percent versus 57 percent, respectively).

However, there was little difference between the two in their rates of requesting permission for criminal background checks: 100 percent of paper applications and 94 percent of electronic applications asked for a release of criminal history.

In a recent follow-up to the original data collection, we found that of those retailers who relied solely on paper applications, 37.5 percent began offering applicants the option to submit their applications online, predominantly through the resume-building software. This finding should come as no surprise, as modern life increasingly shifts online. It is, however, further evidence of the necessity of offenders and those working with them to be acutely aware of changes in the process of applying for work.

Implications

As we noted earlier, our interest in this subject arose out of field research conducted with formerly incarcerated inner-city black males who were looking for low-wage employment, a group that is already at the bottom of the labor queue. Although our research design could not directly address whether retailers' use of scientific, "objective" principles in hiring is beneficial or harmful to vulnerable job-seekers, this study has provided some insight into the potential pitfalls of these new methods, from both the offenders' and justice system actors' perspectives. In this section, we will further elucidate the problems offenders could encounter while applying for retail work and highlight those areas where supervising officers and others working with this population can maximize their assistance.

The first of these problems is that the simple and increasing switch from paper to computer-based application procedures may deter returning prisoners from starting—or finishing—applications. Research on the digital divide has firmly established that inner-city residents, particularly those with little income and education, have significantly less access to computers and the Internet in their homes (Spooner & Rainey, 2000; Wilson, 2000). Many retailers provide applicants with only a business card and an Internet address, forcing them to locate public access to a computer terminal elsewhere (e.g., a public library). Once they reach the company's site, job-seekers may struggle to find the "careers" link, usually at the bottom of the site, printed in tiny letters. During data collection, we navigated through flashing sale offers and pop-ups, searching in vain for this link, only to discover that

many applications were only found by clicking "About Us."

Perhaps more important is what Hargittai (2002) terms the "second-level digital divide," or inequalities in users' abilities to navigate the Internet. Even employers who provide an in-store kiosk could discourage job seekers from applying if applicants assume that the job duties themselves may require computer proficiency. Several of the young men in the original field study commented that the application reminded them of school tests—not a particularly fond memory for most. It is possible that the new reliance on computer-based applications may add a new layer of disadvantage to the most vulnerable of job-seekers. In addition to skills and spatial mismatch, these new methods may create a "technological mismatch" between unskilled candidates and available jobs.

If organizations that assist offenders in finding employment and reentry centers more generally do not already have a bank of computers for job searches, it would be wise to either secure the funds to build one or liaise with a local library for dedicated blocks of time for offenders to use their computers for this purpose. Furthermore, staff must be keenly aware of the offender's potential lack of expertise in using computers, navigating the Internet, and understanding the procedures to find and apply for work online. Likewise, it might be advantageous in community supervision offices to have one or two computers that could be used by offenders during office visits to search for work in collaboration with the supervising officer. This necessarily entails the awareness on the part of the officer that offenders may not be proficient in using computers or the Internet and in applying for work online on their own.

Related to the technological mismatch is the number of applications that can be completed by a job-seeker in a given timeframe, regardless of the offender's access to and comfort using computers and the Internet. Of course, it can be argued that electronic (particularly online) applications reduce application time by eliminating the time it takes for job-seekers to travel to the business to apply for the position. Because so many electronic applications contain the lengthy personality tests, however, the time required to complete each application has increased. During data collection, we were often advised that we should reserve 45 minutes to an hour to fill out the application. Since we had to complete each application as if we were actually applying for

the position in order to inventory the types of information requested on them, we learned first-hand how much patience was required to complete approximately 150 questions per application (this process is described in hilarious detail in Ehrenreich's (2001) account of low-wage work). On most data collection days, each author was able to document no more than five online applications, despite the fact that neither of us thoughtfully answered the questionnaire's items. Compounding the problem is that the popular and oft-used tests, such as those made by third-party companies like Unicru, do not store responses online and allow them to be accessed and submitted to multiple employers.

Precise figures on the condition of application quotas are unknown, but officials who set such a condition—whether officers, parole board members, judges, or reentry workers—ought to be aware of the time it takes to apply for the increasing number of positions that require lengthy questionnaires. Whether quotas are set by the day, week, or month, they should take into consideration that the offender's limited access to and familiarity with technology, combined with the time required to complete just one application, can limit the number of applications an offender can complete in a given time period. Because failure to even apply for work can be cause for violation, failing to apply for a certain number of applications due to these constraints should not be a cause for violation.

Although neither of the authors was seeking work in the retail sector, the experience of requesting and completing applications was enlightening, particularly when keeping in mind the relatively large amount of human, social, and cultural capital two white, middle-class academics could bring into the hiring process. Requesting applications from harried and frequently much younger customer service clerks was a surprisingly nerve-wracking process. Many times, we were referred to an in-store phone or computer kiosk, but found that these were old, slow, broken, or located in a high-traffic area in which we presented an obtrusive presence to customers. At the now-defunct Hollywood Video, for instance, one author was referred to a phone bank located directly where employees passed videos off to customers. The sense of being conspicuous may be enough to dissuade offenders from staying long enough to complete an application.

Another element that may discourage offenders are those applications with questions (or requests for releases of information)

on criminal history, self-reports of criminal behavior, self-reported drug use, drug tests, and credit history. These checks suggest an attempt by employers to screen out candidates who are not "good citizens." The refusal to consent to such a check is enough to make a job-seeker ineligible for employment, and as described above, many online applications will not permit the individual to continue the application unless such consent is granted. The mere mention of releasing such information, however, may be enough to dissuade candidates with a history of trouble with the law or with a poor credit score from applying. Research on the subject suggests that candidates respond negatively to credit checks as a pre-employment screening tool, infringing upon their expectations for privacy and procedural justice (Nielsen and Kuhn, 2009).

Despite the finding that the majority of retail companies require such consent to be considered for employment, this should not deter offenders or those working with them from applying for these positions. It is unlikely that all potential employers are willing and able to actually conduct the background checks for all applicants (Holzer, Raphael, & Stoll, 2006), a fact that those assisting offenders in applying for work should widely disseminate. Should a check actually be conducted, however, a manager at a large national home supply chain advised that offenders ought to disclose their criminal histories when prompted to do so in the application. This is because an employer who learns of the individual's criminal past after being hired will almost certainly fire the new employee for lying on the application. And such a scenario can actually worsen future employment prospects, since many applications ask whether or not the applicant has been fired from a previous job. The same home store manager stated that applicants can mitigate a criminal record by being ready to detail the lessons they learned from the experience of being incarcerated.

In addition to the access and technological skill requirements associated with electronic applications, the time required to complete lengthy pre-screening questionnaires, and the necessary consents to background investigations, personality tests may further disadvantage offenders, particularly urban and minority ones, if they contain items that are culturally loaded. We encountered several such instances. For instance, the scenario is: "You see another employee taking money from the cash register. What would you do?" (1) Say nothing, (2) Confront the employee

directly, (3) Contact store security, or (4) Alert your supervisor." Reporting infractions is, of course, viewed as snitching by many inner-city residents, one of the most important elements of the "code of the street" (Anderson, 1999). However, it seems clear that alerting the supervisor is the correct answer in this scenario.

Next, we suspect a common item asking candidates to report whether "It angers you when the courts let guilty criminals go free" may be particularly problematic for this group. Similarly, questions that ask whether candidates know someone who uses drugs or someone who has a criminal record put reentry populations in a double-bind. If they respond in the negative, they may believe that employers would assume that they are lying. If they respond in the affirmative, they put themselves at risk for "failing" the question or the test such that they make themselves ineligible to move to the next phase of the process.

This leads us to a related matter, which is dishonesty. Several of the young men in the field research study had strong reactions to items that may be designed to tap honesty and integrity such as those described above. Psychologists refer to the process of determining the desirable response to test items and providing that response as "faking good" (Jackson, Wroblewski, and Ashton, 2000). There is widespread agreement that motivated candidates can easily fake responses to well-used personality tests such as the Sixteen Personality Factor Questionnaire (16PF), the Myers-Briggs test, or the Fundamental Interpersonal Relations Orientation-Behavior (FIRO-B) (Furnham, 1990). To fake responses, however, candidates must be both motivated *and* skilled enough to identify desirable responses. Snell, Sydell, and Lueke (1999) contend that job-seekers may vary in the degree to which they can guess responses that will earn them the best scores. Although most research on faking has not examined differences across respondents in their ability to dissimulate, we can speculate that the same candidates that confront problems anticipating employers' expectations during face-to-face interviews would encounter similar challenges when these expectations are translated into a personality test.

The implications for offenders and those working with them on the related issues of culturally-loaded questionnaire items and dishonesty are perhaps the most difficult of all to disentangle. It may be easy to coach offenders on the "correct" answers to questions about reporting a co-worker's theft to a manager, the

appropriate level of anger toward courts that let guilty criminals go free, or whether they know anyone who has ever been arrested or used illegal drugs before. Doing so, however, may make the offender feel uneasy about being dishonest and raise ethical issues for supervising officers and reentry professionals. Alternatively, should offenders be encouraged to answer the items truthfully and to the best of their judgment, this would likely result in a dramatic reduction in their chances of getting the job. This is also an undesirable outcome. Further research into the practices and perceptions of offenders and supervising officers on this conflict is warranted.

Underscoring the entire discussion about applying for retail jobs in the computer age is the likelihood that most employers who have not already switched will likely do so in the not-too-distant future. When the original data collection for this study ended, approximately one-third of retailers exclusively relied on computer- and Internet-based applications, and this was a previously undocumented empirical fact. In only a few years, many more employers began offering at least an Internet-based alternative, if not dropping the paper option entirely. With each additional employer requiring applications to be submitted online, the implications of this study for supervising officers and offenders will only become more relevant. This is compounded by the high probability that attached to electronic applications will be personality questionnaires, the potential problems of which were discussed above. Finally, although the scope of our research was the retail sector, the implications extend to some extent to all other sectors that employ low-skill, low-wage workers and that require applications to be submitted electronically.

Conclusion

Our analysis of application procedures in the retail sector has found that a substantial—and likely increasing—number of employers has moved to computer-based modes of screening and selecting candidates. This has several implications for the population of returning prisoners, most of whom must look for, if not secure, employment as a condition of parole and often view employment as the key to remaining crime-free. First, offenders increasingly need regular access to computer terminals. We have seen much discussion of using computers to help returning prisoners locate jobs (e.g., at one-stop centers), but our research suggests that reentry professionals

must also be aware of the high degree to which retail employers rely on computerized (usually Internet-based) methods of applying for jobs. Since most of the returning population experiences the “second-level digital divide” in their lack of familiarity navigating the Internet, this group will likely benefit from hands-on assistance as they apply for these jobs.

Next, our analysis of retailers suggests that those using computer-based application procedures are more likely to ask a wide variety of questions of the applicant, requiring a broader degree of preparation for the applicant. Prospective retail employees should start applications with an expectation of allocating 45 minutes to an hour per application. Despite the time saved by not having to travel to stores to apply in person, these lengthy applications likely contribute to applicant fatigue and reduce the number of applications that can be completed in a given day. Offenders should be prepared to provide releases for criminal background checks and credit reports, despite the fact that not all employers will actually conduct these checks.

Finally, reentering populations should be prepared to provide answers to lengthy (up to 150-question) personality tests, commonly used in the retail and other sectors to screen candidates and sort them into categories of desirability. The answers to some of these questions seem straightforward, such as whether the applicant is willing to perform certain duties. Others are designed to produce a workforce that is compliant and responsive to authority, and these may make it more difficult for applicants to guess the “correct” response, such as whether it makes one angry when the courts let guilty criminals go free or whether they know someone who has used drugs or committed crimes. In today’s slack labor market in which many applicants vie for the same position, modern employers use any evidence of criminal affiliation or criminal thinking as a way to sort out troublesome employees. Thus they are likely to employ hypothetical scenarios about how potential employees would respond if, for instance, they witnessed another employee stealing cash from the till. Since offenders who at one time may have been socialized into the “code of the street” may not have an intuitive sense of what responses employees are looking for, they may be at a substantial disadvantage unless they have the support of reentry professionals who prepare them for job applications in the information age.

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Prisons, Community Partnerships, and Academia: Sustainable Programs and Community Needs

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IN RECENT YEARS, the effect of the economic downturn on state budgets has exacerbated the urgent needs of our most vulnerable citizens. Services across an array of state institutions have been cut, often significantly, with potential consequences threatening to have cascading effects and further overwhelm an insolvent system. There is an immediate need for innovative, low-cost programs to meet community needs.

One of the most underserved arenas, and one of the hardest hit by diminishing resources, are state prisons, where inmate programming is often the first service to face cuts (Brazzell, Crayton, Mukamal, Solomon, & Lindahl, 2009; Wilhelm & Turner, 2002; Williams, 2009). Among the many targets of cuts in pre-release services for inmates are vocational and educational programs, as well as substance abuse treatment services (Brazzell et al., 2009; Stevens & Ward, 1997; Wilhelm & Turner, 2002).

Fortunately, there are cost-effective and efficient solutions to help meet the needs of community members, address social and educational inequalities, and assist prisons in discharging public safety mandates. Community-academic

partnerships are increasingly seen as a way to bring vital resources to the community and to underfunded state institutions. Regrettably, however, there is a dearth of literature on how universities and prison systems can create sustainable partnerships.

There are many reasons for this. For academicians, chief among their concerns are: unfamiliar rules, bureaucratic hurdles, hesitancy in dealing with members of a “protected class,” liability issues associated with the perceived dangers of being in a prison environment, and even fears of cultural and socioeconomic clashes between academicians and prison staff (Brazzell et al., 2009; Bringle & Hatcher, 2002; Nyden & Wiewel, 1992; Schultz, 1992; Suarez-Balcazar, Harper, & Lewis, 2005; Wolff & Gerardi, 2007). Prison management teams have somewhat different concerns; they fear the introduction of programs and curricula that are not sanctioned by the state bureaucracy, as well as the establishment of non-evidence-based programs that do not contribute to inmates’ desistance efforts (J. Boyer, personal communication, June, 2011).

The purpose of this paper is to thematically address these issues by:

1. Discussing a successful, sustainable community partnership between Portland State University (PSU) and an Oregon Department of Corrections (ODOC) state prison, Columbia River Correctional Institution (CRCI);
2. Demonstrating the relevance of salient elements in the literature to the specific partnership detailed here; and
3. Explaining the benefits of academic-prison partnerships for the correctional system, academic institutions, inmates, and the community at large.

Community Partnership

In 2009, PSU started a partnership with the local state prison, CRCI. CRCI is a pre-release facility with approximately 550 beds, located in northeast Portland, Oregon. The partnership grew out of an environment of mutual concern and genuine interest—both PSU and CRCI recognized the gathering storm of an economic crisis, the profound and inadequately-addressed needs of prisoners releasing to the community, and attendant issues of public safety. With full support of CRCI’s

leadership team and the prison's superintendent, the partnership initially took the form of an internship. One graduate student intern from PSU's criminology and criminal justice division of the Hatfield School of Government sought external funding by researching funding agencies and subsequently managing and editing a grant, with the explicit purpose of helping high-risk inmates successfully transition back into the community. The intern worked closely with the CRCI leadership team, ODOC transitional services, a former ODOC research manager, and a faculty member from PSU's philosophy department.

The intern and ODOC staff submitted a grant proposal that targeted the development and evaluation of ODOC's transitional program designed to assist inmates in the desistance and reentry process. Information regarding the grant was disseminated to CRCI's management team, CRCI's incoming superintendent, the director of the Oregon State Department of Corrections, and appropriate academic heads at PSU. The successful development, management, and submission of the grant application exemplify an academic-prison partnership success. Even though this initial effort was ultimately unsuccessful in obtaining the desired funding, the underlying project work is a tangible demonstration of the collaborative relationship between these two state agencies, both of which harnessed their collective resources to address a shared concern.

Because feedback from all of the stakeholders was overwhelmingly positive, PSU and CRCI decided to expand their community partnership by increasing the total number of internships. Three additional internships at CRCI have been approved: one internship was completed and ended with the fall 2011 term; the second was completed in the fall 2011 term and renewed for the winter 2012 term; and the third internship has recently been approved and will be commencing shortly. (In line with PSU's commitment to diversity, the newest grant-writing intern is an exchange student from China.)

In addition to grant-related tasks, other services provided by these interns include assisting prison administrators with ODOC management presentations and interviewing inmates on-site (and over the phone) to match up soon-to-be-released offenders with mentors who will assist them with reintegration in the community.

