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Donald Arthur Andrews June 13, 1941-October 22, 2010 An Appreciation

Editor's Note: In October we learned of the death of Donald Arthur Andrews, whose four decades of work in the field of criminal justice have greatly enriched his colleagues and helped offenders and those who work with them. Long-time friend and collaborator James Bonta agreed to contribute an appreciation of his late colleague's work. In addition to appearing here in Federal Probation, it will also appear in Psychology, Crime & Law (Vol. 17, Issue 1, 2011, available late January), which can be accessed online at www.informaworld.com/gpcl. Readers interested in this or other issues of Psychology, Crime & Law can contact Prof. Clive Hollin at crh9@leicester.ac.uk for further information.

ON OCTOBER 22, 2010, criminology and correctional psychology lost a friend, innovator, and a vigorous advocate for the just and ethical treatment of offenders. Don Andrews' contributions have literally changed the lives of offenders, the people who work within the criminal justice system, our views of what causes crime and how to deal with crime.

Don spent almost all of his life in Ottawa, Canada. He received his B.A. (1963) and M.A. (1967) degrees from Carleton University and the Ph.D. (1969) from Queen's University in Kingston, Ontario, a short two-hour drive from Ottawa. All his degrees were in psychology and his doctoral dissertation was on the treatment of smoking behavior. He never published his dissertation and only presented the results at a conference. Don's failure to pursue smoking research was fortunate for criminology.

While in school Don completed a number of internships in the Canadian Penitentiary Service. It was during one of these internships that Don met Paul Gendreau. Paul was working on his Ph.D. and actually studying offender issues when he and Don struck a lifelong friendship and collaboration. During the card games that passed the time while waiting for their inmate to be escorted to them they spent hours laughing, talking, and discussing the contributions of Spence and Hull, early giants of psychology.

Upon graduation, Don accepted a post as a psychologist at Rideau Correctional Centre, a prison outside of Ottawa housing low- and medium-risk offenders. It was affectionately referred to as "Sleepy Hollow" and although the inmates were relatively well-mannered, the prison became a hotbed of research that began with Don and continued by the chief psychologists and treatment directors following Don (Paul Gendreau, Hugh Marquis, Steve Wormith).

Don only stayed a year at Rideau Correctional Centre. In 1970 he accepted a position as assistant professor of psychology, St. Patrick's College (which later became part of Carleton University). It was at Carleton where Don remained until his retirement as professor emeritus in 2006. One of the courses that Don taught was the Psychology of Criminal Behaviour. Initially,

the course “textbook” was a collection of journal articles. The course was extremely popular and in 1980, Don invited me to teach the evening section of the course. I was working as the chief psychologist at the Ottawa-Carleton Detention Centre and eagerly agreed to teach the evening section. As the years progressed the articles in the course textbook were replaced by chapters and eventually became in 1994 *The Psychology of Criminal Conduct*.

The late 1970s and the 1980s were heady days for research on criminal behavior. In 1974, Martinson and his colleagues published their review of the apparent ineffectiveness of offender rehabilitation and the so-called “nothing works” movement was launched. Immediately, Don and many of his colleagues became staunch opponents of “nothing works” and the resultant “get tough” zeitgeist. During these years, Paul Gendreau, who was a Regional Coordinating Psychologist for the Ontario Ministry of Correctional Services, held annual meetings at Opinicon Resort. In attendance were the psychologists, psychometrists, and students working for the Ministry of Correctional Services, along with many other invitees. Don Andrews had a standing invitation to these meetings, where we discussed developments in offender risk assessment and offender treatment and why we thought Martinson et al. were wrong.

On reflection, I do not think that I ever fully appreciated the fact that so many of those conducting ground-breaking research were all there in one province, many of whom within a one-hour commute from each other. We truly had a critical mass of intellectual curiosity. This is the group that Frank Cullen called the “Canadian School” and this is the group that was partly led by Don and also influenced Don. During the 1980s, Don and his colleagues gathered the evidence to forcefully respond to “nothing works” and to also contextualize this evidence within a theoretically informed model. The accumulation of this work appeared in two 1990 papers. The first paper, co-authored with myself and Robert (Bob) Hoge, outlined the Risk-Need-Responsivity (RNR) model. The second paper (with Ivan Zinger, Hoge, Bonta, Gendreau, and Cullen) presented the evidence that offender treatment can work if the RNR principles are followed. The General Personality and Cognitive Social Learning (GPCSL) Theory made its first published appearance in *The Psychology of Criminal Conduct* (1994), although the originating ideas go back to 1982.

With respect to offender risk prediction, Don's research began in the late 1970s and resulted in the Level of Service Inventory (LSI) published by the Ontario Ministry of Correctional Services in 1982. The LSI was quickly adopted by the probation division of the Ministry and with ongoing collaboration with me and Larry Motiuk eventually adopted by the institutional division. Today, the Level of Service (LS) instruments are the most widely used offender assessment instruments in the world, with translations in five languages.

Don Andrews has made significant contributions to the theoretical, empirical, and applied understandings of variation in the criminal behavior of individuals. The GPCSL theory of criminal conduct stood in stark contrast to traditional criminological theory that placed an emphasis on political-sociological-economic explanations of crime. The level of detail and respect for evidence in his theoretical work was unparalleled. Criminological theoreticians were reminded of the importance of psychological factors and today many theories of crime place significant emphasis on person factors.

The Psychology of Criminal Conduct, now in its 5th edition, has had a major impact on applied research in criminology. The development of the LSI offender risk assessment instruments has moved the field beyond the simple assessment of static risk factors to include dynamic risk factors that guide supervision and intervention. The formulation of the RNR principles has provided a theoretical understanding of why certain treatments are effective. These principles have formed the basis for the empirical analysis of the treatment literature, for the development of rehabilitation programs, and the evaluation of these programs.

The significance of Don's contributions has been instrumental in an approach to corrections that is more scientific, more effective, and more humane. Through his research and inspiration to colleagues and students, Don has improved the lives of thousands of offenders and prevented untold numbers of victimizations. He has been a scholar of much criminological and practical

consequence. He will be deeply missed by his wife, Catherine Carvell; his children and grandchildren Rebecca, Adam, Vicky, Karen, Donna, Ashley and Jeminah; sister Heather Chase; and his entire family. He will also be missed by his colleagues and friends and, I am certain, the field of criminology and correctional psychology.

James Bonta
Director, Corrections Research
Public Safety Canada

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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. Published by the Administrative Office of the United States Courts www.uscourts.gov
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Results-based Framework for Post-conviction Supervision Recidivism Analysis

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AS RECOMMENDED IN the report produced by IBM Consulting Services in 2004, the *Strategic Assessment of the Federal Probation and Pretrial Services System*,¹ and at the direction of the Judicial Conference Committee on Criminal Law, the Administrative Office of the U.S. Courts (AO) is developing a comprehensive outcome measurement (or results-based) infrastructure for federal probation and pretrial services. The goal of the results-based framework is to allow system stakeholders to measure not only what the federal probation and pretrial services system does, but *how well* we do it. While we plan to enhance the results-based framework to systematically measure each of the four core functions—pretrial services investigations and supervision and presentence investigations and post-conviction supervision—the initial stages of the results-based framework focus heavily on post-conviction supervision because it consumes the largest portion of system resources and is most closely tied to the agency's overarching mission of community safety.

In the goal-setting stage of the results-based framework, system stakeholders updated supervision policies to ensure that recent crime legislation and case law were incorporated. Further, policy developers wove early fundamental research-based principles of “what works” into those policies. For example, supervision policies are heavily influenced by the “risk principle” of evidence-based practices (EBPs), which encourages probation officers to supervise offenders with intensity that is commensurate with their risk to recidivate. The supervision policies set forth the goals of federal post-conviction supervision, and thus are what we hold

ourselves accountable for. These policies clearly articulate the desired outcomes as “execution of the sentence and the protection of the community by reducing the risk and recurrence of crime and maximizing offender success during the period of supervision and beyond.”²

The goal of supervision in the federal system, now explicit in policy, is the successful completion of the period of supervision during which the offender commits no new crimes; is held accountable for victim, family, community, and other court-imposed responsibilities; and prepares for continued success through improvements in conduct and condition. The emphasis on continued success after the period of supervision acknowledges that fostering long-term behavior change is a key underpinning of effective supervision and that only through long-term behavior change will we rise to the challenge of protecting the community, even beyond the period of supervision.³

For most of its history, federal probation has collected data and reported statistics on revocation of supervision for technical violations as well as for new criminal conduct. However, these data alone tell an incomplete story. Evaluating the effectiveness of federal probation's mission to protect the community must also include measurement and analysis of recidivism; that is, how well do we do at minimizing criminal activity both during the period of supervision—and beyond?

After considerable work to build the infrastructure, federal probation and pretrial services is now positioned for the first time in its history to objectively measure new criminal conduct (using data obtained from independent sources), to detect and report statistically meaningful changes over time, and to make apples-to-apples comparisons across districts. We plan to institute processes that regularly and systematically measure new criminal conduct and other important indicators of the effectiveness of federal supervision. In order to accomplish this, the AO has overcome challenges that until now have significantly constrained the ability of corrections agencies to routinely study recidivism on large populations of offenders. In fact, with more than 185,000 offenders included in the study cohort, the AO's first recidivism study performed in the context of outcome measures is unprecedented in size and scope. Never before has a criminal justice agency had the capability to study—and to build upon—such a large cohort of offenders residing in every state, whose new criminal conduct can be studied both during their term of community supervision and beyond.

Until recently, criminal justice agencies were constrained by the practical challenges associated with assembling arrest data. Because arrest data appear in disparate formats in individual state repositories, researchers were required to hand-code arrest data from hard-copy “rap” sheets. This made large-scale research prohibitively expensive, time-consuming, and in many instances impractical. We overcame this problem by developing ways to access criminal records en masse without human intervention, to parse narrative text strings that describe arrests, and to translate those texts into dates and offense codes. To accomplish this, the study team developed software to feed in batches of hundreds of thousands of FBI numbers and state identifiers to Access to Law Enforcement (ATLAS)⁴ and retrieve text-based rap sheets. They also developed software to interpret text-based rap sheets into discrete data elements. The result is that re-arrest data are available in computer-readable format suitable for input to sophisticated statistical models. (Last year we learned that the Bureau of Justice Statistics (BJS) has undertaken a similar effort to build a database of criminal history data through automated access and interpretation of rap sheets. In fiscal year 2011, the AO is partnering with BJS on a study that tests their criminal history data assembly protocols. By making data far more readily available than in the past, BJS's database of criminal history, once complete, has the potential to significantly advance the field of criminal recidivism research.)

In 2006, we contracted with Abt Associates to contribute quantitative expertise to the technical and analytic phases of the results-based management framework. Their contribution included the software to parse the text-based rap sheets described above and various studies, including the recidivism studies described below. The recidivism findings reported within this article are based on recent reports they provided to the AO under this contract: *Arrest Rates and Offenses of*

Offenders on Federal Probation and Supervised Release (Rhodes, Dyou, Kling, Hunt, Luallen, and Gaes) and *Post-Supervision Re-Arrest Rates of Offenders following Federal Probation and Supervised Release* (Rhodes, Dyou, Hunt, Kling, Subramanian, Luallen, and Gaes). The first report examines re-arrest rates of offenders after one, two, and three years under supervision. Consistent with our intent to hold ourselves accountable also for long-term positive changes and reduced recidivism *beyond* the period of supervision, the second report examines the re-arrest rate of offenders who have completed their term of supervision for one-, two-, and three-year follow-up periods after supervision has been completed. The following are abstracts from those reports.

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Defining Recidivism Measures

The AO has adopted two primary measures of recidivism: arrests for new criminal offenses and charges for new criminal offenses resulting in revocation and return to prison. These measures were adopted in consultation with a panel of experts on measurement methodology formed in March 2004. Members of the panel included the directors of research for the Federal Bureau of Prisons and the Federal Judicial Center, and academics from Temple University and the University of Maryland. The panel recommended that the AO adopt the same measures of recidivism used at the Federal Bureau of Prisons because of the large overlap in populations. We have not yet studied in any detail the second measure of recidivism, return to prison for revocation for new criminal conduct, but plan to in future iterations.

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Assembling Data for the Studies

The study team assembled data about the supervision terms of federal offenders from the Probation and Pretrial Services Automated Case Tracking System (PACTS) and matched with Sentry records from the Federal Bureau of the Prisons (BOP), data from the U.S. Sentencing Commission (USSC), and data from the Census Bureau. They assembled arrest data from ATLAS (Access to Law Enforcement System) and from the FBI's Computerized Criminal History (CCH) data. Arrest data are current through August 2009. The study cohort comprises 185,297 persons, offenders who began active post-conviction supervision between October 1, 2004 and August 2009.

Consistent with the recidivism measures and definitions recommended by the methodology panel, these two studies examined recidivism defined as the *first* arrest for new criminal conduct. Offenders may have multiple arrests following their term of supervision. For this study, we took the first arrest. Additionally, offenders may have multiple arrests on the same day. Where an offender has more than one arrest on the same day, we took the most serious charge. The arrest data were coded into the National Crime Information Center (NCIC) codes. The NCIC codes are in order of seriousness and we used this ordering to select the most serious offense when there were multiple arrests on the same day.

Because states vary widely with respect to the fidelity with which they report less serious offenses to their criminal record repositories, the rates are reported in two categories: serious offenses and non-serious offenses. Because most states report felony or equivalent offenses, but may or may not report lower-level offenses consistently, the arrest rates for serious offenses are much less subject to variances in state reporting standards and practices.

There is greater consistency in the reporting of serious crimes because these offenses generally result in booking and fingerprinting. Including less serious crimes in re-arrest statistics would make some probation offices appear to have higher rates than others, because they are located in states that have more inclusive reporting standards. Furthermore, apparent changes in arrest rates over time could be the result of changes in reporting practices. See [Figure 1](#) for an illustration of variances in state reporting. The study had to deal with this problem to allow for meaningful

district-to-district and year-over-year comparisons. The solution was to provide separate sets of tabulations: one for all arrests (regardless of level of offense) and one limited to serious arrests. The statistics presented in this article are limited to serious arrests. Excluding minor offenses in the re-arrest rate does not significantly understate the arrest rate in the aggregate. For example, when minor offenses are included in the arrest rate for offenders within the first three years of supervision, system-wide arrest rates increase by about 4 percent in the first year, 5 percent in the second year, and 6 percent in the third year.

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Time at Risk for Re-arrest Under Supervision

The data are for supervision terms that began between October 1, 2004, and August 13, 2009, and the arrest data are current as of August 13, 2009. Consequently, the length of time that offenders in the supervision cohort have to recidivate varies, ranging from less than a month for offenders who started supervision in August 2009 to almost five years for those who started in early FY 2005. So that arrest rates account for time at risk to recidivate, the study team restricted the data to offenders who were at risk to recidivate for one-, two-, and three-year periods.

One-Year Arrest Rate. These statistics include offenders who would have completed at least one year of supervision (before August 2009) according to the supervision terms imposed by the courts, although they may have been on supervision for less than one year because of a new arrest or revocation. These data provide the *one-year arrest rates*. Of those 185,297 offenders in the cohort, we could observe the one-year outcomes for 147,030 offenders.

Two-Year Arrest Rate. These statistics include offenders who would have completed at least two years of supervision, except for the occurrence of a new arrest or revocation. Arrests are cumulative over the two years of supervision. For example, an offender sentenced to two years of federal supervision (before August 2007) was arrested after 6 months. The offender's arrest is included in both the one-year and two-year arrest statistics. In comparison, another offender who was sentenced to only one year of supervision and arrested after six months is included in the one-year arrest statistics. These data provide the *two-year arrest rates*. We could observe the two-year outcomes for 88,283 offenders.

Three-Year Arrest Rate. These rates include offenders who would have completed at least three years of supervision, except for the occurrence of a new arrest or revocation. Arrests are cumulative over the three years of supervision for offenders who had sentences of at least three years of supervision. These data provide the *three-year arrest rates*. We could observe the three-year outcomes for 39,652 offenders.

[Figure 2](#) provides the number of offenders serving terms of probation and supervised release (TSR) that entered into the analysis for each year.

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Findings: Arrest Rates Under Supervision

The study team found that about one-quarter of the offenders in the study cohort were re-arrested for a serious offense within three years of beginning their supervision term. As shown in [Figure 3](#), less than 11 percent of offenders were arrested within the first year for a serious offense, about 17 percent were arrested within two years, and almost 23 percent were arrested within three years. As expected, TSR offenders have higher overall recidivism rates (24 percent) than probationers (15 percent) over a three-year period.

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Types of Offenses

Together drug, violence, and property offenses comprise the majority of the re-arrests. Of the 23 percent re-arrested within three years, drug-related offenses accounted for almost seven percent of the first re-arrest events, violent offenses almost six percent, and property offenses about five percent. All other types of offenses are minimally represented in the remaining five percent. [Figure 4](#) provides the distribution of arrest rates by each offense category for each of the three years in the study.

The study team also analyzed the extent to which variances in recidivism exist between offenders serving probation supervision terms compared to those serving terms of supervised release. [Figure 5](#) provides arrest rates by each offense category for each of the three years for probation and TSR. As shown in the table, offenders serving terms of supervised release have higher re-arrest rates for serious offenses (e.g., drugs, violence, firearms, and sex offenses) than do offenders on probation. We would expect this, because, compared with offenders under probation, offenders serving TSR have more extensive criminal records and other characteristics that put them at increased risk to recidivate.

Overall, offenders serving TSR commit crimes that are more serious than those serving terms of probation. Among offenders arrested for a serious crime, those serving TSR are more frequently arrested for violent offenses (almost 26 percent of all arrests within three years) and drug-related offenses (32 percent of all arrests) compared with offenders serving terms of probation (about 20 and 22 percent for violent and drug law violations, respectively). Offenders serving terms of probation are much more frequently arrested for property crimes (about 35 percent of all arrests for probationers compared with only 21 percent for TSR offenders). Offenders serving terms of TSR are not only re-arrested in higher proportions than probation offenders, they are re-arrested for the more serious crimes.

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Re-Arrest Rates of Offenders Following Completion of Supervision

In keeping with our intent to measure and hold ourselves accountable for long-term reduced recidivism *beyond* the period of supervision, the study team also examined the re-arrest rate of offenders who have completed their term of supervision at defined follow-up periods. For this purpose, the study team examined recidivism defined as the *first* arrest for a *serious* criminal offense following the successful completion of supervision for one-, two-, and three-year follow-up periods. In this context, we define “successful completion of supervision” as termination of supervision absent revocation for technical violations or new criminal conduct. In other words, offenders whose term of supervision ran to expiration or who were granted early termination were included in this analysis. Of those offenders in the study cohort, 59,929 completed their supervision terms successfully.

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Time to Re-arrest Following End of Supervision Term

As of the time the data were assembled from PACTS and the arrest data were assembled from criminal record repositories, 31 percent of offenders in the study cohort had completed their supervision terms successfully. Of those who successfully completed supervision, the length of time that they have to recidivate varies, ranging from less than a month for some offenders to almost four years for others. The statistics presented only include offenders for whom the study team was able to observe arrest outcomes for at least one year post-supervision, i.e., they completed supervision prior to August 13, 2008. So that arrest rates account for time at risk to recidivate, re-arrest rates for one-, two-, and three-year follow-up periods are tabulated separately.

One-Year Post-Supervision Arrest Rate. Offenders included in the one-year arrest rate completed their term of supervision by August 13, 2008, and therefore have at least *one year of post-supervision follow-up*. Re-arrest rates are based on the first year of post-supervision

follow-up. For example, an offender who completed supervision on July 13, 2008, is included in the one-year rate because more than 12 months of follow-up time exist. In comparison, an offender who completed supervision on July 13, 2009 is not included, since only one month of follow-up time exists. We could observe one-year outcomes for 35,270 offenders.

Two-Year Post-Supervision Arrest Rate. Offenders included completed their term of supervision by August 13, 2007, and therefore have at least *two years of post-supervision follow-up*. Re-arrest rates are based on the two years of post-supervision follow-up. We could observe two-year outcomes for 14,266 offenders. Arrests are cumulative over the two years of follow-up.