Furthermore, PSU's Graduate School of Education, Curriculum and Instruction has

opened a curriculum designer internship at CRCI. The curriculum designer will work with correctional administrators to determine the outstanding educational/instructional needs of inmates. Based on feedback from prison staff, the curriculum designer will develop evidence-based education and programming curricula, and relevant interventions for high-risk inmates. The ultimate objective of the curricula is to equip inmates to successfully transition back to the community. Additional interns from PSU's Graduate School of Education and Postsecondary, Adult, and Continuing Education (PACE) will subsequently teach this curriculum.

Finally, the goal is to make this partnership sustainable, and to do so a graduate public administration internship (GPAI) was created. The person who holds the GPAI manages and coordinates the interns, recruits new candidates, and finds replacements for the positions, including her own replacement. (The criteria for the GPAI are a solid history of high academic achievement, previous management/recruitment experience, and faculty and employer recommendations.) This public administration internship, which focuses on the administrative aspect of community partnerships, is vital for the long-term maintenance of these programs, as it minimizes faculty time commitments while maintaining accountability.

None of these internships are paid, but all interns receive academic credits for the successful completion of their work (which includes graded papers detailing their experiences and relating what they have learned back to the relevant literature). To ensure the ethical treatment of unpaid interns, strict guidelines are followed to guarantee that the intern relationships are not exploitative.¹

Creating Sustainable Community Partnerships

There is no single recipe for creating and managing a mutually productive, sustainable academic-prison partnership. Much has been written about effective community partnerships in other domains, particularly with regard to healthcare, but there is little literature about the types of partnerships discussed here (Ahmed, Beck, Maurana, & Newton, 2004; Minkler et al., 2008). This section will note three strategies found in the literature, offer

pragmatic suggestions for developing sustainable community partnerships between prisons and academic institutions, and show how these strategies informed and guided the community partnership between CRCI and PSU.

Listen

In *The 7 Habits of Highly Effective People*, Stephen Covey identifies an indispensable "habit" that also has an extensive pedigree in the community-based research literature: "Seek First to Understand, Then to be Understood" (Birrell et al., 1998; Covey, 1989; Wiewel & Broski, 1997). Each community partner needs to assess not only its own needs and motivations, but the needs and motivations of both the institutions and of the specific individuals involved in the relationship. Only after genuinely listening to the needs and concerns of each partner and explicitly understanding the advantages of community partnership can programs be designed that specifically target desiderata. Through mutual understanding, each actor has a vested interest in the outcome, and concerns—like hegemonic fears over lack of autonomy—can be preempted.

In regard to the PSU-CRCI partnership, internship creation was a direct response not only to budget cuts but also to *specific staff concerns* regarding what services inmates needed but were not receiving. For example, one of the transitional services staff at CRCI wanted to further develop and evaluate Home For Good in Oregon (HGO). HGO is an ODOC institutional program that works "to insure [sic] successful transition of offenders from prison to the community" ("Home for Good," 2011). Anecdotal reports of the program were universally positive (O'Connor, Cayton, Taylor, McKenna, & Monroe, 2004). The staff's desire to further develop the program and seek independent and demonstrative evidence of HGO's effectiveness culminated in the criminology and criminal justice intern assisting in the management and preparation of a detailed government grant proposal that would assess HGO's efficacy. The concerns of the ODOC staff, as they related to the needs of the inmates, directly determined the nature of this internship.

Finally, both PSU faculty and CRCI staff regularly meet and listen to each other's concerns about making existing internships more productive and expanding opportunities for

¹ For more information on the ethical treatment of interns and accepted standards for interns, see the National Association of Colleges and Employers *Position Statement on U.S. Internships*: http://www.naceweb.org/connections/advocacy/internship_position_paper/

each community partner.² Listening does not cease once initial ideas become realized.

Sustainability

Too often community partnerships fail either because they rely too much on particular individuals or they lack sufficient funding (Baum, 2000; Suarez-Balcazar et al., 2005). For collaborative programs to be sustainable, that is, successfully maintained over the long term, there must be an institutionalized mechanism in place that ensures their success in perpetuity while limiting expenditures. This is even more pertinent in an age of draconian budget cuts.

The PSU-CRCI partnership remedied this through the creation of the graduate public administration internship (GPAI). The purpose of the GPAI is to self-replenish and self-manage academic resources and human capital by taking a leadership role in managing all of the other internship placements. The GPAI ensures that positions are filled by qualified graduate students (i.e., students demonstrating high academic achievement as well as direct experience and/or relevant skill sets) and also interfaces with various stakeholders. The GPAI is inherently sustainable and requires minimal faculty oversight. Due to this unique description of the position, and because the role itself is institutionalized and is part of academic course offerings, success is never dependent upon any single individual for an inordinate length of time.

It must be noted that the GPAI and other intern placements are only possible because interns are unpaid and receive academic credit (and other non-monetary benefits, like resumé building, practical experience, networking, etc.) for their labor. It is this necessary condition, “payment” in academic credits and not money, that allows for the possibility of the program’s sustainability. This is not just limiting but exclusory for non-academic institutions. In the context of *academic* contributions to community well-being, however, offering academic credits for meaningful, relevant, and timely community work allows for the possibility of providing critically needed services and programs at no-to-low-cost. (Bringle & Hatcher, 2002; Chau, Vinekar, & Ran, 2006; Richards et al., 2008; Rose, Reschenberg, & Richards, 2010).

Finally, the community partnership described in this paper is also distinctive because the grant-writing internships are not solely limited to assisting prison staff with operational tasks; rather, the interns seek funding to develop existing (or implement entirely new) programs for inmates. In this regard, the internships have the potential to yield truly generative benefits to the prison staff, the inmates, and the community.

Dissemination

To offer possibilities for reevaluating and improving existing projects, to recognize the efforts of individuals, to demonstrate the results of collaboration, and ultimately to help maintain a successful community partnership, informal and anecdotal reports should be shared among stakeholders. Dissemination at the informal level could take many forms, including openly recognizing individual accomplishments at meetings, distributing project analyses to stakeholders, self-reporting project successes, etc.

Disseminating collaborative results at the stakeholder level yields possibilities to revisit two strategies noted in the beginning of this section: listening and sustainability. Findings can be used by members of a community partnership to refine goals, discuss specific strategies, and revisit sustainable solutions by genuinely listening to the needs of stakeholders and making appropriate adjustments.³

Benefits

Chief among the difficulties in establishing these programs were the initial steps in articulating the advantages for all involved partners. (One reason that formalization of academic-prison partnerships may be so rare is that there is scant literature detailing the benefits of these collaborative relationships.) This section will detail potential advantages for each community partner and explain underlying motivations for successfully interfacing with stakeholders.

Academia

Community collaboration has many distinct advantages both for individual academicians and for colleges and universities. First, principal among these is the possibility of

conducting research in prisons *with the institutional support of management teams*. Even the knowledge that the superintendent and staff are not just tolerating, but are actively supportive of academicians’ projects, is highly coveted because it allays fears among academic researchers that they will not have an opportunity to complete their research and thus will lose a tremendous time investment.

Second, over the past decade there has been a trend in academia advocating that community service (also referred to as “service learning”) be accorded the importance and merit that has been traditionally conferred upon scholarly research and teaching. Several universities have expanded the existing conception of service to include community-based activities (Bringle & Hatcher, 1996; Calleson, Jordan, & Seifer, 2005; Chau, Vinekar, & Ran, 2006; Holland, 1997; Sandmann, Saltmarsh & O’Meara, 2008). Traditionally, university services have included such metrics as the number of committees in which one was involved, one’s service in governance roles, and participation in other activities that contribute to the effectiveness of the university and that benefit the discipline overall (Boddy et al., 2002; Woods, 2006).

With the institutional reevaluation of these traditional categories, new opportunities that center on community engagement are available for faculty and students. The resultant civic participation can improve the surrounding community’s livability, aid in recruitment (i.e., attract students and faculty to the university), and enhance the public’s perception of the university (Chau, Vinekar, & Ran, 2006).

Prisons

Collaboration with both academicians and academic institutions has numerous benefits for prison staff, the community, the prison’s leadership team, and even state-level administrators. One critical objective of *every* department of corrections in the United States is ensuring public safety (Human Rights Watch, 2003). Collaborative relations with universities can improve public safety in a number of important ways.

First, correctional administrators need reliable ways of teasing out which interventions, among the suite of programming options offered, achieve their preventative ambitions. Measuring and assessing the effectiveness of particular programs is particularly problematic given that research budgets are being slashed and that measuring a program’s effectiveness can be time consuming and costly

² For more information about practical ways for prison leadership teams and community members to navigate problems of common concern, see Boghossian’s “The Delphi Technique: Correctional Administration and Community Consensus” (Boghossian, 2010).

³ Dissemination in the public arena (e.g., in the form of articles that report quantifiable project results) is encouraged after a formal evaluation of the program is performed, even if results fall short of initial expectations. Even less than positive results contribute to a body of knowledge that can then be used to inform future academic-prison partnerships.

(Lipsey, Petrie, Weisburd, & Gottfredson, 2006; Wolff & Gerardi, 2007). Academic researchers are uniquely suited to bring their skill sets to bear on this problem and are self-motivated to engage in such work, as it satisfies intellectual and professional goals and often culminates in broadening the knowledge base of the discipline.

Second, community partnerships can reassure the public that prison administrators are actively working on practical, innovative solutions that proactively address public safety concerns. Taxpayers favor state employees providing services that address critical social issues while not requiring additional taxes to support these initiatives. Academic-community partnerships can also have salubrious effects on community cohesion, civic participation, and staff retention (Chau, Vinekar, & Ran, 2006).

Third, there is considerable evidence associating education-based interventions with decreasing recidivism rates (Brazzell et al., 2009; Richards, Faggian, Roffers, & Hendricksen, 2008). Research has shown that providing key skill sets necessary for the economic competitiveness (among other factors) of recently released inmates not only makes inmates feel self-empowered but often through this feeling translates economically into increased opportunities and personally into prosocial attitudes, thinking patterns, and behaviors (Brazzell, et al., 2009). This is particularly beneficial to the communities where offenders are released, as modest increases in educational attainment (e.g., a high school diploma) have been associated with decreased crime rates (Page, Petteuti, Walsh, & Ziedenburg, 2007). Furthermore, academic institutions are ideally suited to provide educational resources and doing so may discharge their secondary mandate of meaningful community engagement.

Obstacles

Every community partnership will face challenges, and alliances between universities and prisons are not exempt from this reality. Some of the obstacles experienced in the PSU-CRCI relationship, particularly during the implementation of the first internship, included prison personnel changes and modifications to the intern's responsibilities. Specifically, because of budget cuts, CRCI staff working with interns were unexpectedly transferred to other facilities. This presented some unexpected challenges for the existing staff and for the interns to keeping the internships

functioning smoothly. Correctional facilities, therefore, need to have a sustainability plan, and it is best if the program is institutionalized in the formal policies and procedures of the particular prison system.

Finally, it should be noted that while every effort can be made to ensure the safety of interns working in a prison environment, ultimately their safety cannot be guaranteed and these internship placements do carry a small degree of risk. Potential dangers, such as the risk of being taken hostage, must be explicitly stated to students during the initial interview, and then again in writing, at the time of placement.

Limitations

This paper has discussed details and benefits of the PSU-CRCI community partnership. However, one limitation is that the partnership benefits have not yet been formally assessed. It should be noted that as this partnership is relatively unseasoned (having been in place for approximately two years), metrics are not available at this time. The number of inmates who directly benefit from the internships depends upon the nature of grants applied for, the number of grants awarded, and the amount of funding received. This data can only be assessed longitudinally due to the protracted nature of the grant life cycle (i.e., grant application, notice of award, disbursement of funds, program implementation, etc.).

However, anecdotal qualitative reports from all stakeholders have been favorable, with students, faculty, and correctional partners informally reporting measures of satisfaction and positive perceptions of professional engagement. The CRCI leadership team has explicitly noted the quality of student services received, and PSU interns have candidly discussed the value of "real world" experience gained, including the opportunity to network with a variety of criminal justice professionals. Faculty have expressed enthusiasm regarding the prospect of future research possibilities that may arise as a result of the partnership, and all parties have discussed personal satisfaction from developing, fostering, and nurturing intern-mentor relationships.

Conclusion

In this age of protracted and often extreme budget cuts, many prisoners do not have access to needed programs and services. There is hope, however, in the form of academic-prison partnerships. Through the unification of individual partners' strengths and assets,

significant contributions can be made toward the well-being of the community. This paper has detailed specific advantages of community partnerships that benefit academicians and universities, as well as prison administrators, prisons, and inmates. This article also demonstrates the application of the thematic strategies to the PSU-CRCI community partnership; it is our hope that this model will ultimately prove effective, demonstrating the potential for successful replication elsewhere. Despite financial constraints, there really are ultra low-cost and sustainable ways to address problems of social inequity.

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The Probationer's Perspective on the Probation Officer-Probationer Relationship and Satisfaction with Probation

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ACCORDING TO THE Bureau of Justice Statistics, over 7.3 million people in the United States were under some form of correctional supervision in 2007, over five million of whom were on probation or parole. Studying the factors that influence the outcomes of parolees and probationers is of critical importance: If rates of recidivism can be reduced among community corrections clients, the benefits are great, both in terms of public safety and the costs of incarceration and supervision. One factor that has the potential to influence the outcome of parolees and probationers is their relationship with their supervision officer. The present study explores probationer perceptions of their relationship with their probation officer (PO) and its association with their perception of the helpfulness of probation.

The popular expression in the service industry that "the customer is always right" reflects the importance of customer satisfaction in the world of commerce. Businesses, in an effort to retain customers, seek to implement high-quality customer service practices and advertise their excellent customer service as a means of attracting new customers. In the realm of criminal justice, the importance and role of customer (or offender) satisfaction is much less firmly established. Indeed, the general public may contend that offenders are not held sufficiently accountable for their actions and are not punished severely enough. In fact, it has been argued that when addressing

customer satisfaction in the criminal justice system, it is the *public* whose customer satisfaction is paramount, not the *offender* (Rhine, 2002). However, exploring the perceptions of probationers about probation and their supervision officers is potentially a resource in the continued effort to make the criminal justice system more effective and efficient.

Little has been published regarding the satisfaction of probationers with probation or with their PO. In a survey of 468 probationers by Arizona's Maricopa County Adult Probation Department, 86 percent were satisfied overall with probation, and 89 percent felt as though they were working with their PO to develop strategies to assist in completing probation (Cherkos, Ferguson, & Cook, 2008). With respect to the PO-probationer relationship, the results were favorable: 94 percent of those surveyed either agreed or strongly agreed that their probation officer spent a reasonable amount of time with them; 92 percent felt as though they were treated respectfully; 91 percent felt they were kept informed about how they were doing on probation; and 90 percent felt their PO listened to them. The results suggest an association between the PO-probationer relationship and the perceived helpfulness of probation. Also of note, the positive qualities of the PO-probationer relationship that received high levels of endorsement (e.g., patience, trust, open communication, willingness to listen) are similar to qualities that have been

found to be important for effective relationships between therapists and clients (Lambert & Barley, 2002).

Researchers in the field of psychology have long found that the quality of the therapist-client relationship, also known as the therapeutic or working alliance, has a significant impact on client outcomes (Lambert & Barley, 2002). In fact, the therapist-client relationship has been found to account for 30 percent of the variance in client outcome, twice as much as that accounted for by the type of therapy delivered (Lambert & Barley, 2002). Three dimensions seem to underlie positive therapist-client relationships: a trusting relationship, agreement on the goals of treatment, and agreement on the tasks needed to achieve these goals (Bordin, 1979; Horvath & Greenberg, 1989).

One implication of the importance of the therapist-client relationship for probation administrators may be that choosing a particular offender supervision model is not as important as making sure that the right staff are in place to deliver the model. If the relationship between PO and offender impacts probationer success in a manner parallel to that of therapist-client, then it is crucial for POs to be able to cultivate relationships with their clients that maximize the likelihood of probationer success.

As noted by Burnett and McNeil (2005), the findings from psychology on the importance of the therapeutic alliance translate

to the criminal justice field: "To conclude that relationships and practical support matter in delivering effective probation work is hardly startling. However, we think that these conclusions need to be re-stated because, as we have argued, they have been neglected in the service's enthusiastic and well-intentioned pursuit of effectiveness through the design and delivery of effective programmes" (Burnett & McNeill, 2005, p. 237). A small body of research has emerged that indicates an association between PO-probationer relationship and recidivism (Annison, Eadie, & Knight, 2008; Barry, 2007; May & Wood, 2005; McNeill, 2006; Wormith, Althouse, Simpson, Reitzel, Fagan, & Morgan, 2007). In addition, a meta-analysis of core correctional practices found that the establishment of open, warm, and enthusiastic communication styles and the development of mutual respect and liking between the offender and the criminal justice professional administering treatment is associated with lower recidivism (Dowden & Andrews, 2004).