Three-Year Post-Supervision Arrest Rate. Offenders completed their term of supervision by August 13, 2006, and therefore have at least *three years of post-supervision follow-up*. Re-arrest rates are based on the three years of post-supervision follow-up. The study team could observe three-year outcomes for 4,398 offenders. Arrests are cumulative over the three years of follow-up for offenders who were released prior to August 13, 2006.

[Figure 6](#) provides the number of probation and TSR offenders that entered into the post-supervision follow-up period for each year.

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Findings—Post-Supervision Re-arrests

The study team found that among those arrested after successfully completing their terms of supervision, six percent were arrested within the first year, about 12 percent were arrested within two years, and almost 18 percent were arrested within three years. See [Figure 7](#).

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Types of Offenses

[Figure 8](#) shows the distribution of re-arrest rates by each offense category for each of the three follow-up periods. The types of offenses for arrests incurred are consistent with those incurred during the first three years of supervision; that is, drug law, property, and violence offenses comprise the largest proportion of the arrests. Of the 17.7 percent of offenders who were arrested within three years of completing supervision, 5.5 percent of offenders had an arrest for a drug offense, 4.5 percent had an arrest for a property offense, and 4.4 percent were re-arrested for a violent crime.

[Figure 9](#) provides re-arrest rates by offense category for each of the three years for probation and TSR. As shown in the table, offenders who completed terms of supervised release have higher overall recidivism rates for serious offenses than do offenders who completed terms of probation. Moreover, they have higher re-arrest rates for all types of offenses.

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Possible Statistical Biases Associated with the Post-Supervision Re-arrest Rates

Because the arrest rates include only offenders who successfully completed their term of supervision, the study team explored whether the post-supervision arrest rates are subject to statistical biases due to over-representation of offenders who are presumably the “best” offenders. This potentially biases the sample by eliminating the higher-risk offenders who were re-arrested or were revoked during their term of supervision. In fact, offenders who were eliminated have higher Risk Prediction Index (RPI) scores⁵ on average (Mean = 5.13) compared to the offenders who completed their supervision successfully (Mean = 2.65).

The study team investigated another potential bias. Because the typical term of supervision is about three years, slightly more than half (51 percent) of offenders in the cohort are still on supervision. Consequently, offenders who have shorter supervision terms (either because they

had shorter terms imposed or because they were granted early termination) are likely over-represented in the population of offenders observed for re-arrests after supervision. Again, those offenders that are still on supervision and thus are excluded from the tabulations may be among the “worst” offenders and would have higher rates of recidivism, including severity of crimes for which they were re-arrested, than the “best” offenders included in the tabulations.

To examine the second possibility, the study team tabulated the re-arrest rates separately for four cohorts of offenders: offenders who entered supervision in fiscal years 2005 (Cohort 1), 2006 (Cohort 2), 2007 (Cohort 3), and 2008 (Cohort 4). We expected to see a difference in re-arrest rates over time, especially between the earliest and latest cohorts. However, the study team did not see such a pattern. Moreover, the study team did not find that re-arrest rates by offense type and severity over time for these four cohorts varied appreciably.

On the premise that higher-risk offenders complete their supervision terms later than lower-risk offenders, the study team expected that the earlier cohorts would have higher average RPI scores than the later cohorts. That is, they expected that lower-risk offenders would be over-represented in the later cohorts. To investigate, they examined RPI scores for offenders who were eligible for one-, two-, and three-year arrest rates. However, the team did not see any patterns in the data that would indicate that the cohorts vary over time in terms of their risks.

Although the analyses thus far do not reveal bias in the post-supervision follow-up re-arrest statistics, the study team nevertheless advises a cautious interpretation until further data are available.

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Conclusion

We have made considerable progress in understanding the extent and nature of recidivism in federal post-conviction supervision. In the past few years, we have begun a framework upon which we can continue to build that informs our stakeholders of the progress that we are making towards achieving federal supervision's most salient outcome—reducing recidivism during the period of supervision and beyond. We are positioned to enhance our framework to measure and report on other important interim and ultimate outcomes. This will tell us, at least in large part, how *well* we are doing.

However, perhaps the more important—and of course, far more complex—question is *why*. The next phases of the results-based framework seek to answer some of these questions as we explore the causal relationships between supervision interventions and the intermediate and ultimate outcomes. While we still have much work to do in this regard, we have built an infrastructure that supports statistical models designed to isolate supervision interventions and practices that improve offender outcomes.

As we continue to implement evidence-based practices (EBPs), we will rely on our data to inform us as to what is producing desired outcomes and what is not. Our challenge remains to systematically and regularly evaluate our outcomes and to incorporate our knowledge into practice.

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Results-based Framework for Post-conviction Supervision Recidivism Analysis

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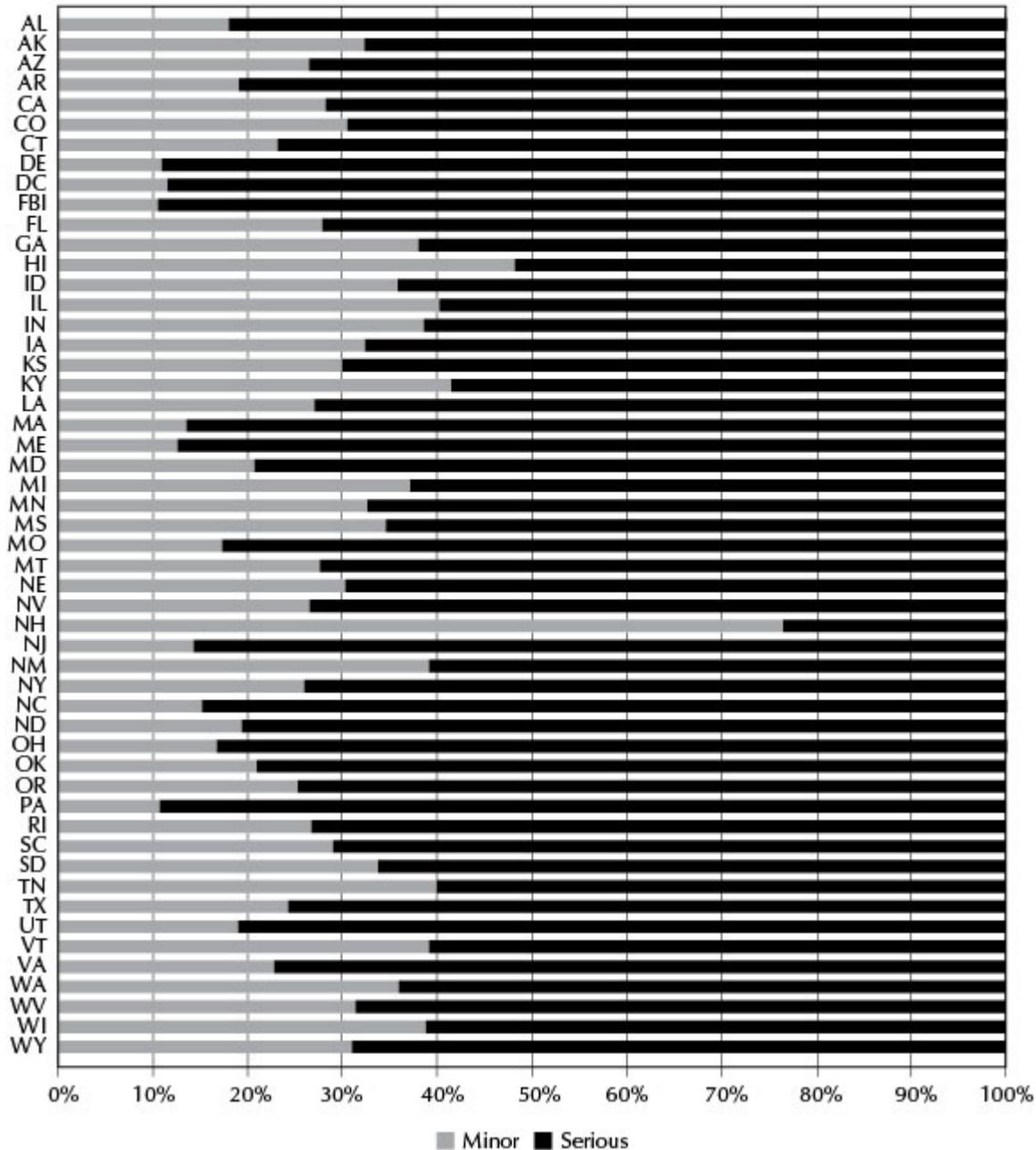
Figure 1.

Variances in Reporting Minor and Major Crimes by State

FIGURE 1.

Variances in Reporting Minor and Major Crimes by State

The seriousness of reported arrests committed by offenders in the study ranges from rather minor offenses such as public order offenses to serious violent crimes against persons such as assault. Figure 1 shows the distribution of arrest rates (for all arrests after October 1, 2004) by offense severity (minor versus serious) for all states. As the figure demonstrates, states seem to vary with respect to the fidelity with which they report arrests for relatively minor crimes. For example, minor offenses account for over 77 percent of all arrests in New Hampshire to a little more than 10 percent of all arrests in Pennsylvania.



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Number of Probation and TSR Offenders in the Analysis

Supervision Type	1 Year	2 Years	3 Years
Probation	26,709	13,816	6,120
TSR	120,321	74,467	33,532
Total	147,030	88,283	39,652

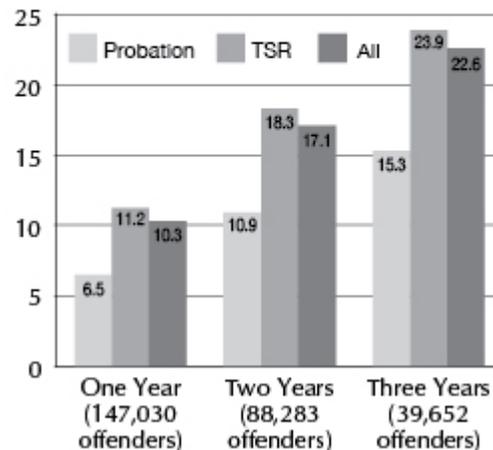
Note: Numbers do not sum across columns because year 3 is a subset of year 2, and year 2 is a subset of year 1.

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Figure 3.
Arrest Rates for Serious Offenses by Year for Probation and TSR Offenders During Supervision

FIGURE 3.