The importance of a positive relationship between probation officer and probationer is not lost on the probationer. In qualitative research with 60 probationers, Rex (1999) found that offenders felt more committed to stopping their criminal behavior if they were positively engaged in the relationship with their probation officer. Offenders defined positive relationships by whether the PO displayed empathy, was able to listen well, treated them with respect, and allowed them to talk freely. In fact, several participants identified these relationship qualities as helping them to complete probation successfully. Rex concluded that it was overwhelmingly important for the offenders to engage in a positive relationship with their probation officer in order to achieve pro-social changes.

The significance of the relationship is understood by the POs as well. Bracken (2003) surveyed 75 POs about the importance of various skills needed to effectively supervise offenders. Three of the top four skills identified by POs concerned relational abilities: coping with offender emotions, interpersonal communication skills, and interviewing skills. Annison et al. (2008) surveyed 257 PO job applicants and found that the two leading reasons they were seeking the profession were because they enjoyed working with people and wanted to help offenders. Significantly, in a subsample of current POs, a lack of one-on-one contact with offenders was listed as a key reason for PO job dissatisfaction. The

above findings suggest that POs recognize the importance of a skill set necessary to create a good relationship with probationers, are interested in developing productive relationships with their probationers, and are unhappy when opportunities to do so are not provided. A great deal of frustration that POs experience may have less to do with their probationers than with variables such as caseload size and agency politics (Johnson, 1998).

In summary, research suggests that probationer satisfaction with their PO is linked with their relationship with their PO. Further, the qualities that make productive relationships in probation seem to be similar to the working alliance identified in psychotherapy as important in the change process. Both probationers and POs appear to identify these common elements as important in developing an effective working and helpful relationship.

The primary purpose of the present study was to examine the association between probationers' perception of their relationship

with their PO and their sense of the overall helpfulness of probation. Secondly, the research sought to address whether probationers' perception of the relationship varies by demographic characteristics (e.g., age, gender, and ethnic background) or probation characteristics (such as number of times on probation or number of probation officers). Finally, the study attempted to ascertain the general satisfaction level of the probationers.

Method

Participants

Participants were probationers reporting to three Connecticut probation offices on the days that the study survey was administered. Two hundred and two adult probationers consented to complete the survey. Participants' demographic information is provided in Table 1. The age, ethnicity, and gender breakdown of the sample did not differ significantly from that

TABLE 1.
Participant Characteristics (N = 202)

Characteristic	Frequency	Percentage
Age Range		
18-30	87	43.0
31-40	46	22.8
41 and older	65	32.2
Missing	4	2.0
Gender		
Female	170	84.2
Male	31	15.3
Missing	1	0.5
Ethnic Background		
White	84	41.6
African American	66	32.7
Hispanic	44	21.8
Other	8	3.9
Probation Office Type		
Urban	141	70
Suburban/Rural	61	30
Number of Times on Probation		
One	103	41.6
More than one	60	51.5
Missing	39	6.9
Number of Probation Officers During Current Probation Term		
One	84	51.0
More than one	104	29.7
Missing	14	19.3

of the Connecticut probation population. The refusal rate was estimated at 25 percent.

Client Satisfaction Survey

The client satisfaction survey was based on one used by Cherkos and colleagues (2008) due to its brevity, ease of comprehension, and focus on the PO-probationer relationship. For purposes of the present study, several items were omitted or revised and additional items on the PO-probationer relationship were created. The resulting survey consisted of several demographic items (e.g., age range, ethnic background, gender), and probation information items (e.g., length of time on probation, number of times on probation periods), followed by 15 questions oriented around probationers' perception of their probation officer (e.g., "My probation officer is knowledgeable"), the professionalism of the office environment (e.g., "The receptionist greets me in a pleasant and professional manner"), and one item concerning the overall helpfulness of probation ("My probation experience is helping me to stay out of trouble"). The response choices for the items were on a Likert scale: a = "strongly agree," b = "agree," c = "disagree," and d = "strongly disagree." For data analysis purposes, the response choices were assigned values of 4 (strongly agree), 3 (agree), 2 (disagree), and 1 (strongly disagree).

Of the 15 client satisfaction items, 11 specifically concerned probationers' satisfaction with their relationship with their PO. In keeping with Bordin (1979) and Horvath and Greenberg (1989), these items concerned the bond between the probationer and officer (e.g., "My probation officer listens to me"), the degree of agreement between the probationer and officer in the goals necessary to address in supervision (e.g., "My probation officer has worked with me in determining what things I want to work on"), and the degree of agreement between the probationer and officer on the tasks necessary to achieve those goals (e.g., "My probation officer assists me in finding services"). The 11 items were summed to yield a relationship satisfaction score ($M = 34.59$; $SD = 6.19$; $\alpha = .90$). Scores on the 11-item measure ranged from 14 to 44, with higher scores indicating greater satisfaction.

Procedure

The project was approved by an institutional review board before data collection. On three randomly selected days, probationers arriving for appointments in one urban and two suburban/rural probation offices were approached

individually for participation in the survey. The surveyor, who was not an employee of probation, explained that participation was voluntary, anonymous, and confidential. The surveyor received consent orally and in writing. Participants completed the survey before meeting with their probation officer. Participants placed their completed surveys in an envelope and then in a collection box.

Results

Relationship Satisfaction and the Overall Helpfulness of Probation

Scores on relationship satisfaction were regressed on responses to the final item of the survey, "My probation experience is helping me to stay out of trouble." In order to first account for the influence of demographic and probation variables on this dependent variable, the independent variables were entered hierarchically. Demographic variables were entered on the first step of the equation, probation variables were entered on the second step, and relationship satisfaction was entered on the third step. The significance of the change in R^2 was used to evaluate the significance of each step in the regression.

As summarized in Table 2, neither demographic nor probation variables were significant predictors of ratings of probation helpfulness. Only relationship satisfaction emerged as a significant predictor, F change (1,111) = 42.30, $p < .001$, with higher relationship satisfaction being associated with higher ratings of probation helpfulness. The

correlation between relationship satisfaction and ratings of overall probation helpfulness was .54, indicative of a large effect size.

Relationship Satisfaction and Participant Demographics

Analyses did not indicate that relationship satisfaction varied as a function of demographic variables. The relationship satisfaction score of male participants ($M = 34.61$; $SD = 5.95$) did not differ significantly from that of female participants ($M = 34.56$, $SD = 7.45$), $t(161) = .04$, $p = .97$. White participants ($M = 35.25$, $SD = 5.58$) did not differ significantly from nonwhite participants in their responses ($M = 34.07$, $SD = 6.56$), $t(161) = 1.22$, $p = .22$. Nor did relationship satisfaction differ as a function of age range, with the 18- to 30-year-old group ($M = 33.54$, $SD = 6.17$) yielding similar scores to the 31- to 40-year-old group ($M = 35.62$; $SD = 6.15$) and the 41 and older group ($M = 35.21$, $SD = 6.16$), $F(2,158) = 1.85$, $p = .16$.

Relationship Satisfaction and Probation Variables

Analyses did not indicate that relationship satisfaction varied as a function of probation variables. The relationship satisfaction score of participants at the urban office ($M = 34.99$; $SD = 6.24$) did not differ significantly from that of participants in the suburban/rural offices ($M = 33.80$, $SD = 6.05$), $t(162) = 1.17$, $p = .25$. The relationship satisfaction of participants who had been supervised by one officer during their current probation term ($M = 35.63$, $SD = 6.26$) did not differ significantly

TABLE 2.
Hierarchical Multiple Regression Predicting Probation Helpfulness

Predictor	Probation Helpfulness			
	β	t	R^2	R^2
Step 1			.01	.01
Gender	-.08	-.52		
Age range	.04	.57		
White/Nonwhite	-.08	-.60		
Step 2			.02	.01
Probation office type	-.10	-.72		
Number of times on probation	-.04	-.28		
Number of probation officers during current probation term	-.04	-.26		
Step 3			.29	.27*
Relationship satisfaction	.06	6.50*		

Note. * $p < .001$.

from participants who had been transferred at least once during their current probation from one officer to another ($M = 33.95$, $SD = 6.30$), $t(150) = 1.64$, $p = .10$. The relationship satisfaction of participants serving their first sentence of probation ($M = 34.44$; $SD = 6.56$) did not differ from those serving their second or more ($M = 34.48$, $SD = 5.29$), $t(131) = -.03$, $p = .97$.

Overall Client Satisfaction

Table 3 presents a summary of participants' responses to all of the items on the client satisfaction survey with *strongly agree* and *agree* ratings collapsed into one category. Overall, the summary data indicate strong client satisfaction with probation. For 10 of the 15 items, 80 percent or more of respondents fell into the *strongly agree/agree* category. No item fell below a 66 percent rate of endorsement of *strongly agree/agree*.

Discussion

The primary purpose of the present study was to examine the association between the PO-probationer relationship and probationers' perception of the helpfulness of probation. As measured by a brief survey, PO-probationer relationships marked by qualities common to the working alliance identified in psychotherapy such as trust, respect, and mutually agreed-upon goals were correlated with, and predictive of, probationers' perceptions of the overall helpfulness of probation. In fact, the PO-probationer relationship was a better predictor of perceived helpfulness than demographic or probation characteristics.

The high level of satisfaction that probationers expressed with the relationship with their PO and the high level of agreement with the statement that probation was helping them stay out of trouble are encouraging reminders that the work of the PO is significant and influential and that how POs interact with their probationers can have a positive influence on their clients' lives. Many POs may be surprised to learn that probationers are mindful of their relationship with their PO. The findings imply that, at an agency level, program directors and administrators should continue to explore staff training initiatives that facilitate the relationship between the PO and probationer.

The study did not find that the PO-probationer relationship differed as a function of probationer race, age, gender, number of times on probation, or the number of probation officers they had been

TABLE 3

Summary of Client Satisfaction Survey Responses

Item	N	Strongly agree or agree % (n)
My PO spends a reasonable amount of time with me during visits	201	95 (190)
My PO and I work together to help me complete probation successfully	200	95 (189)
My PO treats me respectfully when I meet with him or her	201	93 (187)
My PO is knowledgeable	190	93 (176)
My PO listens to me	199	92 (184)
My PO lets me know how I am doing on probation	198	90 (178)
My probation experience is helping me to stay out of trouble	191	87 (166)
My PO has worked with me in determining what things I want to work on	198	86 (170)
My PO compliments me when I make good decisions	196	83 (166)
I feel my PO cares about me	194	82 (160)
My PO understands me	192	82 (151)
I trust my PO	191	79 (157)
My PO is optimistic about my future	192	79 (154)
The receptionist greets me in a pleasant and professional manner	198	76 (151)
My PO assists me in finding services	193	69 (133)
When visiting my PO, the wait time in the lobby is usually reasonable	199	66 (132)

assigned. This optimistically suggests that the PO-probationer relationship qualities associated with a positive attitude toward the helpfulness of probation may be developed with probationers from varying demographic and probation backgrounds. However, further study of the PO-probationer relationship by a greater variety of PO, probationer, and organizational variables than those measured in the present study may be able to identify predictors of poor relationships and means of remediating them.

Consistent with the Maricopa County study by Cherkos and colleagues (2008), probationers appeared to be satisfied with probation. All but two of the 15 items were endorsed as strongly agreed or agreed by more than 70 percent of the participants. The two items which fell below 70 percent, "My PO assists me in finding services" (endorsed as strongly agreed or agreed by 69 percent) and "When visiting my PO, the wait time in the lobby is usually reasonable" (endorsed as strongly agreed or agreed by 66 percent) point to areas for potential improvement that may be perceived as beneficial by both PO and probationer.

One limitation of the present study was the relatively small sample size, especially with respect to female probationers. If this

study is replicated, we recommend that efforts be made to strategize methods for ensuring more potential for female probationer input. Another limitation was the potential influence of the participant refusal rate on the findings. It is possible that probationers who are satisfied with probation may be more willing to participate in such a survey, biasing the results in a more positive manner than is reflected in the total population. It is also possible that probationers who are disgruntled and feel they are being treated unfairly may be more willing to participate in such a survey, biasing the results in a more negative direction. Another limitation of the study concerns the level of trust the participants had in the confidentiality of the survey. Those administering the survey assured participants that all results would be anonymous and confidential, but it is likely that not all participants were confident that this was truly the case and therefore some may not have answered truthfully.

Psychotherapy research has examined the proportion of variance in positive outcome that is accounted for by the working alliance as compared to the specific therapy technique (Lambert & Barley, 2002). It would be useful to conduct parallel research in community corrections to explore the associations between the PO-probationer relationship,

community corrections programming, probation completion, and recidivism. Further understanding of the emerging importance of the PO-probationer relationship can potentially aid in making parole and probation systems more responsive and effective.

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Supervision Fees: State Policies and Practice

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CHARGING FEES FOR supervision-related costs has a long history. Michigan and Colorado began charging probation fees in the 1930s, but by 1980 only 10 states had joined them.² During the 1980s, however, the use of fees expanded rapidly, partially spurred on by the so-called "taxpayer revolt" of the late 1970s. By 1986 the number of states that charged supervision fees had jumped to 24, rising to at least 40 by 1997.³ While this growth and the revenue that accompanied it pales in comparison to the overall increase in criminal justice costs, which, not including the cost of arrest, prosecution, and general costs to victims, jumped "from \$9,000,000,000 in 1982, to \$59,600,000,000 in 2002,"⁴ the rise of supervision fees presents a compelling narrative that is crucial to understanding how to make them more effective.

Before continuing further, however, we must distinguish among the three main types of criminal justice financial obligations imposed on offenders: restitution, fines, and fees. Restitution is repayment to the victim

for the loss the victim suffered, while fines are meant to punish the offender and deter others from committing such crimes. Fees on the other hand are not meant as punishment; instead their purpose is to defray administrative costs, such as the cost of prison haircuts or the salaries of probation officers. By "supervision fees" in this article I refer collectively to probation, parole, and other types of supervision, but not to fees incurred during incarceration.

Policies on supervision fees across the country are geared almost exclusively toward raising revenue and generally give local departments a high degree of discretion to institute and collect fees as they see fit. The patchwork of policies has proved an obstacle to national data on how much is being collected, and local departments vary greatly in claims of success. On one end of the spectrum are claims from probation departments in some jurisdictions of "becoming financially self-sufficient through the collection of supervision fees."⁵ On the other end are reports that fees inhibit supervisory work and that "going after overdue fees is less cost-effective than just eating the costs."⁶ Unfortunately, most data on the subject is limited in scope and dated. As one recent study said, "even though fees are imposed as a revenue-generating measure, none of the fifteen [states with the highest prison population] had a statewide process for

tracking the costs of collection," nor did any of them have "any kind of process for measuring the impact of criminal justice debt and related collection practices on former offenders, their families, or their communities."⁷

More importantly, however, all information on the subject suffers from one fundamental flaw: the failure to distinguish between supervisees at a high risk of unsuccessful reentry (including recidivists, parolees coming off of long prison terms, and the chronically unemployed) and low-risk supervisees (such as many of those convicted of drunk-driving or possession of marijuana). All of the studies on supervision fees are policy-oriented and incorrectly use the experience of one group to generalize to the other without acknowledging the differences between them. Claims of successful supervisory fee programs are inflated by the cost-effectiveness of collecting fees from low-risk supervisees, while claims that fees are an obstacle to reentry and not worth the trouble of collecting are inflated by the experiences of high-risk supervisees. This distinction is especially important for parolees in light of Congressional findings accompanying the Second Chance Act:

[B]etween 15 percent and 27 percent of prisoners expect to go to homeless shelters upon release from prison....Fifty-seven percent of Federal and 70 percent of State inmates used drugs regularly before going to prison... over one-third of all jail inmates have some physical or mental disability...70 percent of all prisoners function at the lowest literacy levels....[and] 1 year after

¹ The views expressed in this article are those of the author and do not necessarily reflect the views of the Juneau Alaska City Prosecutor's Office.

² CHRISTOPHER BAIRD ET AL., PROJECTING PROBATION FEE REVENUES: A REVENUE PROJECTION MODEL FOR AGENCIES BASED ON LOCAL POLICIES AND DEMOGRAPHIC DATA 2 (National Council on Crime and Delinquency, Midwest Office 1986).

³ LIS, INC., FEES PAID BY JAIL INMATES: FINDINGS FROM THE NATION'S LARGEST JAILS (U.S. Department of Justice, National Institute of Corrections 1997); FAHY MULLANEY, ECONOMIC SANCTIONS IN COMMUNITY CORRECTIONS 2 (U.S. Department of Justice, National Institute of Corrections 1988).

⁴ Second Chance Act of 2007, Pub. L. No. 110-199, 2008 H.R. 1593 (2008) (Codified as amended in scattered sections of 42 U.S.C. and 18 U.S.C.).

⁵ Olson & Ramker, *Crime Does Not Pay, but Criminals May: Factors Influencing the Imposition and Collection of Probation Fees*, 22 JUST. SYS. J. 29, 30 (2001).

⁶ Butterfield, *Many Local Officials Now Make Inmates Pay Their Own Way*, New York Times, Aug. 13, 2004, at A1.

⁷ ALICIA BANNON ET AL., CRIMINAL JUSTICE DEBT: A BARRIER TO REENTRY 10 (Brennan Center for Justice 2010).

release, up to 60 percent of former inmates are not employed.⁸

In addition to being oversimplified, the issue of supervision fees has been unduly politicized because of their general public popularity; thus, issues of philosophy and effectiveness have largely been glossed over. At their best, supervision fees can raise significant revenues in a time when austerity measures threaten many people's standard of living and may help instill a greater sense of responsibility and accountability in offenders. At their worst they can increase the tax burden through collection costs and increased incarceration for failure to pay, and undercut the fragile road to reentry.

This article will first track the national policy narrative that accompanied the explosive adoption of supervision fees since the 1980s, then suggest areas for reevaluation and reform.

National Policy Narrative

In the 1980s the growth in supervision fees was "unplanned...created and imposed without any policy foundation."⁹ A few limited studies were conducted toward the end of the decade, but for the most part they focused on pointing out potential issues and compiling different subjective opinions about fees. In 1990, however, a publication of the National Institute of Justice entitled "Recovering Correctional Costs Through Offender Fees," by Dale Parent, started to set a new tone for policymakers.¹⁰ Though policies from state to state still vary, the influence of Parent's recommendations can be seen in almost every jurisdiction. The next major event in the narrative was a less formal, more evocative article co-authored by Parent in 1993, in which he cited examples of counties that managed to raise substantial revenues from supervision fees—some counties even reported making a profit—and set out revised recommendations on aggressive collection methods based on those experiences. The figures upon which this 1993 study was based are problematic, but they helped influence most states to adopt Parent's suggestions. The next stage of the policy narrative marks a major shift from

Parent's number-centered approach, but as yet it has had little impact on revising state laws. The first major work of this stage is a 2007 report from the Council of State Governments Justice Center recommending, contrary to Parent, that successful reentry, child welfare payments, and restitution be prioritized over fees.¹¹ The Second Chance Act of 2007 further bolstered this de-emphasis on fee collection by focusing on recidivism prevention, reentry success, and the promotion of family stability throughout the criminal justice system.¹² Finally, a 2010 report by the Brennan Center for Justice, a non-partisan public policy law institute at New York University School of Law, presents the most complete research of any study on the topic and criticizes the supervisory fee system.¹³ While these recent developments show signs of influencing state policies, they are only beginning to have an impact.¹⁴ Each of these stages of the policy narrative will be analyzed in more detail below, beginning with the Parent stage.

The Parent Stage

Parent's 1990 study was sponsored by the National Institute of Justice and made 9 recommendations:

1. "Maximize Correctional Agencies' Incentives to Collect," because making correctional institutions directly benefit from fees tends to increase revenue collection rates.
2. "Emphasize Supervision and Room and Board [Prison] Fees," because they can easily be applied to a large number of offenders.
3. "Levy Fees on Large Numbers of Offenders," and make fee waivers very difficult to obtain by making fees mandatory.
4. "Do Not Consider Fee Issues in Setting Length of Supervision," to avoid unnecessary extension of supervision.
5. "Avoid Low Supervision Fees," because "it costs about as much to collect a \$10 fee as it does to collect a \$40 fee....Therefore, raising the average fee levied is the fastest way to increase total revenue." (This counters a finding from 1986 that the optimal rate is \$15–\$17.¹⁵)

¹¹ RACHEL McLEAN & MICHAEL THOMPSON, REPAYING DEBTS (Council of State Governments Justice Center 2007).

¹² Second Chance Act, *supra* note 3.

¹³ BANNON, *supra* note 6.

¹⁴ See, e.g., SPECIAL COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING INMATE FEES, INMATE FEES AS A SOURCE OF REVENUE: REVIEW OF CHALLENGES (Executive Office of Public Safety and Security 2011).

¹⁵ BAIRD, *supra* note 1, at 12–13.

6. "Establish Cost-Effective Fee Waiver Procedures," primarily by assigning the maximum fee level at sentencing and then allowing supervisees to submit financial information required for waivers later, unless presentence financial reports are already available. The Brennan Center report quoted below has shown that in practice this often leads to the indefinite postponement of a full waiver process and spiraling debt.
7. "Give Fees High Priority in the Imposition and Collection of Court-Ordered Obligations." Here Parent argues that if fee collection is not a high priority, then "officials may want to abandon fees altogether and thus avoid the additional costs of their collection."
8. "Develop Certain and Credible Responses for Non-Payment." Here the report emphasizes the necessity of prompt and increasingly severe consequences. It suggests that a second missed payment "should prompt a complete review of the offender's financial condition," a third missed payment should prompt an administrative hearing where officials may move to waive the fee, and subsequent missed payments trigger a tightening of the conditions of probation through curfews, community service, or even revoking probation altogether. Parent does not address the fact that these measures would raise the cost of supervision or consider the question of whether they would increase payment rates. Before Parent's study, the vast majority of financial reviews were conducted *prior to* setting the fee amount, but Parent does not address this option.¹⁶
9. "Provide Effective Management Information on Fee Collection" by increasing computerization and basing supervision officers' employee evaluations on "how well they perform fee collection duties."

In contrast to his 1990 study, Parent's 1993 article is an opinion piece arguing that strong incentive programs had led to outstanding success rates for supervision fees in Texas counties and elsewhere, including Yakima County, Washington, which in just a few years had "become completely self-supporting through probation fees—and even make[s] a 'profit.'"¹⁷ While the article argued that this outstanding success was a product of well-designed

¹⁶ *Id* at 17. See also MULLANEY, *supra* note 2, at 14.

¹⁷ Finn & Parent, *Texas Collects Substantial Revenues From Probation Fees*, 57 FED. PROBATION 17, 17 (1993).

⁸ Second Chance Act, *supra* note 3. See also Federal Interagency Reentry Council, "Reentry Facts," <http://www.nationalreentryresourcecenter.org/facts> (Last visited May 16, 2012).

⁹ MULLANEY, *supra* note 2.

¹⁰ DALE PARENT, RECOVERING CORRECTIONAL COSTS THROUGH OFFENDER FEES (U.S. Department of Justice, National Institute of Justice 1990).

incentives, such incentives also encourage exaggeration and inaccuracy; in addition, the numbers Parent cited were abnormally large due to what were then novel crackdowns on drunk driving. First we will turn to the incentives and best practices recommended, and then to problems of accurate reporting.

The incentives are designed with a baseline assumption that “despite the common perception of the criminal as penniless and unemployable, most offenders on probation who have committed misdemeanors—and even many felony offenders—can afford reasonable monthly supervision fees.”¹⁸ This assumption paints with an inappropriately broad brush, blurring the essential distinction between high- and low-risk supervisees, and presumably is the justification for Parent’s omission from the article of less quantifiable costs like recidivism rates and the effects on families. Instead, the article focused on incentives created by the Texas legislature, best practices by local probation departments, and the wider benefits of supervision fees.

It identified three incentives created by the legislature, the most important of which “was to allow departments to carry forward into the next fiscal year a portion of the supervision fees [when] they take in more money than they spend.”¹⁹ The second incentive was that local probation departments were given broad individual discretion in how to spend fee revenues, and the third was that the “Texas Legislature has made sure that probation departments can collect enough revenue from fees to cover—and substantially exceed—the staffing costs necessary to collect the money.”²⁰ These incentives were created without oversight or an audit system, and Parent makes clear that the easiest way to benefit from these incentives is simply to prioritize fees at the expense of fines and restitution. He reports that “since 1974, judges in Jefferson County (as well as many other counties in Texas) have generally ordered that payments be credited first to supervision fees and only then to other court-ordered financial obligations.”²¹

Regarding local best practices, the article concentrated on Jefferson County, Texas, where “supervisors consider fee collection performance heavily in evaluating performance among officers....In another Texas county, a supervisor reported he posts his officers’ collection rates every month on a bulletin board

to stimulate competition among officers to achieve a favorable performance record.”²² A similar competition board is used to pressure judges to uphold a strong no-waiver policy:

[E]very month he [an administrator] issues a report that shows how often each judge in the county waived payments and how much in arrears each judge’s probationers have been. The administrator believes that, because judges are sensitive to how they perform compared to their peers, the report encourages them to impose fees more often and take stronger enforcement actions against probationers who are in arrears than they might otherwise be inclined to do.²³

Furthermore, the strong no-waiver policy demands that except in the most extreme cases, waivers are only granted after months of inability to pay.²⁴ The article also endorses a strict enforcement of payment program, including the possibility of jail time for willful nonpayment.²⁵

In addition, in this article Parent argues that collecting fees does not detract from casework, because probation officers “eventually realize that they are not just collecting bills; by enforcing fee payments they are benefiting the probationer.”²⁶ Furthermore, he recommends that fees should always be “the first topic of discussion” and “casework can be addressed only in the remaining time.” Sometimes probation officers have to spend “the entire office visit motivating offenders to make their payments,” but Parent sees such visits as productive and appropriate.²⁷

There are a number of problems with Parent’s conclusions. While these incentives and recommendations can conceivably increase revenues, there is insufficient evidence to conclude that they are responsible for the counties’ success. The increase in fee amounts coupled with ballooning caseloads from a crackdown on drunk driving could explain the revenue success independently of the stringent incentives. Indeed, the study admits that the success of Yakima County, the most successful county cited, “is due in large measure to increased caseloads, which rose almost 50 percent...many of these new

probationers are individuals charged with drunk driving who can usually afford to pay.”²⁸

A more fundamental problem with the research, however, is that the incentives, coupled with the lack of oversight, are likely to cause reporting errors or an excessive emphasis on fees. For example, in 2008 Jefferson County, Texas (the same county whose statistics Parent used to justify many of his 1993 conclusions) reported collecting the equivalent of half of their budget from fees (over 3.6 million dollars), but did not report collecting any revenue from fines; in addition, almost one-third of the fee revenue came from a women’s center, presumably collected as nominal room and board costs.²⁹ Furthermore, an independent “Management and Performance Review of County Government Operations” for the county said in 2005 that “In recent years, their [the adult probation office, among others] efforts to collect unpaid fees and fines have proven ineffective. The county should seek free assistance from the state’s Office of Court Administration, which can train county staff in the collection of fees and fines and provide ongoing support for this function.”³⁰ A more serious instance of problems emerged in a 1998 audit in Arizona, which found that in the absence of oversight mechanisms, county probation departments were grossly overestimating the number of supervisees to inflate their budgets while at the same time mismanaging fee revenues so that millions of dollars were not fully used.³¹ Such instances cast doubt on the idea that aggressive fee incentives can perform as a financial silver bullet for states.

The Post-Parent Stage

Council of State Governments Report

Parent’s recommendations were the preeminent policy standards throughout the country until the Council of State Governments set out six national policy recommendations in 2007.

²⁸ *Id.* at 21.

²⁹ *Id.* at 20; Jefferson County Auditors Office, “Comprehensive Annual Financial Report for the Fiscal Year Ended September 30, 2008,” 76, 86 http://www.co.jefferson.tx.us/auditing/cafr/cafr_2008.pdf (last visited May 16, 2012).

³⁰ MGT OF AMERICA, MANAGEMENT AND PERFORMANCE REVIEW OF COUNTY GOVERNMENT OPERATIONS IN JEFFERSON COUNTY, TEXAS ES-4 (Government of Jefferson County, Texas 2005).

³¹ Norton, *Performance Audit: Supreme Court’s Administrative Office of the Courts, Adult Services Division*, 1998 STATE OF ARIZONA OFFICE OF THE AUDITOR GENERAL 1, 1.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ *Id.* at 18.

²¹ *Id.*

²² *Id.*

²³ *Id.* at 19.

²⁴ *Id.* at 19.

²⁵ *Id.*

²⁶ *Id.* at 20.

²⁷ *Id.*

These recommendations aimed to standardize collection methods and ensure that child support was prioritized first, then restitution, and that no other fines or fees should inhibit the collection of those preeminent forms of debt. The report made a number of other important recommendations, particularly:³²

- Tailoring the total sum of criminal justice debt to individual defendants;
- Taking into account “documentation from the individual of his or her past, present, and future earnings, assets, debts, job skills, educational level, health issues, and disabilities;”
- Making a single agency responsible for managing collections;
- Capping the percentage of an individual’s assets that can be seized;
- Calculating a realistic payment schedule; and
- Instituting a “range of sanctions and incentives” for compliance that deemphasizes intensified supervision or revocation, though still retaining them as options, and endorses the use of in-depth financial assessments and mandatory budget classes.

Second Chance Act

Based on findings of the great difficulties that offenders face in reentry, Congress designed the Second Chance Act of 2007 “to break the cycle of criminal recidivism...to rebuild ties between offenders and their families...to promote stable families and communities...to encourage the development and support of...substance abuse treatment, alternatives to incarceration, and comprehensive reentry services...[and] to assist offenders reentering the community from incarceration to establish a self-sustaining and law-abiding life.”³³ Relating specifically to supervision, the act requires a review of the process by which violations of supervision are adjudicated and the implementation of “the use of graduated, community-based sanctions for minor and technical violations of parole, probation, or supervision (specifically those violations that are not otherwise, and independently, a violation of law).”³⁴ This recommendation of graduated, community-based sanctions differs from the automatic and aggressive sanctions advocated by Parent. Furthermore, the Act requires the development and implementation

of “procedures to identify *efficiently* and *effectively* those violators of...supervision...who should be returned to prisons, jails, or juvenile facilities and those who should receive other penalties based on defined, graduated sanctions.”³⁵ Given the high cost of jail time, revoking probation for delinquency on fees can be seen as very inefficient and also ineffective, because of the damage to the supervisee’s employability. Overall, the Second Chance Act promotes individualized review and the prevention of recidivism over the cost-effectiveness of criminal justice debt.

Brennan Center for Justice Report

This report is based on the most comprehensive data, comparing policies, interviews, and statistics from the 15 states with the highest incarceration rate, and much of this data focuses on the less quantifiable costs involved in fee collection. However, it is wholly concerned with barriers to reentry from prison and does not offer any insights into the effects of supervision fees on low-risk offenders. The report also deals with all criminal justice debt, not just supervisory fees. It found that debilitating sanctions, such as revoking driver’s licenses, arrests, and incarceration, were overused and applied to people who qualify for waivers.³⁶ It also found that waivers were only granted to a fraction of those eligible.³⁷ Furthermore, it cited the highly problematic use of private companies to collect debts.³⁸ The collection fees, which are usually charged directly to the supervisee without figuring into any official records, “can rival the fine,” and collection methods can be very harsh and intimidating without any oversight mechanism.³⁹

No state legislatures have responded to this post-Parent policy shift by revising their statutes. However, Massachusetts recently conducted a feasibility report on criminal justice fees that could presage changes in supervision fees policies.⁴⁰ The report was a reaction to a 2010 Massachusetts Supreme Court case that invalidated one county’s daily room and

board, GED testing, and other fee programs.⁴¹ The programs were invalidated because the sheriff had exceeded his authority to impose fees by going beyond the cap set by the county commissioner, but the opinion also found that since the implementation of the fees, “the number of indigent inmates has increased,” and somewhat opaquely rejected the argument that the fees “will ‘assist [inmates] in preparing for their transition back [into the community].”⁴² A little over a year later, however, the Massachusetts Supreme Court upheld a number of other fees, which it characterized as “valid regulatory fees,” as opposed to a tax. These fees included a monthly probation fee, an annual sex offender registry fee, and a \$110 DNA collection fee.⁴³

Recommendations

All discussion of fees, their collection, and their effects on budgets and offenders is hampered by a paucity of well-designed studies and thus a lack of reliable data. First and foremost, before jurisdictions can decide whether supervision fees are a good idea and, if so, at what level they should be set and how administered, we need comprehensive studies of all relevant factors, particularly effects on child care and restitution payments, success rates of reentry, the entirety of collection costs, and the proximate cause of arrests or jail time needs. If it turns out that supervision fees are in fact a good idea, then at least four factors should be considered by jurisdictions in designing supervision fees that strike the proper balance between long-term goals, individual and social needs, and revenue creation:

1. Setting proper priorities;
2. Using individualized and well-adapted collection methods;
3. Instituting proper oversight mechanisms; and
4. Implementing well-designed types of fees.