Arrest Rates for Serious Offenses by Year for Probation and TSR Offenders During Supervision



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Figure 4.
*Arrest rates for Serious Offenses by Year and Offense Category**

	% of Offenders with Arrest		
	1 Year	2 Years	3 Years
Offense category	(n=147,030)	(n=88,283)	(n=39,652)

Drugs	2.9%	5.1%	6.9%
Violence	2.4%	4.2%	5.7%
Property	2.4%	4.0%	5.2%
Unknown	0.7%	1.1%	1.3%
Immigration	0.5%	0.7%	0.8%
Escape/Obstruction	0.4%	0.6%	0.7%
Firearms	0.3%	0.5%	0.6%
Sex Offense	0.3%	0.4%	0.5%
Public Order	0.2%	0.4%	0.5%
Other	0.2%	0.3%	0.4%
Total	10.3%	17.1%	22.6%

*Note: Percentage totals are arrived at by adding the individual percentages carried out to several decimal points.

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Figure 5.
Arrest Rates for Serious Offenses by Year and Offense Category for Probation and TSR Offenders*

	% of Offenders with Arrest					
	TSR			Probation		
	1 Year	2 Years	3 Years	1 Year	2 Years	3 Years
Offense category	(n=120,321)	(n=74,467)	(n=33,532)	(n=26,709)	(n=13,816)	(n=6,120)
Drugs	3.3%	5.6%	7.6%	1.5%	2.3%	3.4%
Violence	2.7%	4.5%	6.1%	1.2%	2.2%	3.0%
Property	2.5%	4.0%	5.1%	2.2%	3.8%	5.4%
Unknown	0.7%	1.1%	1.4%	0.4%	0.7%	1.0%
Escape/Obstruction	0.4%	0.6%	0.8%	0.2%	0.3%	0.4%
Immigration	0.6%	0.7%	0.8%	0.4%	0.7%	0.8%
Firearms	0.4%	0.6%	0.7%	0.1%	0.2%	0.2%
Sex Offense	0.3%	0.5%	0.6%	0.1%	0.2%	0.3%
Public Order	0.2%	0.4%	0.5%	0.1%	0.2%	0.3%

Other	0.2%	0.3%	0.4%	0.1%	0.3%	0.4%
Total	11.2%	18.3%	23.9%	6.5%	10.9%	15.3%

*Note: Percentage totals are arrived at by adding the individual percentages carried out to several decimal points.

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Figure 6.
Number of Probation and TSR Offenders in the Analysis

Supervision Type	1 Year	2 Years	3 Years
Probation	13,463	7,115	2,577
TSR	21,807	7,151	1,821
Total	35,270	14,266	4,398

Note: Numbers do not sum across columns because year 1 is a subset of year 2, and year 2 is a subset of year 3.

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Figure 7.
Arrest Rates for Serious Offenses by Year for Probation and TSR Offenders Following Supervision

FIGURE 7.
Arrest Rates for Serious Offenses by Year for Probation and TSR Offenders Following Supervision

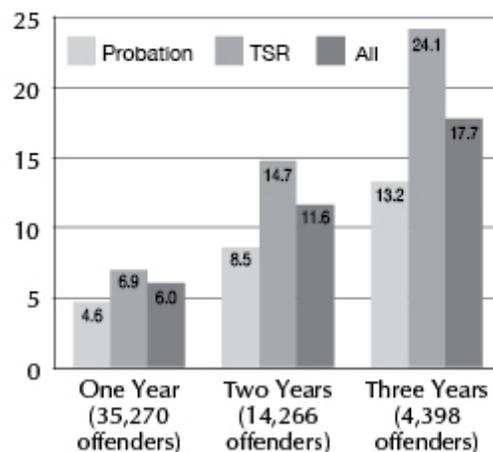


Figure 8.
Post-Supervision Re-Arrest Rates for Serious Offenses by Year and Offense Category*

	% of Offenders with Arrest		
	1 Year	2 Years	3 Years
Offense category	(n=35,270)	(n=14,266)	(n=4,398)
Drugs	1.9%	3.6%	5.5%
Property	1.4%	3.0%	4.5%
Violence	1.6%	2.9%	4.4%
Unknown	0.3%	0.6%	1.1%
Immigration	0.3%	0.5%	0.7%
Firearms	0.2%	0.2%	0.4%
Public Order	0.1%	0.1%	0.3%
Sex Offense	0.2%	0.3%	0.3%
Other	0.1%	0.2%	0.3%
Escape/Obstruction	0.1%	0.1%	0.1%
Total Arrest Rate	6.0%	11.6%	17.7%

*Note: Percentage totals are arrived at by adding the individual percentages carried out to several decimal points.

Figure 9.
Post-Supervision Re-Arrest Rates for Serious Offenses by Year and Offense Category for Probation and TSR Offenders*

	% of Offenders with Arrest					
	TSR			Probation		
	1 Year	2 Years	3 Years	1 Year	2 Years	3 Years
Offense category	(n=21,807)	(n=7,151)	(n=1,821)	(n=13,463)	(n=7,115)	(n=2,577)
Drugs	2.1%	4.6%	7.9%	1.4%	2.6%	3.9%

Property	1.6%	3.7%	6.0%	1.2%	2.3%	3.5%
Violence	1.8%	3.4%	5.5%	1.2%	2.3%	3.6%
Unknown	0.3%	0.9%	1.5%	0.2%	0.4%	0.8%
Immigration	0.3%	0.7%	1.0%	0.2%	0.4%	0.5%
Firearms	0.2%	0.3%	0.6%	0.1%	0.2%	0.2%
Public Order	0.2%	0.5%	0.5%	0.1%	0.2%	0.2%
Sex Offense	0.1%	0.2%	0.4%	0.1%	0.1%	0.2%
Miscellaneous	0.2%	0.3%	0.4%	0.1%	0.1%	0.2%
Escape/Obstruction	0.1%	0.1%	0.2%	0.0%	0.1%	0.1%
Total Arrest Rate	6.9%	14.7%	24.1%	4.6%	8.5%	13.2%

*Note: Percentage totals are arrived at by adding the individual percentages carried out to several decimal points.

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Alternatives to Pretrial Detention: Southern District of Iowa, A Case Study

*Marie VanNostrand
Luminosity, Inc.*

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Introduction

The federal pretrial detention rates for the Southern District of Iowa reached their highest levels between July 2006 and June 2007, with detention rates of 69.5 percent including immigration cases and 67.3 percent excluding immigration cases. The detention rates at that time were significantly above the federal national average of 61.7 percent and were the highest in the 8th Circuit, which averaged 57.2 percent during the same period. The awareness of the increasing detention rates led U.S. Pretrial Services in the Southern District of Iowa to commence a project with the goal of increasing the utilization of alternatives to detention when appropriate to increase pretrial release rates while assuring court appearance and community safety. Consistent with the concept of pretrial justice and the U.S. Probation and Pretrial Services Charter for Excellence, the district utilized four primary strategies to responsibly increase pretrial release rates:

- **Allocate Human and Financial Resources**
 - Assign full-time supervisor and staff
 - Provide additional pretrial services resources

- Increase utilization of alternatives to detention funding with an emphasis on mental health and substance abuse as release conditions and responses to violations
- **Utilize a Customer Service Approach**
 - Pledge to magistrate judges to improve pretrial services
 - Conduct progress survey of magistrate judges
 - Provide quarterly reports to magistrate judges
 - Initiate and maintain dialogue with magistrate judges, U.S. Attorney's Office, Federal Public Defender's Office/private defense bar, and other justice system stakeholders
 - Build positive relationships with defendants consistent with Evidence-Based Practices (EBP)
- **Provide Training and Increase Consistency of Services**
 - Provide pretrial services-specific training within and outside the district
 - Engage one staff to review all pretrial services reports
 - Create a pretrial services process improvement committee
 - Utilize *Guide to Judiciary Policies and Procedures*, Volume 8: Part A: Pretrial Services Investigation and Report and Part C: Supervision of Federal Defendants and 112 to guide practices
 - Develop a pretrial services report “how to” guide and example report
- **Develop an Identity for Pretrial Services**
 - Emphasize pretrial services and district mission
 - Convene weekly meetings for pretrial services staff
 - Train all newly hired staff in pretrial services

In addition to the four primary strategies employed to increase pretrial release rates while assuring court appearance and community safety, the district engaged in peer reviews by the Eastern District of Missouri and the District of Nebraska, participated in a Federal Judiciary Center Team Seminar, and created a leadership council in the Southern District of Iowa. It was the combination of the four primary project strategies, the support and resources from outside the district, the vision and commitment by the management team, and dedicated pretrial services staff that led to an extraordinarily successful project outcome.

The district partnered with Luminosity, Inc. to conduct an objective and research-based assessment of the project progress two years following implementation. This report contains 1) background information related to pretrial release and detention, pretrial services, the Alternatives to Detention (ATD) program, and the concept of the EBP risk principle and 2) detailed findings of the assessment.