Furthermore, these factors need to be informed by the crucial difference between high-risk and low-risk supervisees.

Priorities

Most states leave it up to local departments to decide which type of debt takes priority, and usually there are incentives to make fees the top priority. However, prioritizing fees

³² RACHEL McLEAN & MICHAEL THOMPSON, REPAYING DEBTS 17 (Council of State Governments Justice Center 2007).

³³ Second Chance Act, *supra* note 3.

³⁴ *Id.*

³⁵ *Id.* Emphasis added.

³⁶ BANNON, *supra* note 6, at 3.

³⁷ *Id.* at 10.

³⁸ *Id.* at 17.

³⁹ Liptak, *Debt to Society Is Least of Costs For Ex-Convicts*, New York Times, Feb. 23, 2006, at A1.

⁴⁰ SPECIAL COMMISSION TO STUDY THE FEASIBILITY OF ESTABLISHING INMATE FEES, INMATE FEES AS A SOURCE OF REVENUE: REVIEW OF CHALLENGES (Executive Office of Public Safety and Security 2011).

⁴¹ Souza v. Sheriff of Bristol County, 455 Mass. 573, 576, 918 N.E.2d 823, 825 (2010).

⁴² *Id.*

⁴³ Doe v. Sex Offender Registry Bd., 459 Mass. 603, 947 N.E.2d 9 (2011).

over other types of debt is inconsistent with the Second Chance Act, counterproductive toward long-term goals, and has not been proven to increase overall criminal justice debt collection rates. The Council of State Governments recommends that debt be prioritized as follows:⁴⁴

1. Child care payments, which reduce the severe burden on families and help break destructive cycles;
2. Restitution, which augments an overall sense of justice in society that is valuable for rehabilitation;
3. Fines, and
4. Fees.

While proponents of a fees-first approach claim that fees have rehabilitative value, the only reason stated is the regularity of making payments and an awareness of the consequences of their actions.⁴⁵ Furthermore, such proponents assume without objective support that fees are more rehabilitative than any other type of debt.

There is also the administrative side of priorities; unrealistic expectations about the revenue potential or reliability of fees should be avoided. For the first few years after fees were introduced more broadly in the 1980s, there appeared to be numerous simple ways to increase fee revenue, from instituting different types of fees to sending out automatic payment reminders. Because of this, many states set high collection goals and strong incentives to accelerate the increase of revenue growth, including putting fee revenue toward probation officer salary. But time has shown that fee revenue is more fickle than anticipated, especially because of the disproportionate amount of revenue that comes from DUIs and the current volatility of the job market.⁴⁶ Common responses to the fickleness of fee revenue are to make it nearly impossible for offenders to get a waiver, institute a high monthly fee rate, and collect fees at the expense of other types of debt. But these measures are ill-suited to the problem. It would be better for all concerned if fees were individualized to each supervisee and revenue targets (if any) were realistic and updated at least annually.

Collection Methods

In 1994 Virginia abolished the monthly parole supervision fee and instead adopted a one-time fee determined at sentencing. Though this change greatly limited the revenue potential of fees, Virginia justified the move because otherwise the fees were “a huge hassle to collect.”⁴⁷ Around the same time as Virginia’s switch, almost every other state legislature, in an effort to raise revenue, doubled or tripled the monthly fee, made the maximum fee rates mandatory, and allowed waivers only in extreme cases after months of documented inability to pay. Beyond these measures, legislatures gave counties broad discretion in collection methods. Popular methods included using automated billings and reminders, graduated and increasingly severe sanctions for nonpayment, and in some cases hiring new employees to collect fees. In more recent years, counties have used independent collection companies that collect their costs from supervisees in addition to fees. Generally, low-risk supervisees do not require collection methods beyond reminder letters, while high-risk supervisees often require harsher collection methods.

Incarceration and private collection companies, the two harshest collection methods, are very problematic. Incarceration is so much more costly than supervision that only a few days in prison expends a disproportionate amount of fee revenue, and it may also decrease the likelihood of successful reentry. Furthermore, whether a threat of incarceration has a positive effect on collection rates is unclear and has yet to be thoroughly studied. Private collection companies, on the other hand, grossly inflate the costs to offenders. Companies in Georgia, for example, charge \$30 or \$40 per month, a cost that can rival the payment collected.⁴⁸ Beyond these two methods, some studies, including those conducted by the Brennan Center for Justice, claim that even seemingly mundane collection methods can adversely affect supervisees in significant, though less measurable ways.⁴⁹ For example,

frequent automated letters might produce enough anxiety to undercut the confidence supervisees need to succeed.

Some research suggests that the best way to balance the promotion of successful reentry with efficient fee collection is to abolish mandatory fees and nearly impossible waivers and give more latitude to judges to tailor fees to individual supervisees. A study from Wyoming in the mid-1980s showed that individualized fees had a higher collection rate even with very lax collection methods, and fees clumped together with other types of debt also had higher collection rates.⁵⁰ Such less-aggressive tactics have been mostly ignored since the early 1990s, but they should be explored more thoroughly as cheaper options that are also likely to be more conducive to successful reentry.

Oversight

Counties have been given great discretion over almost all aspects of fees. These mini-laboratories of democracy might be a good place from which to find the best approach to fees, but a lack of oversight and useful record-keeping has hindered such discovery. Nearly all of the studies cited in this research are based on mere opinion surveys or telephone interviews that are not supported by sufficiently detailed records to conclusively determine how effective particular fee types or collection methods are. Furthermore, the aggressive incentives in place in many counties also serve as incentives to exaggerate and be non-transparent. Oversight is also needed to coordinate collection methods, which are often split up among different departments with insufficient communication between them.

Fee Types

Giving different guidelines for different types of fees may be an effective way to balance the two objectives of raising revenue and promoting successful reentry. The most common types of fees are monthly fees, fees for drug or similar tests, and fees for GPS tracking devices. A report about the most effective prison inmate fees found that fees related to work privileges were most effective, and the key to their effectiveness seems to be the quid pro quo arrangement relating to the inmate as an individual.⁵¹ Similar quid pro quo arrange-

⁴⁴ McLEAN & THOMPSON, *supra* note 30, at 33–34.

⁴⁵ See e.g. Finn & Parent, *supra* note 16, at 20.

⁴⁶ See Minnesota Department of Corrections, *Supervision Fees: 2005 Report to the Legislature*, 2005 MINNESOTA DEPARTMENT OF CORRECTIONS 1.

⁴⁷ BANNON, *supra* note 6, at 31. Virginia does retain other types of supervision fees. See also Morgan, *Research Note: A Study of Probation and Parole Supervision Fee Collection in Alabama*, 20 CRIMINAL JUSTICE REVIEW, 44 (1995) (describing a similar attitude toward fee collection among most parole and probation officers in Alabama).

⁴⁸ Liptak, *supra* note 29.

⁴⁹ See BANNON, *supra* note 6, at 11; REBEKAH DILLER ET AL., MARYLAND’S PAROLE SUPERVISION FEE: A BARRIER TO REENTRY (Brennan Center for Justice 2009).

⁵⁰ GREEN, *supra* note 15.

⁵¹ BARBARA KRAUTH ET AL., FEES PAID BY JAIL INMATES: FEE CATEGORIES, REVENUES, AND MANAGEMENT PERSPECTIVES IN A SAMPLE OF U.S. JAILS 36–37 (U.S. Department of Justice, National Institute of Corrections 2005).

ments can be effective in supervisory fees, for example, fees related to a woman's shelter, a breathalyzer ignition, a GED program, a drug treatment center, or a work program where successful completion could reduce the period of supervision. However, such arrangements raise potential Equal Protection issues under the Fourteenth Amendment.

The advent of the Second Chance Act and ongoing research about evidence-based efforts to reduce recidivism and encourage successful reentry seem likely to prompt changes sooner or later. Thus despite severe budget constrictions affecting states and counties, the years ahead are likely to see expanded efforts to design fees that maximize the balance between revenue generation and successful reentry.

Developing Leaders in the Federal Courts: Twenty Years of the Federal Judicial Center's Leadership Development Program for Probation and Pretrial Services Officers

Michael Eric Siegel, Federal Judicial Center

Alyson J. Higgins

Christine Valentine

American University Alumni & FJC Interns

If your actions inspire others to dream more, learn more, do more and become more, you are a leader.

—John Quincy Adams

NOW IN ITS 20th year, the Federal Judicial Center's Leadership Development Program (LDP/the Program) has helped to promote leadership skills in over 800 U.S. federal probation and pretrial services officers, specialists, and supervisors from almost all of the 94 judicial districts. As of 2012, fully 53 percent of the current chief U.S. probation and pretrial services officers are LDP graduates. Many other graduates have been promoted as well. As seen in Figure 1, the program completion rate is 82 percent. The leadership skills participants have developed and the projects they have completed have resulted in cost savings and innovation within their districts. Ultimately, the program has assisted the federal judiciary in developing a capable cadre of leaders to help deal with the daunting challenges in the years ahead, which was the expressed goal of the program as articulated by the Judicial Conference in 1992.

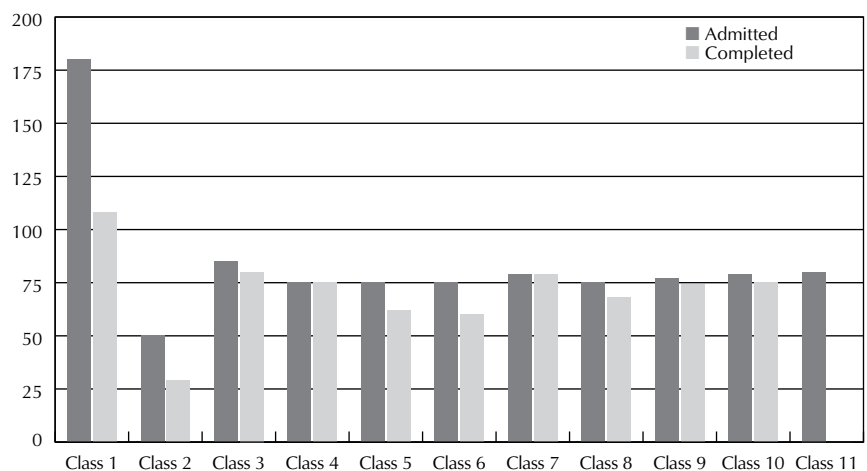
This article describes the history of the program, analyzes its major components, describes its unique blending of academic and experiential approaches to development and leadership skills, and assesses the impact of the three-year program on the participants and on the federal court system overall (Siegel & Quickel, 2009).

A Call to Action

In 1992, the Committee on Criminal Law of the Judicial Conference (the main decision-making body for the U.S. Courts) raised concerns about several issues. The first was an anticipated vacuum in capable and prepared leaders in federal probation and pretrial services, since a significant number of chiefs were approaching mandatory retirement age (57 years old). The second concern arose from changes that had taken place in federal probation and pretrial services offices stemming from Congressional statutes, Administrative Office of the U.S. Courts (AO) guidelines, and new automation applications.

Finally, the Committee expressed concern about the wide variation among the probation and pretrial services officers in implementing the changes (Siegel & Quickel, 2009). To address the issues, the Federal Judicial Center (the Center) designed the Leadership Development Program to promote a new generation of leaders aware of the changes in the system and equipped to meet new challenges. The need for this leadership development has been more recently articulated in the Judicial Conference's strategic plan for the judiciary. The 2010 Strategic Plan for the Federal Judiciary states: "To ensure a sufficient internal supply of qualified candidates, the

FIGURE 1.
Admitted vs. Completed



judiciary should initiate a meaningful leadership development training program along with the creation of executive relocation programs to widen the pool of qualified internal applicants” (Strategic Plan for the Federal Judiciary, 2010).

This call to action is what inspired the Center to begin the program 20 years ago, and it continues to animate the program managers and Center staff. As new changes occur within the system, the program must adapt and promote new leadership development techniques to continue its mission to improve leadership skills within the U.S. Courts.

Designing the Leadership Development Program

When establishing the program, Center staff took into account the concerns of the Judicial Conference’s Committee on Criminal Law. In response to the Conference’s suggestions, the Center envisioned the following goals for a leadership development program:

- To develop a personal approach to leadership and management;
- To develop new skills in the area of change management;
- To develop an ability to benchmark the achievements of federal probation and pretrial services officers;
- To broaden participants’ understanding about judicial administration; and
- To learn from the best practices of other probation and pretrial services officers across the country (Siegel & Quickel, 2009).

With these goals in mind, the Center undertook a study of leadership development programs in both the public and private sectors to determine which program components would most benefit federal probation and pretrial services officers. The study showed that the leadership development programs that achieved the greatest success were those that offered learning opportunities over an extended period of time. Another study conducted by the Center for Creative Leadership confirmed that a broad range of leadership challenges, including completing a temporary work assignment outside of the person’s area of expertise, contribute to the building and seasoning of effective managers (Siegel & Vernon, 1994). To be most valuable, the program must also incorporate actual challenges from within the U.S. Courts System.

The Center staff designed a three-year development program to improve leadership within the U.S. Courts system grounded in

the actual needs of the system, sensitive to but not driven by current leadership literature, and responsible to the decision-makers and funders of the federal probation and pretrial services system (Siegel & Quickel, 2009). The Leadership Development Program was created to challenge participants with a rigorous and dynamic program that includes multiple projects, leadership literature, and in-person leadership training. The Center appointed faculty members (college professors, consultants, leadership experts) to provide ongoing mentorship and feedback to participants throughout the program (Siegel & Quickel, 2009).

Who is Eligible for the Program?

After considerable debate, the design committee at the Center settled on the following criteria for admission to the Leadership Development Program. Candidates would have to be one of the following:

- Currently a deputy chief probation or pretrial services officer;
- Currently a CL 29, step 25 supervisory probation or pretrial services officer;
- Currently a CL 28, step 25 nonsupervisory probation or pretrial services officer (may include officer-in-charge, specialist, and other job titles at this level);
- Currently a CL 28, step 25 probation or pretrial services officer with at least 3 years of experience in the federal system at that level; or
- Currently a CL 29, step 25 systems manager, financial manager, or human resource manager in probation or pretrial services.

One other issue caused considerable discussion: the role of the chief probation/pretrial services officer in the nomination/selection process. After vigorous debate, the Center decided to give chiefs the option of supporting or simply acknowledging the participation of one of their officers in the program. Chiefs are not involved in the selection process; Center staff review applications and score each section according to an extensive grading rubric with specific requirements for scores.

Leadership Development Program Content

As previously stated, the program consists of multiple projects, leadership literature, and in-person leadership training. Specifically, this entails the Management Practice Report, the In-District Project, and the Temporary Duty Assignment.

Management Practice Report

The Management Practice Report is the first project participants must complete and it provides a beneficial transition into leadership activities. This project requires participants to read leadership literature, conduct interviews with at least three leaders in the public and private sectors, and complete a report summarizing their findings on the impact that leaders have on their organizations.

In-District Project

About halfway through the program, participants must complete an In-District Project. This project requires participants to take an issue or challenge in their district, analyze its root causes, propose a solution, and implement that solution with the input of the chief and the faculty advisor. This project allows participants to practically apply the skills they learned from the Management Practice Report and confront the struggles that face a leader. Participants’ projects have generally been clustered in these five areas:

1. Education and Training Programs
2. Technology Implementation/Improvement
3. District Policies and Procedures
4. Evidence-Based Practices/Studies and Performance Management Assessments
5. Safety/Wellness Programs

To create a project that will benefit their district, many participants create needs assessment surveys, interview other district employees, and review policies (Siegel and Quickel, 2009). A former LDP participant commented that “the In-District Project began as a task but became a passion.” This project has become a way for participants to elicit change within their district and to make a lasting impact on the court system.

Some recent examples of the projects from the eleventh class include:

- “Community Outreach” developed by Brian Driver in the Northern District of Illinois. Due to the economic recession, Driver hopes to raise awareness of how the mission and vision of the probation office benefits taxpayers. He will use the public school system to raise awareness among the student population.
- “A Pretrial Orientation Program for Defendants and Families” developed by Stephen R. Pridgen in the Northern District of Florida. This program will guide defendants and families through the pretrial phase, providing information about the process leading up to the sentencing,

about the Bureau of Prisons, and about a number of opportunities that are now offered through the BOP to help individuals prepare for release back into society, including the Reentry program. Additional information will include local resources for counseling and financial management for the individual families.

- “Designing Measurement Tools to Monitor Staff’s Work Processes and Products” developed by Ken Reid in the Northern District of Ohio. Reid will design measurement tools to ensure that all staff members are performing at an appropriate level and to measure how the district is incorporating evidence-based practices.

Through the implementation of the projects, participants have learned that “not all change is created equal” and that some innovations may look better on paper than they do when applied to a real situation. They have also learned the importance of persuasion and the need for buy-in from colleagues and managers in their districts.

Temporary Duty Assignment

In the last phase of the program, participants are asked to work briefly in another field, with the options including other judicial districts, other governmental branches and agencies, or private corporations. During this time, participants must observe new management techniques and leadership strategies, contribute to short-term projects, and interview relevant leaders and staff. This assignment gives participants the tools they need to become better leaders and managers in their own districts. Examples of past temporary duty assignments include the Delmarva Shorebirds Baseball Club, Catholic Charities of Omaha, the Executive Office of the President—Office of National Drug Control Policy, the Sacramento Intelligence Unit, and many others.

Conclusion

Since the inception of its inaugural class in 1992, the Leadership Development Program has been effective in achieving many of its objectives over its 10 completed classes (Siegel, 2005). To help understand the trends of these successes, we need to paint a portrait of the participants of the program. Of the 804 participants (approximate), 483 have been male and 321 female (Higgins, 2012). This breakdown is important, because it shows the increasing participation of women in a field where leadership positions have traditionally been dominated by white males.

Numbers alone cannot tell the story of the Leadership Development Program’s success. Past participants can speak to the lasting implications of the program for their professional and private lives and the court institution overall. LDP participants from class 11 are still in the program, but already have positive things to say. One participant said, “I’m so proud to be in this program. Each project/paper has enabled me to grow in ways I would not have anticipated.” Another participant remarked, “It is a fabulous program and everyone should be required to complete it. It provokes thoughts and makes individuals seek others’ opinions when working in offices with multiple personalities and styles. The program teaches you to be open-minded, to think more clearly, and to be a positive leader.” Retired Chief U.S. Probation Officer and Colonel Michael Herman recently returned from active duty and noted that he “utilized that three-year program in hostile, stressful, and combat related arenas and it has saved many lives and accomplished many wonderful things.”

The successes of the Leadership Development Program can be seen both quantitatively and qualitatively in the statistics and responses of participants (Siegel and Quickel, 2009). One of the major benefits of the program is that through the projects and

seminars, the probation and pretrial services system has learned *how* to learn. In this way, graduates of the program are on their way to becoming “reflective practitioners” (Schon, 1987). Some of this learning will promote increased efficiencies, and some will actually result in dollar savings (Siegel and Quickel, 2009). The program breeds new leaders in an ever-changing system and promotes a profession of “reflective practitioners.” These are people who accomplish their work responsibilities, but also take the time to reflect on their work and the ways in which they can improve (Schon, 1987).

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JUVENILE FOCUS

ALVIN W. COHN, D.CRIM.

President, Administration of Justice Services, Inc.

Youth in Custody

OJJDP has published *National Center for Youth in Custody*. This fact sheet provides an overview of the mission, objectives, and services of the recently launched National Center for Youth in Custody. Emphasizing the rehabilitative goals of the juvenile justice system, the center will deliver training and technical assistance; identify, document, and promote evidence-based approaches to working with youth in custody; and serve as a resource for juvenile justice practitioners, youth in custody, and families. The center will provide training curriculums, Webinars, and professional development, among other services. See <http://www.ojjdp.gov/publications/PubAbstract.asp?pubi=257757>

OJJDP FY 2011 Awards

OJJDP has posted data on its fiscal year (FY) 2011 awards on its website. The information, which includes the names of the grantees and the amounts of their awards, covers discretionary grants, formula, and block grants. In FY 2011, OJJDP awarded more than \$393 million in grants in support of its mission to prevent and respond to juvenile delinquency and child victimization, including more than \$287 million in discretionary funding. See www.ojjdp.gov/funding/fy11awards.html

Violence Publications

OJJDP has released two new bulletins from its National Survey of Children's Exposure to Violence (NatSCEV) series and a fact sheet on the survey:

- "Polyvictimization: Children's Exposure to Multiple Types of Violence, Crime, and Abuse" focuses on polyvictimization, which is defined as having experienced multiple victimization of different kinds, such as sexual abuse, physical abuse, bullying, and exposure to family violence.

- "Children's Exposure to Intimate Partner Violence and Other Family Violence" explores in depth the NatSCEV results regarding exposure to family violence among children in the United States, including exposure to intimate partner violence, assaults by parents on siblings of children surveyed, and other assaults involving teen and adult household members.
- OJJDP also released a fact sheet that outlines the survey's objectives and key features, how the research team measured exposure to violence, and plans for follow-up surveys and publications. See "Polyvictimization: Children's Exposure to Multiple Types of Violence, Crime, and Abuse" (NCJ 235504) at <http://www.ojjdp.gov/publications/PubAbstract.asp?pubi=257485>. Print copies can be ordered online from the National Criminal Justice Reference Service.
- "Children's Exposure to Intimate Partner Violence and Other Family Violence" (NCJ 232272) is available online at <http://www.ojjdp.gov/publications/PubAbstract.asp?pubi=254358>. Print copies can be ordered online from the National Criminal Justice Reference Service.
- "Questions and Answers About the National Survey of Children's Exposure to Violence" (NCJ 235163) is available online at <http://www.ojjdp.gov/publications/PubAbstract.asp?pubi=257139>. Print copies can be ordered online from the National Criminal Justice Reference Service.

Military Families

OJJDP recently awarded a total of \$20 million to nine organizations to support mentoring programs and services for youth with a parent in the military. The Department of Defense provided this funding to OJJDP as part of a joint effort to support military families. "Children in military families experience unique challenges that other children may

never face, such as dealing with their deployed parents' extended absence and anxiety over their safe return," said Jeff Slowikowski, OJJDP Acting Administrator. "These nine programs will provide children of military families a listening ear and caring support during a difficult time in their lives."

The nine organizations include:

- Boys & Girls Clubs of America (awarded: \$12,310,000) serves 458,994 youth in 386 youth centers in military communities worldwide, providing mentoring programs and services to children of military families.
- Big Brothers Big Sisters (awarded: \$3,310,000) operates the national Military Mentoring Program in more than 50 agencies, pairing youth who have parents in the military with adults in the military, ROTC, or in military school.
- National 4-H Council (awarded: \$1,310,000) recruits youth from military families to participate in mentoring programs and will start new program sites near military bases.
- KidsPeace (awarded: \$570,000) will establish the *Help for Military Families* e-mentoring program to address the emotional needs of youth whose parents are deployed. The program will provide a platform for youth and their parents to openly communicate with e-mentors and with each other to mitigate the child's emotional struggles as a result of a parent's deployment.
- Cal Ripken, Sr. Foundation (awarded: \$550,000), through a partnership with Child and Youth Programs of the Department of Defense, uses the foundation's Healthy Choices, Healthy Children Curriculum. The program emphasizes living a healthy lifestyle and is intended to be implemented in schools and through local sports organizations.
- National Alliance of Faith & Justice (awarded: \$550,000) will implement its "PEN OR PENCIL" (POP) program in

selected military communities. POP is a group and peer mentoring program to reduce juvenile delinquency.

- Public/Private Ventures (awarded: \$550,000), through its Amachi Multi-State Project, will enhance and expand mentoring services to underserved populations, specifically targeting children from military families.
- YMCA of San Francisco (awarded: \$550,000) supports Military Clinical Case Managers serving approximately 30 military families per year. The program recruits youth to participate in mentoring services, develops resources for families with one or more deployed caregivers, and provides comprehensive case management services.
- Sea Research Foundation (awarded: \$300,000), through its Immersion Mentoring program, provides a stabilizing influence for military youth and their families. Mentors will help mentees through STEM (science, technology, engineering, and math) mentoring programs. See http://www.ojp.usdoj.gov/newsroom/pressreleases/2011/JJ_PR-101111.htm

Youth Programs

The Interagency Working Group on Youth Programs has created an online Web tool that allows users to search for federal grant opportunities by youth topic or federal agency on Grants.gov. The tool uses a filter to search for grants that are likely to fund youth programs. Grants.gov is a website that allows users to search and apply for thousands of federal grants. See www.findyouthinfo.gov/GrantsSearch.aspx and find federal grants on <http://grants.gov>

Policing Resource Center

The International Association of Chiefs of Police (IACP) and OJJDP have launched the Youth Focused Policing Resource Center. This website provides a directory of law enforcement programs and services for youth, training and technical assistance in juvenile justice, information on IACP resources, searchable resource library, secure discussion forum for law enforcement officials, and comprehensive information and resources relating to youth crime, delinquency, and victimization. See www.iacpyouth.org. For any questions, e-mail iacpyouth@theiacp.org.

Teen Alcohol

The National Institute for Alcohol Abuse and Alcoholism has released "Alcohol

Screening and Brief Intervention for Youth: A Practitioner's Guide." This tool helps healthcare professionals identify youth at risk for alcohol-related problems, counsel or advise them, and connect them to external sources of treatment. It contains a risk assessment survey and links to motivational interviewing resources. The guide is free and can be downloaded or ordered online. See www.niaaa.nih.gov/Publications/EducationTrainingMaterials/YouthGuide.

College Debt

Student debt rose last year, the Project on Student Debt reports. Members of the college class of 2010 who took out student loans owed an average of \$25,250 upon graduation, a five percent increase from the year before. The figures indicate average indebtedness increasing at about the same annual rate as in the past five years. About two-thirds of the class of 2010 borrowed for college, and the students were hit especially hard because the unemployment rate for new college graduates stood at 9.1 percent the year they graduated—though that was less than half the rate for those who have only a high school diploma.

Nation's Report Card

Public school students across the U.S. posted record scores in math this year, but their progress stalled in reading, according to the National Assessment of Education Progress. In math, 40 percent of fourth-graders and 35 percent of eighth-graders scored at a level that was proficient or advanced. That performance was unchanged for fourth-graders since the test was last given in 2000, but was slightly better for eighth-graders. The tests, often referred to as the nation's report card, also showed minimal progress in narrowing the achievement gap between white students and their black and Latino counterparts, despite nearly 10 years of federal law designed to close that margin. The tests have been given every two years since the early 1990s and offer educators, parents, and policy-makers a sense of how the nation's students are progressing over time.

Violence National Survey

As a supplemental tool to the National Survey of Children's Exposure to Violence (NatSCEV), the Crimes against Children Research Center has released the Juvenile Victimization Questionnaire-2nd Edition (JVQ-R2). The questionnaire, which is the core of NatSCEV, attempts to document the full range of victimization that youth experience, including

conventional crime, maltreatment, peer and sibling victimization, sexual victimization, witnessing, and other exposure to violence.

Dating Violence

A National Institute of Justice (NIJ) study has found that school-level interventions reduced dating violence as much as 50 percent in 30 New York City public schools. These interventions included using school-based restraining orders, increasing faculty and security presence in dating violence "hot spots," and hanging posters to increase awareness of the issue and encourage students to report it to officials. NIJ is a research branch of the Office of Justice Programs at the U.S. Department of Justice.

"The success of school-level interventions is particularly important because they can be implemented with very few extra costs to schools. The scientific methods in this study were rigorous," said NIJ Director John H. Laub, Ph.D. See www.ojp.gov/newsroom/pressreleases/2011/OJP_PR-110911.pdf. Read the full report, at www.ncjrs.gov/pdffiles1/nij/grants/236175.pdf.

Criminal Justice Materials

NCJRS cordially invites you to join its information network and learn firsthand about the most current federal justice news, ranging from research, statistics, and policies to the availability of training resources, upcoming events, and funding opportunities. To register, visit NCJRS and complete a profile, identifying areas of interest and contact information to receive JustInfo, the NCJRS bi-monthly electronic newsletter, and other valuable resources. To expand information resources currently available to researchers, policymakers, and practitioners, NCJRS actively collects articles, research, and other information products for their library and abstracts database, which is one of the largest criminal justice repositories in the world. Go to <https://www.ncjrs.gov/library/contribute.html> to learn more about contributing to the collection. To view the NCJRS abstracts database, visit <https://www.ncjrs.gov/library.html>. To learn more about the wealth of information and resources available online from NCJRS and OJP, visit www.ncjrs.gov and www.ojp.usdoj.gov.

Hot Spots

OJJDP has published "Hot Spots of Juvenile Crime: Findings From Seattle." The bulletin provides the first examination of the

distribution of officially recorded juvenile crime events in smaller geographical areas—such as a favorite gathering place in a mall, restaurant, or shop—rather than by police precincts or beats, the larger areas usually patrolled by police. Between 1989 and 2002, researchers geographically mapped the crime incidents in which a juvenile was arrested in Seattle to identify the rates and hot spots of juvenile crime in the city. The OJJDP-funded study reveals that juvenile crime tends to concentrate in discrete areas where youth congregate, and that police resources are used most efficiently when law enforcement focuses specifically on these places to deter crime. See http://www.ojjdp.gov/publications/Pub_Abstract.asp?pubi=253637. Print copies can be ordered online from the National Criminal Justice Reference Service.

DMC Virtual Resource Center

OJJDP has launched the Disproportionate Minority Contact (DMC) Virtual Resource Center. This online center provides DMC coordinators, state advisory group members, and other juvenile justice professionals with tools and resources to support their state and local DMC efforts. The website also provides networking opportunities for users to exchange data and information, share DMC training materials, and notify others about upcoming conferences and events and current policies, practices, and procedures. Regular website spotlights will feature state and local DMC delinquency prevention and systems improvement activities. See www.nttac.org/index.cfm?event=dmc.modelResource

Probation and Parole in the United States, 2010

This publication presents statistics about adult offenders under community supervision while on probation or parole during 2010. It examines changes in community supervision populations during 2010 and prior years. The report documents a slowing of growth in these populations over time and declines in recent years. The report also provides statistics on the number of offenders entering and exiting probation and parole and the turnover of these populations. It describes the outcomes of supervision, including the rate at which probationers or parolees completed the terms of their supervision or were incarcerated for violating the conditions of supervision. Appendix tables in the report include detailed information by jurisdiction, such as entries and exits by type; sex, race, and Hispanic

origin of offenders; offense type; supervision status; and Global Positioning System (GPS) offender tracking, including sex offenders.

Highlights include the following:

- The number of adult offenders under community supervision declined by 66,700 during 2010 to reach 4,887,900 offenders at year-end 2010.
- At year-end 2010, about 4,055,500 adults were on probation, and during 2010 more than 4.4 million adults moved onto or off probation.
- At year-end 2010, an estimated 840,700 adults were on parole, and about 1.1 million offenders moved onto or off parole during the year. Both parole entries (down 0.5 percent) and exits (down 1.8 percent) declined during 2010.

Substance Abuse

A new spotlight report by the Substance Abuse and Mental Health Services Administration (SAMHSA) shows that the vast majority of residential substance abuse treatment programs are operating near full capacity. This report indicates that there is continuing widespread demand for these services. The residential treatment programs included in the report are those operating outside a hospital setting. Nationwide a total of 110,795 residential beds were designated for this purpose, with more than three quarters (76 percent) in private non-profit facilities. Utilization rates within these facilities varied somewhat among the types of institutions running them—ranging from 96 percent in facilities operated by the federal government to 82 percent operated by tribal governments. These figures are based on findings from the 2009 National Survey of Substance Abuse Treatment Services (N-SSATS). N-SSATS collects data from all known treatment facilities located around the country. About one-third of these facilities provide mental health services, while about two-thirds provide mental health screenings. This survey was developed by SAMHSA as part of its strategic initiative on data, outcomes, and quality—an effort to create integrated data systems that help inform policy makers and providers on behavioral health issues. This survey is available on the web at http://oas.samhsa.gov/spotlight/web_spot_033.pdf. For related publications and information, visit <http://www.samhsa.gov/>.