The assessment revealed that the Southern District of Iowa was able to substantially increase the utilization of alternatives to detention, resulting in a pretrial release rate increase of 15 percent while assuring court appearance and community safety. In fact, the increased pretrial release rate was accompanied by an increase in court appearance rate by 2.6 percent and decreases in both new alleged criminal activity rate (1.7 percent decrease) and revocations due to technical violations (2.8 percent decrease) for defendants released pending trial. The primary project accomplishments are displayed in [Figure 1](#).¹

Background

The pretrial release decision, to release or detain a defendant pending trial and the setting of terms and conditions of release, is a monumental one that carries enormous consequences not only for the pretrial defendant but also for the safety of the community, the integrity of the judicial process, and the utilization of our often overtaxed criminal justice resources. The pretrial release decision is made by a judicial officer. Pretrial release and detention decisions in the federal court system serve to provide assurance that the defendant will appear for court and not be a danger to the community pending trial. There remains a legal presumption of release on the least restrictive terms and conditions,² with an emphasis on non-financial terms, unless the court determines that no condition or combination of conditions will reasonably assure the appearance of the person in court and the safety of any other person and the community.³

Pretrial services agencies perform critical functions related to the pretrial release decision. They provide information via investigations and reports to judicial officers to assist them in making the most appropriate pretrial release decision. The information provided to judicial officers includes, but is not limited to, the areas specified in the statute as follows: 1) the history and characteristics of the person, including the person's character, physical and mental condition, family ties, employment, financial resources, length of residence in the community, community ties, past conduct, history relating to drug or alcohol abuse, criminal history, record concerning appearance at court proceedings; and 2) whether, at the time of the current offense or arrest, the person was on probation, on parole, or on other release pending trial, sentencing, appeal, or completion of sentence for an offense under federal, state, or local law.⁴

Pretrial services agencies also provide supervision of defendants released with conditions pending trial. Conditions of supervision can relate to the following: employment; education; restrictions on travel, residence, and associations; prohibition of use of alcohol or other drugs; requirement to medical, psychological, or psychiatric treatment; and other conditions deemed appropriate by a judicial officer.⁵

The Pretrial Services Act of 1982 authorized the implementation of pretrial services nationwide with a primary purpose of reducing unnecessary pretrial detention. The Administrative Office of the United States Courts, Office of Probation and Pretrial Services supports the probation and pretrial services system, including developing system policies, supporting system programs including the ATD program, and reviewing the work of probation and pretrial services offices. Consistent with the concept of pretrial justice⁶ and U.S. Code Title 18, Part II, Chapter 207, § 3142 Release or Detention of a Defendant Pending Trial, the Department of Justice (acting through the U.S. Marshals Service and the Office of the Federal Detention Trustee) provides the federal judiciary with supplemental funding to support alternatives to pretrial detention. Alternatives to pretrial detention include, but are not limited to, third-party custodian, substance abuse testing, substance abuse treatment, location monitoring, halfway house, community housing or shelter, mental health treatment, sex offender treatment, and computer monitoring. Pretrial services agencies can recommend any of these alternatives to detention as conditions of pretrial release and judicial officers can set one or more of the alternatives to detention as conditions of release in lieu of secured detention.

Utilization of alternatives to detention as conditions of release should be consistent with the evidence-based practice “risk principle.” As it relates to the post-conviction field, research has demonstrated that evidence-based interventions directed towards offenders with a moderate to high risk of committing new crimes will result in better outcomes for both offenders and the community. Conversely, treatment resources targeted to low-risk offenders produce little, if any, positive effect. In fact, despite the appealing logic of involving low-risk individuals in intensive programming to prevent them from graduating to more serious behavior, numerous studies show that certain programs may actually worsen their outcomes. By limiting supervision and services for low-risk offenders and focusing on those who present greater risk, agencies can devote

limited treatment and supervision resources where they will provide the most benefit to public safety.⁷

Recent research conducted specifically for pretrial defendants supports the applicability of this principle to the pretrial services field. The pretrial risk assessment study for the federal court⁸ examined the use of alternatives to pretrial detention while considering risk and the most significant findings are provided below.

- Release conditions that include alternatives to pretrial detention generally decrease the likelihood of success pending trial for lower-risk defendants and should be required sparingly (excluding mental health treatment which, when appropriate, is beneficial regardless of risk).
- Alternatives to pretrial detention are most appropriate for moderate- and higher-risk defendants, as it allows for pretrial release while generally increasing pretrial success. Alternatives to pretrial detention should be imposed for this population when a defendant presents a specific risk of pretrial failure that can be addressed by a specific alternative.
- Defendants identified as moderate and higher risk are the most suited for pretrial release—both programmatically and economically—with conditions of alternatives to pretrial detention. The pretrial release of these defendants can be maximized by minimizing the likelihood of pretrial failure through participation in alternatives to detention.

Utilizing alternatives to detention for the appropriate defendant population can reduce unnecessary detention while assuring court appearance and community safety. Increasing the utilization of the ATD program consistent with the EBP risk principle was central to the district's strategy to responsibly increase pretrial release rates.

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Findings

The first step to completing the assessment was to identify performance and outcome measures to be used to gauge project progress and success. In consideration of the project goal and primary strategies, the following performance and outcome measures were identified: 1) pretrial services reports completed; 2) recommendation for release rate; 3) pretrial release rate; 4) pretrial services supervision activity including utilization of alternatives to detention; 5) supervision outcomes; and 6) cost avoidance and savings.

The next step was to identify the data and related sources that would be necessary to analyze the performance and outcome measures. The primary data used for analysis was provided by the Office of Probation and Pretrial Services and extracted from the Probation and Pretrial Services Automated Case Tracking System (PACTS). PACTS data was extracted in March 2010 and consisted of all persons charged with criminal offenses in the Southern District of Iowa Federal Court between October 1, 2001 and September 30, 2009 (FY 2002–FY 2009) who were processed by the federal pretrial services system. The dataset included 3,521 defendants who entered the pretrial services system via a complaint, indictment, information, or superseding indictment/information (all others, such as material witness and writs, were excluded). The dataset was supplemented with release and detention rate data from the H-Tables contained in the Judicial Business of the United States Courts reports, as well as incarceration rates and related costs provided by the Office of Federal Detention Trustee.

Population Description

The number of defendants processed by pretrial services annually was examined along with basic demographic descriptors. When available, the population for the Southern District of Iowa was compared to national data obtained from the *Pretrial Risk Assessment in the Federal Court* study referenced above.

Defendants Processed Annually

There were a total of 3,521 defendants processed during fiscal years 2002 and 2009, which ranged from 389 to 483 defendants annually. The percent of defendants released to pretrial services supervision varied from a low of 29 percent in both FY 03 and 05 to a high of 42 percent in FY 09. The number of defendants and percent of cases released to pretrial services supervision can be found in [figure 2](#).

Age, Gender, Race/Ethnicity, Citizenship

The average age of the defendants processed during this time for the district was 34 years old—the same as the national average. The age distribution can be found in [figure 3](#).

Eighty-six percent of all defendants processed in the district were male compared to 85 percent nationally. [Figure 4](#) contains the distribution of defendants by race/ethnicity in the Southern District of Iowa compared to the national population.

Seventy-two percent of the defendants in the Southern District of Iowa were United States citizens, compared to 62 percent of the defendants nationally.

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Education and Employment

The education levels for defendants in the district compared to the population nationally are contained in [Figure 5](#).

The majority of defendants in the district were employed at the time of the initial appearance (56 percent) compared with 52 percent of the population nationally.

Primary Charge

Nearly half (48 percent) of all defendants in the district had a primary charge (the most serious determined by charge classification and potential penalty) that was categorized as a drug-related offense. When examining primary charge alone, research has shown that defendants with a drug-related primary charge have the highest risk of failure if released pending trial compared to other primary charge categories (*Pretrial Risk Assessment in the Federal Court*, 2009). Most notably, the district received more drug-related cases and fewer immigration law violation-related cases when compared to the national population. The primary charge distribution can be found in [Figure 6](#).

Performance and Outcome Measures

In consideration of the project goal and primary implementation strategies, six primary performance and outcome measures were identified: 1) pretrial services reports completed; 2) recommendation for release rate; 3) pretrial release rate; 4) pretrial services supervision activity, including utilization of alternatives to detention; 5) supervision outcomes; and 6) cost avoidance and savings.

Pretrial Services Reports Completed

One implementation strategy was to increase the number of defendants who were interviewed by pretrial services for the purpose of completing a pretrial services report. During fiscal year 2007, 58.3 percent of all defendants were interviewed by pretrial services, which increased to 68.2 percent by fiscal year 2009. The increase in interviews allowed for a 10 percent increase in pretrial services reports completed.

Recommendation for Release Rate

Assigning additional human resources and providing pretrial services-specific training allowed not only for the additional pretrial services reports to be completed, but also for a substantial increase in the identification of defendants appropriate for release with alternatives to detention. In FY 2009, pretrial services recommended release for 42.6 percent of all defendants interviewed, representing a 16 percent increase when compared to the FY 2007 rate of only 26.9 percent. The provision of more pretrial services reports and an increase in recommendations for release by pretrial services is believed to have contributed to the increase in recommendations for release by the U.S. Attorney's Office of over 13 percent (24.4 percent in 2007 vs. 37.7 percent in 2009).

Pretrial Release Rate

When comparing the 12 months ending the third quarter of FY 2007 and the first quarter of FY 2010, the court released 15 percent more defendants pretrial. The increase in pretrial release rate by the court is consistent with the increase in recommendations for release by Pretrial Services and the U.S. Attorney's Office.

Pretrial Services Supervision Activity Including Utilization of Alternatives to Detention

As a result of the higher release rates, the number of defendants on pretrial services supervision increased from 130 to 164 between FY 2006 to FY 2009. The utilization of alternatives to detention as conditions of release also increased. Substance abuse testing and treatment as a condition of release increased by 92 percent, while the use of location monitoring more than doubled. The Southern District of Iowa identified a significant population in need of mental health services. As a result, ATD funds were used to complete mental health assessments and any resulting recommended treatment. Use of other ATD conditions increased by an average of 21 percent. Alternatives to detention were utilized as conditions of release for defendants who previously would have been detained. Matching risk to interventions and services, consistent with the EBP risk principle, was a priority to ensure that the higher release rate was accompanied by similar or improved outcomes. ATD program expenditures can be found in [Figure 8](#).

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Supervision Outcomes

Pretrial services supervision outcome is the success or failure of a defendant released pending trial. The purpose of release to pretrial supervision is to assure court appearance and the safety of the community during the pretrial stage. The primary measures of pretrial failure are failure to appear and danger to the community. For the purposes of this assessment, failure to appear was measured by a defendant's failure to appear for a scheduled court appearance or absconding from pretrial services supervision while pending trial. Danger to the community was measured by a pretrial release revocation due to a new arrest for a crime that was allegedly committed while the defendant was released pending trial. In addition to failure to appear and danger to the community, pretrial failure also included technical violations. Failure due to technical violations was measured by defendants who had their pretrial release revoked for violating technical conditions (reasons other than failing to appear or danger to community). As a result, pretrial failure included any defendant who: 1) failed to appear for a scheduled court appearance or absconded from pretrial services supervision; 2) had pretrial release revoked due to a new arrest for a crime that was allegedly committed while the defendant was released pending trial; or (3) had pretrial release revoked for violating technical conditions (reasons other than failing to appear or danger to community). Defendants who experienced none of these and remained in the community during the entire time pending trial were deemed successful.

Supervision outcomes improved during the course of the project. Court appearance rates increased by 2.6 percent. When using FY 2002–2006 as a baseline, the court appearance rate increased from 94.7 percent to 97.3 percent in FY 2008. The no new alleged criminal activity, the measure of community safety, also increased from 95.6 percent to 97.3 percent during the same period. Finally, the rate of not having a revocation due to technical violations also increased from 89.7 percent to 92.5 percent. It is important to note that FY 2009 data was not used to measure the change in outcomes, because too many cases referred during this time remained open and the outcomes have yet to be determined. All three measures of pretrial failure showed improvement, resulting in an overall increase in success rate on pretrial services supervision of nearly 7 percent. [Figure 9](#) illustrates the pretrial services supervision outcomes discussed above.

It is interesting to note that the 2008 success rate of 87 percent for the Southern District of Iowa was comparable to the national average of 87.4 percent. The district had slightly lower FTA and New Criminal Activity rates and a slightly higher Technical Violation rate.

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Cost Avoidance and Savings

The use of alternatives to detention for the appropriate population has been found to not only improve outcomes but also result in cost avoidance and true cost savings. The average cost of detaining a defendant pending trial is \$19,253 while the average cost of releasing a defendant pending trial to the alternatives to detention program (including cost of supervision, the alternatives to detention, and fugitive recovery) is \$3,860. A simple comparison of the average cost of detention and the average cost of release to the alternatives to detention program reveals that the alternatives to detention program is substantially less costly than detention. The average savings per defendant released pending trial to the ATD program in lieu of detention is \$15,393.⁹

The detention costs avoided as a result of pretrial services supervision with ATD in lieu of detention during FY 2008 and 2009 totaled \$5.33 million dollars. Recognizing that 30.5 percent of defendants were already being released pending trial prior to the current project, true cost savings can be determined by calculating the difference in the number of defendants released prior to the project and during the project. The increase in release rate of 15 percent included 110 defendants who previously would not have been released. The increase in the release rate during 2008 and 2009 resulted in an actual cost savings of \$1.7 million dollars (110 additional defendants released x \$15,393).

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Summary

The project goal of increasing the utilization of alternatives to detention when appropriate to increase pretrial release rates while assuring court appearance and community safety was achieved, as evidenced by every outcome and performance measure used to gauge the success of the project.

The district was successful in increasing pretrial services interviews, which allowed for an increase of 10 percent in pretrial services reports completed. Assigning additional human resources and providing pretrial services-specific training allowed not only for the additional pretrial services reports to be completed, but also for a 16 percent increase in the identification of defendants appropriate for release with alternatives to detention. The provision of more pretrial services reports and an increase in recommendations for release by pretrial services is also believed to have contributed to the over 13 percent increase in recommendations for release by the U.S. Attorney's Office.

The pretrial release rate increased by 15 percent during the project period. Releasing an additional 15 percent of all defendants pretrial with the applicable alternatives to detention resulted in improved outcomes. Defendants released to the Southern District of Iowa for pretrial services supervision experienced a reduction in failure to appear, danger to the community, and technical violations. All three measures of pretrial failure showed improvement, resulting in an overall increase in success rate on pretrial services supervision of nearly 7 percent. Finally, the increase in release rate of 15 percent included 110 defendants who previously would not have been released. The increase in release rates in 2008 and 2009 resulted in an actual cost savings of \$1.7 million dollars.

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Figure 1. *Project Accomplishments*

FIGURE 1.
Project Accomplishments



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Figure 2. *Defendants Processed by Pretrial Services (FY 2002 to 2009)*

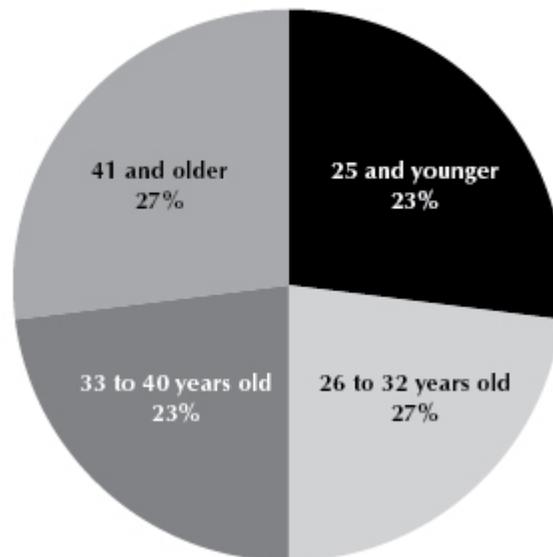
Supervision Year		2002	2003	2004	2005	2006	2007	2008	2009	Total
No	Count	284	275	283	341	276	365	279	264	2,367
	Percent	69	71	68	71	68	69	64	58	67
Yes	Count	125	114	136	142	129	162	156	190	1,154
	Percent	31	29	33	29	32	31	36	42	33
Total	Count	409	389	419	483	405	527	435	454	3,521

Data Source: Administrative Office of the U.S. Courts, Office of Probation and Pretrial Services, PACTS. All criminal defendants processed by Pretrial Services in Southern District of Iowa 10/1/2001–9/30/2009.

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Figure 3.
Defendant Age at Time of Arrest (FY 2002 to 2009)

FIGURE 3.
*Defendant Age at Time of Arrest
(FY 2002 to 2009)*



Data Source: Administrative Office of the U.S. Courts, Office of Probation and Pretrial Services, PACTS. All criminal defendants processed by Pretrial Services in Southern District of Iowa 10/1/2001–9/30/2009.

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Figure 4.
Race/Ethnicity of Defendants Processed by Pretrial Services

(FY 2002 to 2009)

Race/Ethnicity	Southern Iowa	National
White Non-Hispanic	50.4%	27.0%
White Hispanic	31.0%	44.3%
Black Non-Hispanic	16.8%	23.0%
Asian	1.3%	2.4%
Another Race	0.5%	3.3%

Data Source: Administrative Office of the U.S. Courts, Office of Probation and Pretrial Services, PACTS. All criminal defendants processed by Pretrial Services in Southern District of Iowa 10/1/2001–9/30/2009.

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Figure 5.
Education Levels of Defendants Processed by Pretrial Services
(FY 2002 to 2009)

Education	Southern Iowa	National
Less than high school	26%	41%
High school/GED	65%	51%
College degree or higher	9%	8%

Data Source: Administrative Office of the U.S. Courts, Office of Probation and Pretrial Services, PACTS. All criminal defendants processed by Pretrial Services in Southern District of Iowa 10/1/2001–9/30/2009.

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Figure 6.
Primary Charge of Defendants Processed by Pretrial Services
(FY 2002 to 2009)

Primary Charge	Southern Iowa	National
Drug	48%	36.0%
Immigration Law	15%	26.0%
Theft/Fraud	13%	17.0%
Firearm	15%	9.0%
Violent	6%	5.5%

Other

4%

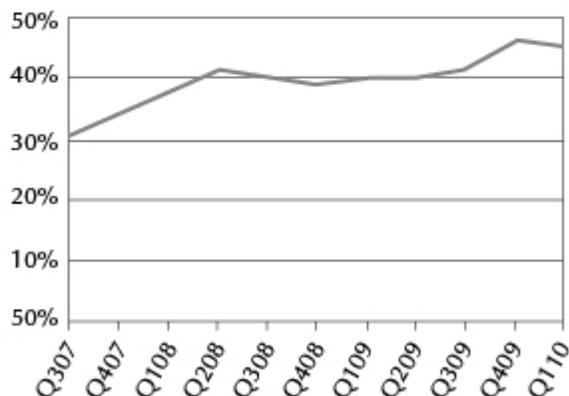
6.5%

Data Source: Administrative Office of the U.S. Courts, Office of Probation and Pretrial Services, PACTS. All criminal defendants processed by Pretrial Services in Southern District of Iowa 10/1/2001–9/30/2009.

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Figure 7.
Pretrial Release Rates 12-Month Period Ending Each Quarter (Q3–07 to Q1–10)

FIGURE 7.
Pretrial Release Rates 12-Month Period Ending Each Quarter (Q3–07 to Q1–10)



Data Source: Administrative Office of the U.S. Courts, Office of Probation and Pretrial Services

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Figure 8.
Alternative to Detention Program Expenditures (FY 2007–FY 2010 estimate)

ATD Expenditures	Southern Iowa
FY 2007	\$171,248
FY 2008	\$344,626
FY 2009	\$475,954
FY 2010 estimate*	\$483,980

*Based on Q1 2010 expenditure \$120,995

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Figure 9.
Pretrial Services Supervision Outcomes by Type
(FY 2002–FY 2008)

FIGURE 9.
Pretrial Services Supervision Outcomes by Type (FY 2002–FY 2008)



Data Source: Administrative Office of the U.S. Courts, Office of Probation and Pretrial Services, PACTS. All criminal defendants processed by Pretrial Services in Southern District of Iowa 10/1/2001–9/30/2009.

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Workforce Development Program: A Pilot Study of its Impact in the U.S. Probation Office, District of Delaware¹

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INDIVIDUALS RETURNING HOME from prison face significant challenges, including locating housing, re-establishing ties with family and friends, finding a job, abstaining from alcohol and drug abuse, resisting peer pressure to continue involvement in crime, and following supervision requirements (Petersilia 2001; Seiter & Kadela 2003). One issue that has been receiving increased attention is employment and job readiness. Previous research has identified unemployment as an important predictor of recidivism (Seiter & Kadela, 2003; Uggen 2000; Visher, Debus, & Yahner 2008).

For most exiting prisoners, finding a job after a period of incarceration can be a very stressful and difficult process. In some cases, they may not have had a legitimate job prior to incarceration, or they may not have been able to keep a legitimate job for a long period of time. Sometimes they may lack the necessary education or skills to obtain employment that will provide them enough income to sustain themselves. The additional burden of a criminal record also limits their prospects for many types of jobs. These individuals also face difficulties staying employed. Adjusting to a new schedule, working with a supervisor and other employees, and dealing with more responsibility can often be very challenging for recently released men and women (Buck, 2000; Harris & Keller, 2005; Holzer, Raphael & Stoll, 2002).