Restitution Toolkit

This toolkit was developed by the National Center for Victims of Crime (NCVC) as part

of a project to improve the collection of crime victim restitution by capturing the knowledge and experience of those on the front lines. This project also included a Webcast roundtable featuring presentations by 5 programs representing different approaches to improving restitution collection, and the publication from that roundtable, “Making Restitution Real: Five Case Studies on Improving Restitution Collection.” Many officials share responsibility for the collection of victim restitution, from prosecutors and their staff to court personnel, probation and parole officials, corrections departments, and even victims themselves. The toolkit includes resources of interest to all of them, as well as to policymakers. For ease of access, materials are organized into 6 broad categories:

- Setting the Framework for Restitution
- Promoting Early Payment
- Making Payment Plans Work
- What Happens after Default
- Special Circumstances
- Self-Help for Victims

The materials shown were gathered through a variety of means: some were provided by speakers and participants in the NCVC 2010 Restitution Roundtable; others were identified through outreach to practitioners and staff research; still others were created as part of this project. All are used with permission. Importantly, although we cast our net wide in assembling the materials contained here, we realize that other jurisdictions may have developed other tools and resources that would be of interest to their peers. The NCVC remains interested in gathering those additional resources. Please feel free to contact us at ncvcpolicy@ncvc.org if you have something to share.

OJJDP National Conference

OJJDP has placed materials presented at its 2011 National Conference during conference sessions, grantee meetings, and learning labs online. The conference, “Children’s Justice & Safety: Unite, Build, Lead,” took place on October 12–14, 2011, at National Harbor, MD. Download the conference program, request conference session materials, and download grantee meeting materials and learning lab materials online. See www.ojjdp.gov/2011conference/. Download the conference program at www.nttac.org/index.cfm?event=conferenceOJJDP2011_confprog. Request conference session materials at https://www.nttac.org/index.cfm?event=conferenceOJJDP2011_presentReq. Download

grantee meeting materials at www.ontac.org/index.cfm?event=conferenceOJJDP2011Labs_sessions

NIJ Journal

In the current issue:

- Responding to Transnational Crime—Supporting Research, Improving Practice
- Strengthening NIJ: Mission, Science and Process
- Reconsidering the Project Greenlight Intervention: Why Thinking About Risk Matters
- Indigent Defense: International Perspectives and Research Needs
- Final Findings From the Expert Panel on the Safety of Conducted Energy Devices
- Beyond the Prison Bubble

PREA Assistance

New from the American Probation and Parole Association (APPA) is a series of materials providing background on implementing the Prison Rape Elimination Act of 2003 in Indian Country. Titled *Preventing and Addressing Sexual Abuse in Tribal Detention Facilities*, the series aims to enhance understanding among leaders and correctional staff about the importance of PREA, the seriousness of sexual assault in correctional facilities, and what role each person can play in developing and implementing effective strategies for the prevention of sexual assault in the future. Materials from the series include:

- **Brochure**—an overview of PREA and its application in tribal facilities.
- **Bulletin**—full-length report expanding on the topics covered in the brochure.
- **A Policy Development Guide**—detailed instruction on to how implement the essentials of PREA in a facility.
- **Training Curriculum, Participant Manual, and PowerPoint Presentation**—training materials for instructors of line staff employees.

More PREA information, including free training, online resources, research, and technical assistance is available for all areas of corrections from the National Institute of Corrections. Visit the NIC PREA website page to learn more.

NIC Corrections Community

Are you a member of the NIC Corrections Community? Signing up gives you access to a full corrections network where you can ask and answer questions and read what

your peers in the field are finding important. Broad discussion topics thus far have included offender employment, women offenders, mental health, community-based corrections, and pretrial services. To become a member of the Corrections Community, visit www.nicic.gov, then click the Collaborate tab, and click the Join Our Corrections Community link.

Bullying in Schools

OJJDP has released *Bullying in Schools: An Overview*. This bulletin examines the connection between different types and frequencies of bullying, truancy, and student achievement, and whether students' engagement in school mediates these factors. It discusses the results of three studies conducted in 2007 at the National Center for School Engagement, and compares these results with those from a Swedish study. The authors conclude that victimization in the form of bullying can distance students from learning. Schools can overcome this negative effect if they adopt strategies that engage students in their work, creating positive learning environments that produce academic achievement. See www.ojjdp.gov/pubs/234205.pdf

Sex Harassment

During the 2010–2011 school year, 48 percent of students in grades 7 to 12 experienced some form of sexual harassment in person or electronically via texting, e-mail, or social media, according to the American Association of University Women. The survey asked 1,002 girls and 963 boys from public and private schools nationwide whether they had experienced any of various forms of sexual harassment. In all, 56 percent of the girls surveyed and 40 percent of the boys said that they had experienced at least one incident of sexual harassment during the school year.

OJP Annual Report

The Office of Justice Programs (OJP) has released “2010 OJP Annual Report: Mapping a Course.” The report discusses OJP's commitment to outreach and collaboration with the criminal and juvenile justice fields, and describes OJP's innovative programs and technology, evidence-based programs and practices, and funds management. The report is available online. See www.ojp.gov/newsroom/pdfs/10_ojp_annual_report.pdf

Delinquency Cases

OJJDP has released four fact sheets on delinquency cases in juvenile and criminal courts:

- “Juvenile Delinquency Probation Caseload, 2008” presents statistics on delinquency cases resulting in probation between 1985 and 2008.
- “Delinquency Cases in Juvenile Court, 2008” presents statistics on delinquency cases processed between 1985 and 2008 by U.S. courts with juvenile jurisdiction for public order, person, and property offenses and drug law violations.
- “Person Offense Cases in Juvenile Court, 2008” presents statistics on person offenses (including assault, robbery, rape, homicide, and other crimes involving force or threat of force against persons) handled by juvenile courts between 1985 and 2008.
- “Delinquency Cases Waived to Criminal Court, 2008” presents statistics on petitioned delinquency cases waived to criminal court between 1985 and 2009.

“Juvenile Delinquency Probation Caseload, 2008” (NCJ 236478) is available online at www.ojjdp.gov/pubs/236478.pdf.

“Delinquency Cases in Juvenile Court, 2008” (NCJ 236479) is available online at www.ojjdp.gov/pubs/236479.pdf.

“Person Offense Cases in Juvenile Court, 2008” (NCJ 236480) is available online at www.ojjdp.gov/pubs/236480.pdf.

“Delinquency Cases Waived to Criminal Court, 2008” (NCJ 236481) is available online at www.ojjdp.gov/pubs/236481.pdf.

Juvenile Arrests

OJJDP has released *Juvenile Arrests, 2009*. Part of the Juvenile Offenders and Victims National Report Series, this bulletin summarizes 2009 juvenile crimes and arrest data reported by law enforcement agencies across the country and cited in the FBI report, *Crime in the United States 2009*. Juvenile arrests for violent offenses declined 10 percent between 2008 and 2009, and overall juvenile arrests fell 9 percent during that same period. Between 1994—when the Violent Crime Index arrest rates for juveniles hit a historic high—and 2009, the rate fell nearly 50 percent to its lowest level since at least 1980. Arrest rates for nearly every offense category for both male and female and white and minority youth were down in 2009. However, during 2000–2009, juvenile arrests for robbery rose 15 percent and arrest rates for murder were unchanged, so juvenile crime and violence continue to plague many communities. See www.ojjdp.gov/pubs/236477.pdf

Suicide and Bullying for LGBT Youth

The Suicide Prevention Resource Center has released, "Suicide and Bullying," a brief on the relationship between bullying and suicide, especially as it relates to lesbian, gay, bisexual, and transgendered youth. The brief describes the extent of the problem and identifies strategies for bullying and suicide prevention. See www.sprc.org/library/Suicide_Bullying_Issue_Brief.pdf

Drug Abuse

Treatment admissions for prescription drug abuse rose 430 percent from 1999 to 2009, according to a new government report. In the same period, the overall rate of admissions related to substance abuse stayed constant, the Substance Abuse and Mental Health Administration (SAMHSA) found. The biggest jumps in admissions for prescription drug abuse occurred in Maine, Vermont, Delaware, Kentucky, Maryland, Arkansas, Rhode Island, and West Virginia, the *New York Daily News* reports. SAMHSA found that admissions related to marijuana rose 33 percent over the 10-year period, while those for treatment for heroin, cocaine, and alcohol abuse declined. Admissions for methamphetamine/amphetamine treatment increased between 1999 and 2005, and then decreased every year through 2009.

Marijuana use is gaining in popularity among teens, according to *Monitoring the Future*, an annual survey of eighth, 10th, and 12th-graders, *The New York Times* reports. The survey found that 1 of every 15 high school seniors smokes marijuana on an almost daily basis. About 25 percent of teens who took part in the study said they used marijuana in the past year, an increase from 21 percent in 2007. Daily marijuana use is at a 30-year peak among high school seniors. The findings indicate a decline in the perceived risk of harm associated with marijuana use, according to a news release by the National Institute on Drug Abuse, which funds the survey.

Statistical Briefing Book

OJJDP has updated the Statistical Briefing Book's (SBB's) data analysis tools. These tools give users quick and easy access to detailed statistics on a variety of juvenile justice topics and allow them to create tables on juvenile populations, arrests, court cases, and custody populations. The SBB offers easy access to a wealth of information about juvenile crime and victimization and about youth involved in the

juvenile justice system. Developed for OJJDP by the National Center for Juvenile Justice, the SBB provides timely and reliable answers to questions OJJDP most frequently receives from media, policymakers, and the general public.

Recent updates to the Statistical Briefing Book include:

- *Easy Access to Juvenile Populations*: updated to include data through 2010. Users can access national, state, and county level population data detailed by age, sex, race, and ethnicity. Users can create population profiles for a single jurisdiction or create State Comparison or County Comparison tables.
- *Easy Access to the FBI's Supplementary Homicide Reports*: updated to include data through 2009. Users can access more than 20 years of national and state data on homicide victims and known homicide offenders, including information on the age, sex, and race of victims and offenders, the victim-offender relationship, and the type of weapon used.
- *Easy Access to State and County Juvenile Court Case Counts*: updated to include state and county juvenile court case counts for delinquency, status offense, and dependency cases between 1997 and 2008.
- *Easy Access to the Census of Juveniles in Residential Placement*: updated to include data through 2010. Users can perform custom analysis of national data on the characteristics of youth held in residential placement facilities, including detailed information about the youth's age, sex, race/ethnicity, placement status, length of stay, and most serious offense and view state comparison tables describing youth in residential placement facilities.
- *Juvenile Court Statistics 2008* draws on data from the National Juvenile Court Data Archive (Archive) to profile more than 1.6 million delinquency cases handled in 2008 by U.S. courts with juvenile jurisdiction.

Statistical Briefing Book's Questions

OJJDP has updated the *Statistical Briefing Book's* (SBB's) frequently asked questions (FAQs) section. These FAQs answer the most commonly asked questions about juvenile offending, victimization of juveniles, and involvement of youth in the juvenile justice system. Recent FAQ updates include information on the juvenile population profile, juvenile homicide rates, juvenile suicide rates, murders committed by juvenile offenders, information on juveniles in court, juvenile

arrest rates, and characteristics of juveniles in corrections. Developed for OJJDP by the National Center for Juvenile Justice, the SBB provides timely and reliable answers to questions OJJDP most frequently receives from media, policymakers, and the general public. See www.ojjdp.gov/ojstatbb/

Juvenile Justice Reform

In a new private-public partnership, OJJDP and the John D. and Catherine T. MacArthur Foundation are jointly providing \$2 million to support innovative and effective reforms in treatment and services for youth involved in the juvenile justice and child welfare systems. OJJDP and the MacArthur Foundation each will provide a total of \$1 million over two years to four organizations to support juvenile justice reform in four target areas. These organizations will in turn offer states and local governments training and technical assistance to improve mental health services for youth, reduce racial and ethnic disparities in the juvenile justice system, and better coordinate treatment and services for youth involved in the juvenile justice and child welfare systems. The targeted reforms include:

- *Mental Health Screening and Risk/Needs Assessment*: The National Youth Screening and Assessment Project at the University of Massachusetts Medical School will provide technical assistance on the use of evidence-based tools for case planning to reduce out-of-home placements and recidivism. Contact Laura Guy at laura.guy@umassmed.edu.
- *Mental Health Training for Juvenile Justice*: The National Center for Mental Health and Juvenile Justice at Policy Research, Inc. will provide comprehensive adolescent development and mental health training for juvenile correctional and detention staff to improve their ability to respond to youth with mental health needs. Contact Kathy Skowryra at kskowryra@prainc.com.
- *Disproportionate Minority Contact Reduction*: The Center for Children's Law and Policy will provide technical assistance on evidence-based strategies to measurably reduce racial and ethnic disparities within the juvenile justice system. Contact Tiana Davis at tdavis@cclp.org.
- *Juvenile Justice and Child Welfare System Integration*: The Robert F. Kennedy Children's Action Corps will provide technical assistance on implementing effective practices to reduce recidivism and out-of-home placement and to improve

correctional alternatives for youth in the juvenile justice system with a history of maltreatment. Contact John Tuell at jtuell@rfkchildren.org or Janet Wiig at jwiig@rfkchildren.org.

The partnership will build upon the MacArthur Foundation's Models for Change initiative that seeks to create successful and replicable models of juvenile justice systems reform. OJJDP and MacArthur selected these four organizations because they helped develop, field test, and evaluate effective best-practice models included in the Models for Change initiative. The MacArthur Foundation has invested more than \$100 million in promising juvenile justice reforms since 2004.

DMC Virtual Resource Center

OJJDP has launched the Disproportionate Minority Contact (DMC) Virtual Resource Center. This online center provides DMC coordinators, state advisory group members, and other juvenile justice professionals with tools and resources to support their state and local DMC efforts. The website also provides networking opportunities for users to exchange data and information, share DMC training materials, and notify others about upcoming conferences and events and current policies, practices, and procedures. Regular website spotlights will feature state and local DMC delinquency prevention and systems improvement activities. See www.nttac.org/index.cfm?event=dmc.modelResource

Violence in Rural and Tribal Communities

Attorney General Eric Holder's National Task Force on Children Exposed to Violence recently held a public hearing in Albuquerque, N.M. on the challenges rural and tribal communities face in preventing children's exposure to violence. In a recent survey of youth in New Mexico by the Centers for Disease Control and Prevention, nearly 20 percent reported that they were bullied on school property and almost 10 percent experienced dating violence. Nearly 16 percent seriously considered attempting suicide during the 12 months before the survey.

The task force will identify promising practices, programming, and community strategies to prevent and respond to children's exposure to violence. It also will issue a final report to the attorney general in December 2012 that will present policy recommendations and serve as a blueprint for preventing

and reducing the negative effects of such violence across the United States. The task force comprises 13 leading experts, including practitioners, child and family advocates, academic experts, and licensed clinicians. The full list of task force members is located at: www.justice.gov/defendingchildhood/tf-members.html

Sentencing Developments

The Sentencing Project has published "The State of Sentencing 2011: Developments in Policy and Practice," by Nicole D. Porter. The report highlights 55 reforms in 29 states and documents a growing trend to reform sentencing policies and scale back the use of imprisonment without compromising public safety. The report provides an overview of recent policy reforms in the areas of sentencing, probation and parole, collateral consequences, and juvenile justice. Highlights include:

- *Sentence modifications*: Four states—Connecticut, Ohio, Nebraska, and North Dakota—established sentence modification mechanisms that allow correctional officials to reduce the prison sentences of eligible prisoners;
- *Drug offense reforms*: Four states—Arkansas, Delaware, Kentucky, and Ohio—revised penalties for certain drug offenses and authorized alternatives to prison as a sentencing option in specified circumstances. In addition, Idaho and Florida expanded the eligibility criteria for drug courts in order to expand their impact.
- *Death penalty*: Illinois abolished the death penalty, becoming the sixteenth state to eliminate the sentencing option;
- *Probation revocation reforms*: North Carolina restricted the use of prison as a sentencing option for certain persons who violate the conditions of probation; and
- *Juvenile offender sentencing reforms*: Georgia authorized sentence modifications for certain juvenile defendants with felony offenses by allowing judges to depart from the statutory range when considering the youth's background. To find the full report, which includes a comprehensive chart on criminal justice reform legislation, details on sentencing, probation and parole, drug policy, prison census count, collateral consequences of conviction, juvenile justice, and policy recommendations, see nporter@sentencingproject.org.