Over the past several years, more research has been geared toward program evaluation and outcome assessment to determine what types of prisoner reentry programs, policies, and services work and which do not. Results from these studies help to develop evidence-based practices that can lead to greater efficiency and accountability for programs aimed at assisting men and women in their transition from prison back into the community. One specific program developed

for ex-offenders is the federal Workforce Development Program. This initiative has been piloted in several federal probation offices and involves providing men and women under community supervision with assistance to increase their job readiness (including education and vocational skills), identify potential employers, and develop resumes and interview skills with the goals of obtaining full-time employment and reducing recidivism.

Initial experience with the Workforce Development Program is encouraging and preliminary research has found the program to increase employment and reduce recidivism in several jurisdictions, including Missouri, Louisiana, and Vermont. In late 2006, the U.S. Probation Office, District of Delaware in Wilmington, Delaware decided to implement this program to improve employment and decrease recidivism for a group of higher-risk probationers. Several recent reports on reentry programs and policies suggest that targeting high-risk individuals is an important component of an evidence-based reentry strategy (National Research Council 2007; Solomon et al. 2008).

This article presents results of a pilot study to track the progress of federal probationers² under the jurisdiction of the Delaware office after one year of being involved in the workforce development program, and assess the program's effects on employment and recidivism. In addition to a description of the Workforce Development Program in Delaware, participants are compared with probationers in two districts without Workforce Development Programs. The Center for Drug and Alcohol Studies at the University of Delaware compiled the data and conducted the analysis.

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Workforce Development Program

In 2006, the U.S. Probation Office, District of Delaware began taking steps to create a workforce development program that was intended to help men and women obtain and improve their employment as a path to reducing recidivism. The program was modeled after other evidence-based workforce development programs around the country. The probation officers began networking with and reaching out to local organizations and businesses to learn more about the services and resources available, including unions and apprenticeship programs. These activities also provided an opportunity to promote the benefits of hiring individuals who were under the supervision of the U.S. Probation Office, District of Delaware.

When the program received funding in 2007, participants were able to receive a number of different services to help them find or improve their employment. The program hired a part-time Community Resource Specialist to provide employment-related services such as individual job counseling, job referrals, and help with job searches. The program also offers paid vocational and skill training and workshops where participants can learn about interview skills, creating a resume, and other job skills such as choosing professional clothing. The program period was open-ended, so once people were enrolled in the program, they were able to use the services as often as needed, if they became unemployed again or were interested in finding a better employment opportunity. In mid-2008, the program added a Cognitive Behavioral Therapy (CBT) component. This includes a 22-week program focused on helping probationers change their criminal thinking. While the CBT component will not be analyzed in this pilot study, it has become another important part of the Workforce Development Program in Delaware and other jurisdictions.

In most cases participants were recommended to the Workforce Development Program by their probation officers to help them find employment or improve their employment. Others heard about the program and asked the probation officer to get them enrolled. No one was turned away. In a few cases, participants were mandated to participate in the program because of continued unemployment or non-compliance. Because the resources were limited during the initial development of the program, the officers did make an effort to target higher-risk offenders and those who were unemployed or underemployed. The only probationers who were

not actively encouraged to enroll were low-risk probationers who were employed and complying with conditions of release. Thus, the study sample comprises individuals who had one or more employment-related challenges and were considered of moderate to high risk for probation failure.

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Study Data and Participant Characteristics

The majority of data on the Delaware probationers in this study was collected from probationer cases files, including paper files and the online data management system, PACTS. These files are maintained by the supervising probation officer and provided information on demographics, criminal history and risk factors, rearrests, and noncompliance with supervision conditions, as well as information about Workforce Development Program involvement and employment. Monthly supervision reports completed by the probationers provided additional detail and verification of employment and income. Data regarding program involvement were collected from program records with the assistance of the Community Resource Specialist, who oversees many aspects of the program. Data on the comparison group are discussed below and were compiled specifically for this analysis by the Administrative Office of the U.S. Courts.

Analyses are based on all probationers who enrolled in the Delaware workforce development program between 9/4/06 and 7/31/08. All 80 participants were tracked for one year after they enrolled in the program. Those whose supervision expired before the end of the one-year follow-up as well as those who joined the program after 7/31/08 were excluded from the sample. Almost half of the probationers enrolled in 2007 and the other half enrolled in 2008, with two probationers being enrolled in 2006.

The program participants (See [table 1](#)) had an average term of supervision of 46 months, with 84 percent of them beginning supervision after an average term of incarceration of 59 months. The majority of probationers were enrolled in the Workforce Development Program during their first or second year of supervision. Participants ranged from 22 to 61 years old, with an average age of 34.5 years old. The sample was predominantly male (84 percent) and African-American (78 percent).

The probationers who participated in the Workforce Development Program were considered higher risk, which was demonstrated by a number of factors. In terms of their criminal history and risk, the average for this sample was 7.7 prior arrests and an average risk predictor index score (RPI) of about 5.0. As a comparison, the average number of prior arrests for the entire office caseload is 6.1 and the average RPI for the office is 3.7. The top three offenses of conviction were drugs (45 percent); firearms (28 percent); and fraud, including embezzlement, racketeering, and other financial crimes (20 percent).

A qualitative review of the files indicated that those with convictions for firearms and fraud had a particularly difficult time finding a job. Many of those with firearms convictions had previous felony convictions, making their criminal record more extensive. Those convicted of fraud and other financial crimes often had employment restrictions, which prevented several probationers from returning to their previous type of work. After one year, those with drug offenses and fraud/financial-related offenses had similar rates of employment (61 percent vs. 63 percent), while only 50 percent of those with firearm offenses were employed and 100 percent of those with other offenses (assault, robbery, escaping custody) were employed. Of those who were employed, the majority of participants with drug, firearm, and other offenses were employed full-time (82 percent, 73 percent, and 67 percent, respectively), but only 40 percent of those with fraud offenses were employed full-time.

Other Risk Factors

People on supervision, especially those released after a term of incarceration, face a number of obstacles. The vast majority of probationers in this study were single (93 percent) and over a

quarter of them were labeled as having unstable housing (28 percent). Additionally, 80 percent had a history of drug abuse and almost half had a history of mental health issues. However, only about 30 percent of the probationers had less than a high school diploma or GED when they began supervision, which may be due to the completion of their GED while incarcerated (see [Table 2](#)).

Lack of stable employment prior to incarceration is also an issue with this sample; only 25 percent of probationers had stable employment prior to their incarceration or supervision. Lack of stable employment was determined by the probation officer when completing a probationer's initial case plan for supervision, using employment records and contacts with former employers provided in the pre-sentence investigation report. Probationers who had no long-term employers, had been unemployed for long periods of time, or had been fired multiple times were considered to have unstable prior employment. Despite the lack of stable employment history, almost 43 percent were employed at the start of supervision. This is most likely due to many being placed in half-way houses and pre-release centers before their probation started, which allowed them to find employment while still serving their sentence.

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Workforce Development Program Involvement

A primary goal of the Workforce Development Program is to help probationers find employment. Yet, many of the probationers who are working are *underemployed*. Thus, the services and vocational training offered by the program are also aimed at helping these individuals improve their employment and wages, as well as maintain stable employment. At the time of enrollment in the Workforce Development Program, 40 percent of the sample was employed. Employed and unemployed probationers at the start of the program generally received similar services; however, probationers who were employed at the start of the program were more likely to receive vocational training.

Paid vocational training was provided to almost two-thirds of participants (62.5 percent). To be considered for vocational training, participants were required to write a formal request detailing the type of skill training they wanted and how it would benefit them. All participants who received vocational training also had some form of mandated treatment (drug, alcohol, or mental health). The vocational training allowed them to gain skills and certification for specialties including commercial driving (CDL), auto repair, carpentry, and cosmetology.

In addition, the majority of probationers received some individual job counseling (65 percent), help with job searches (61 percent) and job referrals (65 percent). The referrals were often made to employers and businesses with which the probation office had developed relationships. These connections allowed the office to know when jobs were available and helped with the hiring process, because the officers could provide some accountability and reassurance for employers. A smaller group received additional training on interview skills (31 percent) and resume building (24 percent), mostly because these workshops were only offered a few times each year.

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Employment Outcomes After One Year

The main objective of the Workforce Development Program is to help probationers obtain and improve their employment, with the long-term goal of reducing recidivism. After one year of participation in the Workforce Development Program, 61.3 percent of the sample were employed, an increase of 21.3 percent. An additional 3.7 percent were enrolled as full-time students. Of those who were employed, over two-thirds (69.4 percent) were employed full time. Those who were employed earned a monthly income between \$800.00 and \$2,693.00, with an average monthly income of \$1,580.37 (see [Table 3](#)).

Slightly over half of the sample were employed in labor or construction (53 percent), which included work in warehouses, road flaggers, and specialty work such as electrical, automotive, and carpentry. Another 20 percent of the sample worked in customer service or retail positions. Other types of work included food services and administrative and clerical work. Several participants found work as truck drivers after receiving vocational training to obtain commercial driver's licenses (CDL).

Although 61.3 percent of the sample was employed after one year in the Workforce Development Program, only 1 in 6 (16.3 percent) had not been employed at any point during the first year in the program. Probationers who had been employed at some point in the program worked an average of 7.4 months during the first year, at an average of 1.5 jobs. Of those who were employed after one year in the program, 16.7 percent went from part-time to full-time jobs and four in ten (40.7 percent) increased their monthly employment during their time in program. Additionally, of the 67 participants who were employed at some point during the first year, 14.9 percent were terminated from at least one job during that time.

Overall, the services offered by the Workforce Development Program appear to be linked to increased employment in the initial 80 participants who participated in the program (see [Figure 1](#)). Participants who received vocational training were more likely to be employed after one year (66 percent) than those who only received other services provided by the program (53 percent), although this difference is not statistically significant.³ In addition, those who received job referrals were significantly more likely to be employed (69 percent) than those who did not receive referrals (46 percent). Several other services appeared to improve employment slightly, although these differences were not statistically significant: greater employment for those who received interview skills training (72 percent vs. 56 percent employed), resume building (68 percent vs. 59 percent), and help with the job search (63 percent vs. 58 percent). Only 8 participants (10 percent) received all services offered in addition to the vocational training. This was not a large enough number to test the relationship to employment status. Job counseling alone did not appear to improve employment status (58 percent vs. 68 percent).