Evaluation Center

The National Juvenile Justice Evaluation Center (NJJEC), funded by OJJDP, has released the inaugural issue of the NJJEC Bulletin. The

bulletin provides updates on NJJEC activities; event and resource listings; information on state, local, and tribal activities; articles on evaluation-related concepts; and other information about juvenile justice evaluation for use by state, local, and tribal juvenile justice professionals. If you would like to submit a suggestion for an article or news item or ask a question about evaluation, e-mail njyec@jrja.org. See www.jrja.org/njyec/newsletters/njyec-bulletin-january2012.pdf. To receive future issues of the bulletin, subscribe at www.jrja.org/njyec/newsletter.htm

Alcohol and Drug Abuse in Indian Country

The Substance Abuse and Mental Health Services Administration (SAMHSA), in collaboration with the Office of Justice Programs and other organizations, has released the first issue of its new quarterly newsletter, *Prevention and Recovery*. This publication highlights successful practices and stories related to alcohol and drug abuse in Indian Country. Submit articles, stories, comments, questions, or suggestions to Gloria Mora at Gloria.Mora@bia.gov or (202) 513-7619 and Juanita Keesing at Juanita.Keesing@bie.edu or (202) 208-3559. See www.samhsa.gov/tloa/docs/newsletter/pq-v1-122111.pdf.

At-Risk and Delinquent Girls

The Department of Justice has announced a new resource—the National Girls Institute website—to better meet the needs of at-risk and delinquent girls, their families and the agencies and organizations that serve them. The institute is supported by the National Council on Crime and Delinquency (NCCD) through a grant from OJJDP. OJJDP established the National Girls Institute in 2010 to develop and provide a range of training, technical assistance, and other resources to local, tribal, and private organizations serving girls and young women in, or at risk of entering, the juvenile justice system. Through this website, professionals can submit requests for training and technical assistance, as well as find current information about best practices, gender-responsive tools, research, and related events. See www.nationalgirlsinitiative.org. For more information about OJJDP research and programs related to girls in the juvenile justice system, visit www.ojjdp.gov/programs/girls/delinquency.html.

Justice Policy Center Publications

Collecting DNA from Juveniles

By Julie Samuels, Allison Dwyer, Robin Halberstadt, and Pamela Lachman

States have increasingly required juveniles—mostly those adjudicated delinquent, but also some arrestees—to submit DNA samples for analysis and inclusion in the Combined DNA Index System (CODIS), the FBI-operated national database. This report examines the laws, policies, and practices related to juvenile DNA collection in the United States, describing the issues encountered during the implementation of these laws and the challenges that researchers and practitioners face in assessing the effects of juvenile DNA collection on public safety outcomes.

Analysis to Understand Juvenile Delinquency and Gang Membership

JPC researchers, led by Principal Investigator (PI) Meagan Cahill, are working on two projects using social network analysis to study juvenile delinquency and gang membership, designed to help policy makers develop appropriate interventions for delinquency and shed light on the efficacy of neighborhood-based interventions. Cahill and Co-PI Caterina Gouvis Roman from Temple University presented findings from the first study, *Social Networks, Co-offending, and Gang Membership Among Latino Youth* (funded by the Office of Juvenile Justice and Delinquency Prevention) at the American Society of Criminology annual meeting in November 2011. Youth in a small neighborhood in Montgomery County were surveyed about their pro-social and delinquent behaviors and those of their close contacts. Researchers then used social network analysis methods to analyze peer influences on delinquency. The full report is expected in February 2012.

A replication of that work is underway in Washington, DC, with funding from the DC Crime Policy Institute and in partnership with Temple University. The preliminary analysis (reported in *Social Networks and Behaviors of Youth in the District of Columbia: An Interim*

Research Report) found that non-peer relationships (teachers, mentors, extended family members) may be just as important as peer relationships when examining delinquency and violence. The full report is expected in spring 2012.

Most teenagers do not experience physical aggression when they date. For some teens, however, abuse is a very real part of dating relationships (*Teen Dating Violence: A Closer Look at Adolescent Romantic Relationships*, National Institute of Justice, 2008).

Race and Recognizance Release

A recent study by John Wooldridge in *Justice Quarterly* examined the effect of race on releasing defendants on their own recognizance, bond amounts, and prison sentences. The analyses are based on over 5,000 felony defendants in an urban Ohio jurisdiction. Wooldridge found a main effect of race on each of the three outcomes, but these main effects were better explained by offense severity. Analyses of interaction effects, on the other hand, showed that African-American males ages 18–29 experienced lower odds of being released on their own recognizance, higher bond amounts, and higher odds of incarceration in prison relative to other demographic subgroups, even with the inclusion of rigorous controls for legally relevant criteria. In other words, being a young male provided an additional hardship beyond any general race group differences that might have been explained by legal factors.

Youth in Custody

In 2011, OJJDP awarded funding to the Council for Juvenile Corrections Administrators (CJCA) and the National Partnership for Juvenile Services (NPJS) to develop a Center for Youth in Custody to advance the field and serve the youth and families of those in youth detention services, youth corrections services, adult jails, and lock ups. See <http://nc4yc.org/> to receive information about activities, events, and resources.

Private Prisons

A new report from The Sentencing Project, *Too Good to be True: Private Prisons in*

America, has been released. The report details the history of private prisons in America, documents the increase in their use, and examines their purported benefits.

Among the report's major findings:

- From 1999 to 2010 the use of private prisons increased by 40 percent at the state level and by 784 percent in the federal prison system.
- In 2010 seven states housed more than a quarter of their prison population in private facilities.
- Claims of private prisons' cost effectiveness are overstated and largely illusory.
- The services provided by private prisons are generally inferior to those found in publicly operated facilities.
- Private prison companies spend millions of dollars each year attempting to influence policy at the state and federal level.

The full report, *Too Good to be True: Private Prisons in America*, includes a comprehensive chart on state and federal privatization levels, as well as detailed graphs and data on the lobbying and contribution activities of Corrections Corporation of America.

Juveniles in Residential Facilities

The National Archive of Criminal Justice Data has made public data from each Census of Juveniles in Residential Placement (CJRP) and Juvenile Residential Facility Census (JRFC) that has been released to date. The Office of Juvenile Justice and Delinquency Prevention (OJJDP) sponsored data collection and archiving activities for these surveys. The CJRP asks juvenile residential custody facilities in the United States to describe each youth assigned a bed in the facility on the specified reference date, providing a detailed picture of juveniles in custody. The JRFC collects information about the facilities in which juvenile offenders are held. See <http://www.icpsr.umich.edu/icpsrweb/NACJD/support/announcements/2012/02/nacjd-releases-cjrp-and-jrhc-data>

YOUR BOOKSHELF ON REVIEW

Resisting Punitiveness

Resisting Punitiveness in Europe? Welfare, Human Rights and Democracy edited by Sonja Snacken and Else Dumortier
Routledge, 298 pp., 2012, \$57.95

Penal Exceptionalism? Nordic Prison Policy and Practice

Edited by Thomas Ugelvik and Jane Dullum
Routledge, 275 pp., 2012, \$51.95

REVIEWED BY RUSS IMMARIGEON

European penal practices have long offered a mix of exemplary and caution-inducing efforts, and the same can be said for the United States. But the United States, as is well-documented, has over the past four decades expanded its capacity to punish to an extraordinary extent. This urge to punish can be found not just in jail and prison settings, but also under the guidance of many probation officers, parole agents, and even community-based human service providers.

Correctional practitioners, if not their policy-making colleagues, have often struggled with this trend, and notable innovations are not difficult to locate among the criminal justice practices found in some jurisdictions. Yet, until quite recently, mass imprisonment has been the order of the day. Interestingly, the use of imprisonment has lessened in some American states over the past few years, and this development holds out the hope that Americans are starting to relax their firm grip on punitiveness. But, as the experience of deinstitutionalizing the mentally ill has shown, such a shift does not guarantee replacing punitiveness with a feasible alternative.

In this context, questions arise: Why is diminished punitiveness good? What models should be emulated? How should innovations be implemented? How are these reforms going to be evaluated and revised? What can be done to avoid slipping back into old habits?

In *Resisting Punitiveness in Europe?*, Belgian criminologists Sonja Snacken (who is also president of the Council for Penological Cooperation of the Council of Europe) and Else Dumortier examine the intersection of European penal and human rights principles, with emphasis on the use of non-custodial sanctions *in their own right* and as *an alternative to incarceration*. In *Penal Exceptionalism?*, Norwegian criminologists Thomas Ugelvik and Jane Dullum, both of the University of Oslo, examine Nordic imprisonment and non-imprisonment practices, often viewed as exceptional even within Europe. Together these volumes offer Americans—and Australians, Canadians, and New Zealanders for that matter—a rich investigation of shifts in practice that often slip by without sufficient review.

Snacken and Dumortier open their collection of 13 articles with a statement on the complexity of the concept of punitiveness. They note that it can mean either “harshness” or more simply “attitudes toward punishment.” Punitiveness also has both quantitative and qualitative dimensions, such as “new” or “increased” forms. Moreover, how is punitiveness measured? Just in response to incarceration rates, or in conjunction with the comparative use of other sanctions? In Europe, the “picture of punishment” contrasts with the United States: Capital punishment has been abolished and prisoners’ rights are engrained through case law at the European Court of Human Rights and the European Committee for the Prevention of Torture and Inhumane Treatment or Punishment. Restorative justice has gained legitimacy and incarceration rates remain low and steadily so, although some countries in Europe have seen some slight increases. Non-custodial sanctions, often within a “what works” context, are common, and a “welfare” approach, especially for juvenile offenders, is also common.

Overall, the “picture of punishment” in Europe is diverse and should not be treated simply by either supporters or detractors. In

Resisting Punitiveness in Europe?, Snacken and Dumortier organize articles around perspectives covering punishment and its relation to welfare, human rights, and democracy, with particular emphasis on the roles of victims and public opinion.

In *Penal Exceptionalism?* Ugelvik and Dullum take a reflective, critical approach. In 2009, the New Zealand-based criminologist John Pratt wrote a two-part article on Scandinavian exceptionalism for the *British Journal of Criminology*. This series sparked the Nordic debate that is contained within this volume.

Penal exceptionalism, generally speaking, refers to having low levels of incarceration and humane prison conditions. In brief, this is certainly meant in contrast to conditions in the United States, but its shadow also extends to other nations. In New Zealand, for instance, there is heated concern about its level of incarceration, which is lower than that in the United States. However, in New Zealand, slop buckets have only recently disappeared from prison cells.

Ugelvik and Dullum organize the 13 articles in their volume into five parts: In Part I, Thomas Mathiesen, Peter Scharf Smith, and David Green outline criticisms of Nordic claims of penal exceptionalism, including the use of pretrial solitary confinement in Denmark. In Part II, Roddy Nilsson argues that the promulgation of penal exceptionalism resulted from “successful marketing.” Andrew Jefferson focuses on discussions shaped by “particular professionals, institutions, and policies.” He also addresses “the politics of comparisons.” In Part III, Thomas Ugelvik, Cecilie Basberg, and Robert Andersson examine forms of social control other than those imposed through the penal system. Part IV highlights recent shifts in Nordic penal practices, including the shutting of smaller prisons and the specialization of closed prisons. Finally, in Part V, John Pratt, joined by Anne Erickson, reviews and revises (slightly) his earlier articles on penal exceptionalism.

Snacken concludes:

Different forms and levels of punishment have a different impact on the social inclusion and human rights of offenders. Penal policies are not directly related to crime rates, but are social constructions resulting from the interaction of many factors, including decision-making by policymakers and practitioners. Penal moderation is related to higher levels of social equality, a stronger emphasis on human rights, a balanced approach to the interests of victims, offenders, and society at large and a constitutional rather than a populist interpretation of democracy. In a “constitutional democracy,” the government must foster the general interest and protect the fundamental rights of unpopular minorities such as offenders, prisoners, or immigrants from the “tyranny of the majority.”

Juvenile Justice

Juvenile Justice: Advancing Research, Policy, and Practice

Edited by Francine T. Sherman and Francine H. Jacobs, John Wiley & Sons, Inc., 2011. 567 + xxix pages, \$65.00

REVIEWED BY RUSS IMMARIGEON

The American juvenile justice system is currently undergoing a rapid series of reforms, including reduced reliance on incarceration, more careful emphasis on youth as youth, and greater attention to often-overlooked girls. But this is a short list. A more comprehensive catalog appears in a new collection of two dozen original articles gathered by Boston-area professors Francine Sherman of the Boston College School of Law and Francine Jacobs of the Department of Child Development at Tufts University.

Sherman and Jacobs divide their 600-page volume into four sections. In the first, “Framing the Issues,” authors offer overviews of developmental perspectives on youth, the characteristics and patterns of youth involvement, youth-centered health concerns, and a legal perspective on children’s rights and relationships. The second section, “Understanding Individual Youth,” covers race, ethnicity, and ancestry; gender; lesbian, gay, bisexual, and transgender youth; and adolescent parents. Section three, “Understanding Youth in Context,” examines an extensive array of issues: parents and families; violence within families and intimate relationships; social capital, resilience, and communities; quality education;

juvenile prison schooling and reentry; the commercial exploitation of girls; governmental perspectives on youth problems; and the health care concerns of young people. The last section, “Working for Change,” assesses youth-led change, the demise of reform schools, youth service collaboration, information technologies, effective community-based care, and the improvement of policy-related research.

As Marion Wright Edelman of the Children’s Defense Fund notes in her foreword to this volume, Sherman and Jacobs remind readers repeatedly that children in the juvenile justice system are, in fact, children, even when vulnerable to internal stresses and external risk factors. Such vulnerability, she notes, requires us to “redouble our efforts” to support and care for such children. She endorses the editors’ rightful reminders throughout the volume “that deficit- and punishment-based approaches to juvenile justice only feed the pipeline to prison and that when we identify children’s strengths and build on those strengths intentionally and consistently, we can help children in the juvenile justice system grow and thrive.”

The interdisciplinary articles in *Juvenile Justice* emerged from a five-year project that Sherman and Jacobs conducted to develop continuous access to health care for boys and girls who were committed to the Massachusetts Department of Youth Services. Today, the editors predict, new advances in positive youth development, ecological developmental theory, family systems theory, and adolescent brain development research may well lead to “transformational changes in juvenile justice.”

Sherman and Jacobs note that the individual chapters in this volume take “a range of opinions and approaches,” but they nonetheless hold “certain underlying premises,” including the following:

- The legal rights of youth are critical for the “structure and operation of effective and successful public systems,” in part because they aid the development of young people’s needs and autonomy;
- Youth in the juvenile justice system are maturing, malleable, and “amenable” to rehabilitation;
- The ecological development of youth is shaped by youth themselves, as well as by the environmental context of their lives;
- The juvenile justice system can either “improve or degrade” the functioning of youth in its custody; however, this system often harms young people, although it should “do no harm” through limiting youth

involvement to those “whose actions clearly demonstrate imminent risk to public safety”;

- Local efforts are most valuable when they aim at families and communities “as the primary vehicles for positive change in youth”;
- The most promising approaches involve the “respectful, authentic engagement” of a “full range” of participants, including youth, parents, and neighbors; and
- Race and poverty are critically important concerns and, in fact, “the juvenile justice system cannot be fixed until it deals with the issues of race and poverty that undergird it and give it its present shape.”

The 59 authors or co-authors of articles in this volume are a healthy mix of criminologists, lawyers, physicians, administrators, policy advocates, social workers, developmental psychologists, and others who work closely with youth in juvenile justice and associated agencies. The articles themselves are well-written and thorough and frequently build upon one another. Various aspects of the Annie E. Casey Foundation’s Juvenile Detention Alternatives Initiative (JDAI), for example, are at the center of different articles. So, JDAI comes into play during a history of recent efforts to close reform schools, but also in a separate discussion of the use of data-collecting technologies that assist the development and implementation of particular policies and practices.

Overall, *Juvenile Justice* provides a superb overview of current juvenile justice reform efforts and the important intricacies of implementing these initiatives. *Juvenile Justice* is an excellent guide for social work, law, and criminology courses, as well as a training resource for both new and seasoned practitioners working with young people in American courts and communities. Policy makers and political leaders should also gain valuable insights from this rich and well-grounded collection.

Books Received

Reentry & Transition Planning Circles for Incarcerated People. Lorenn Walker & Rebecca Greening. Hawai‘i: Hawai‘i Friends of Justice & Civic Education, 2011.

Outsourcing Justice: The Role of Nonprofit Caseworkers in Pretrial Release Programs. Ursula Castellano. Boulder, CO: First Forum Press, 2011.

Pathways for Offender Reentry: An ACA Reader. Russ Immarigeon and Larry M. Fehr, Editors. Alexandria, VA: American Correctional Association, 2012.

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Former *Federal Probation* advisory board member. Has edited newsletters for organizations such as the Civic Research Institute, the National Institute of Corrections, and the Victim Offender Mediation Association.

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