To better understand these employment outcomes among program participants, we also examined whether participant characteristics were related to employment status after one year. Men and women were equally likely to be employed at one year, as were white and black participants. Those who were incarcerated before probation supervision were more likely to be employed (65 percent) than those who only received probation (46 percent), but this difference is not statistically significant. While being employed at the start of supervision was not significantly related to employment after one year in the program, having a stable employment history prior to incarceration or supervision was significantly related to being employed (71 percent with prior stable employment and 45 percent without prior stable employment). Participants were also classified into low (0–3), medium (4–6), and high (7–9) risk based on their risk prediction index score; however, employment status was somewhat varied across these three groups, with the biggest difference between medium- and high-risk participants (62 percent, 69 percent, 50 percent, respectively). Other demographic and risk factors were not significantly related to employment, including history of drug abuse, history of mental health issues, and unstable living situation.

Since the vocational training was an important aspect of the program, several additional factors were examined to assess the impact of receiving vocational training on employment (see [Table 4](#)). Over half of the probationers received some type of vocational training. Medium-risk offenders (RPI scores between 4 and 6) were most likely to receive vocational training (56 percent). Low- and high-risk offenders were equally likely to receive vocational training (24 percent vs. 20 percent). After one year of involvement in the Workforce Development Program, this group was slightly more likely to be employed than those who did not receive vocational training (66.0 percent vs. 53.3 percent). Those who received vocational training showed improvement in full-time work, hours worked per week, wages, monthly income, and total months worked in the first year. However, with the exception of total months worked (8.2 vs. 6.1), these differences are not statistically significant. It is possible that with a larger sample

size, these differences would reach significance.

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Recidivism among Program Participants

According to the U.S. Probation Office, District of Delaware, a primary goal of the WFD program is to reduce re-involvement in criminal behavior, or recidivism. In this study, recidivism is measured by whether the probationer is rearrested or revoked⁴ within the first year of program involvement.

Rearrest⁵ was a relatively minor problem in this sample, with 1 in 9 probationers (9 or 11.3 percent) being rearrested during their involvement in the first year of the workforce development program. An additional 3.8 percent (3 participants) had their probation revoked. Thus, the overall recidivism rate for these program participants was 15 percent. Also in the first year, 11.3 percent (9 participants) were reincarcerated. (Arrests that did not result in reincarceration include traffic-related offenses such as driving under the influence, which was addressed through additional supervision or mandated treatment.) The most common reason for rearrest/revocation was drug related (36 percent). Other reasons included fraud, driving while intoxicated, assault, rape/sexual assault, and firearms offenses.

The type of Workforce Development Program component participants received was generally unrelated to rearrest/revocation (see [Table 5](#)). Those who received vocational training were less likely to be rearrested or revoked (12 percent) than those not receiving these services (20 percent), but this difference was not statistically significant. Similarly, those who received help with their job search or received job referrals had somewhat lower rearrest rates than those not receiving these services (12 percent vs. 19 percent). The group of participants who received resume-building services or interview skills training appears somewhat more likely to be rearrested or revoked.⁶ The small overall sample size precludes any definite finding about the program components and rearrest/revocation.

To better assess the overall impact on recidivism of participating in the Workforce Development Program, a comparison sample of federal probationers was identified. Two federal jurisdictions were chosen for this comparison based on their similarity to the Delaware jurisdiction and because they did not have any type of workforce development program. Each Delaware Workforce Development Program participant was matched with a federal probationer from one of the two districts based on five factors: race (white or non-white), gender (male and female), risk level (0-3, 4-6, or 7-9 RPI score), supervision type (probation only and supervised release), and offense category (drugs, firearms, fraud/financial crimes, and other). The matched sample also began supervision during the same years as the Delaware sample (2002-2008). A total of 73 of the 80 cases were matched and used in the analysis for a total of 146 cases.

The comparison jurisdictions provided the one-year rearrest and revocation data for the matched comparisons. All local arrests as well as arrests by other state and federal law enforcement were included. Traffic-related offenses, with the exception of driving while intoxicated, were excluded. The one-year time period for the recidivism measure of the comparison group was based on when the Delaware probationer began the Workforce Development Program in relation to when the probationer started probation. For example, if the Delaware participant began the program 6 months after starting supervision, the matched participant's recidivism would be measured beginning 6 months after starting supervision and ending one year later.

When the one-year recidivism rate for the Delaware Workforce Development participants was compared to the recidivism rate for matched probationers, the Workforce Development participants were significantly less likely to be rearrested or revoked than probationers from other districts who did not participate in a Workforce Development Program. Specifically, 15 percent of the Delaware program participants were rearrested or revoked within one year, compared to 26 percent of the comparison probationers. These findings suggest that participation

in the Workforce Development Program is modestly related to reducing recidivism, as measured by rearrest or revocation.⁷

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Discussion and Conclusion

The 80 federal probationers who participated in the Delaware Workforce Development Program were purposely chosen because they had a higher average risk than other federal probationers being supervised in the District of Delaware. Their average risk prediction score of 4.96 was 1.3 points higher than the district average, and over 75 percent of them had a risk score of 4 or higher. This group also had an average of 7.7 prior arrests (1.6 more than the office average). The top three offenses of conviction were drugs (46.5 percent), firearms (27.5 percent), and fraud (20.0 percent). While almost two-thirds of the sample had at least a high school diploma or GED, only 25 percent had a stable employment history prior to incarceration or supervision, and only 40 percent were employed when they started in the Workforce Development Program. Thus, this group of probationers faced considerable challenges in finding a job and staying employed.

After one year in the program, 61.3 percent of the probationers were employed, with the majority being employed full time. This was more than a 50 percent increase in employment, and an absolute increase of 21.3 percent compared to the 40 percent who were employed at the beginning of the program. An additional 3.8 percent were full-time students, and only 16.3 percent were not employed at any point during the year. The participants worked an average of 7.4 months during the year, with an average monthly income of about \$1500. Aspects of the Workforce Development Program that seemed to increase employment were job referrals and vocational training.

In comparing those Workforce Development participants who received vocational training (n=50) with those who did not (n=30), the vocational training recipients showed consistent improvement in several employment measures. Vocational training recipients were more likely than those who did not receive vocational training to be employed after one year (66 percent vs. 53 percent) and employed full time (76 percent vs. 56 percent), had an increase in hours worked (21 percent vs. 6 percent), had higher monthly income (\$1060.00 vs. \$815.00), and worked more months during their first year (8.2 vs. 6.1 months). Although the small sample sizes preclude finding differences that are statistically significant (with the exception of months worked during the year), the consistency of these findings suggests that the vocational training component of the Workforce Development Program operating in the District of Delaware produces added value in improving the employment outcomes of its participants.

This pilot study also examined whether the Delaware Workforce Development Program reduced recidivism, as measured by rearrest or revocation. One year after enrollment in the program, 15 percent of the participants had been rearrested or had their probation revoked. This included 12 participants, with 9 arrests and 3 revocations. Overall, 11.3 percent (9 participants) were reincarcerated. These results were compared with a matched sample of probationers from other districts. Again, small sample sizes limit the power of the conclusions, but, overall, participants in the Delaware Workforce Development Program were 58 percent less likely to recidivate after one year than the matched sample of probationers who received no workforce development services (15 percent vs. 26 percent, respectively).

These findings suggest that federal probationers enrolled in a workforce development program, especially a program that includes vocational training, are more likely to find and maintain employment. These program participants may also be less likely to engage in behavior that can result in an arrest for criminal activity. It is noteworthy that these effects were observed in a higher-risk group of probationers. Thus, other U.S. probation districts should consider developing Workforce Development Programs for probationers under their jurisdiction.

[Endnotes](#)

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Tables

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Table 1.
Description of the Workforce Development Program Participants

Participant Characteristics (n=80)	Percent
Gender	
Male	83.8
Female	16.3
Race	
White	18.8
Black	77.5
Other	3.8
Supervision Start Date	
2003	2.5
2005	12.5
2006	16.3
2007	35.0
2008	33.7

Conviction Offense	
Drug	45.0
Firearms	27.5
Robbery	5.0
Assault	1.3
Escaping Custody	1.3
Fraud	20.0
RPI Risk Score (mean/range)*	4.96 (0–9)
Prior Arrest (mean/range)**	7.7 (0–25)
Supervision Term (mean in mths/range)	45.8 (12–120)
Incarceration Term (mean in mths/range)	58.9 (1–240)
*A risk score of zero is possible, usually for first-time offenders placed on probation (no incarceration) with no other risk factors.	
**Prior arrests refers to the number of previous arrests a person had before the most recent arrest that resulted in incarceration and supervised release or probation.	

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Table 2.

Education and Employment Experiences of Participants

Participant Characteristics (n=80)	Percent
Highest Level of Education	
Less than High School	7.5
Some High School	23.8
HS Diploma/GED	56.3
Some College	7.5
College Degree or more	5.0
Stable Employment Prior to Supervision	
No	75.0
Yes	25.0

Employed at Start of Supervision	
No	57.5
Yes	42.5

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Table 3.
Employment Outcomes Among Participants After One Year

Employment Outcomes	Percent
All participants (n=80)	
Employment Status after 1 year	
Not Employed	35.0
Employed	61.3
Full Time Student	3.7
No job while in program	16.3
Of those employed (n=67)	
Part Time	30.6
Full Time	69.4
Terminated from any job	14.9
Increased hours	16.7
Increased income	40.7
Total months worked (mean)	7.4
Total number of jobs (mean)	1.5
Monthly Income (mean/range)	\$1,580.37 (\$800.00– \$2,693.00)
Type of Employment	
Labor/Construction	53.1
Driver (CDL)	8.2
Food Service	10.2
Customer Service/Retail	20.4

[back to top](#)**Table 4.*****Vocational Training and Employment Outcomes***

Employment Characteristics	Received Vocational Training (n=50)	No Vocational Training (n=30)
Employed after 1 year	66.0%	53.3%
Full Time	75.8%	56.3%
Increased Hours	21.1%	6.3%
Increased Pay	44.7%	31.5%
Monthly Income (mean)	\$1059.74	\$815.03
Months Worked in 1st year (mean)	8.22	6.13

[back to top](#)**Table 5.*****Employment Service Received and Recidivism at One Year***

Type of Services	Percent Rearrested or Revoked	
	Received Service	Did Not Receive Service
Vocational Training	12.0	20.0
Job Counseling	17.3	10.0
Resume Building	21.1	13.1
Interview Skills Training	16.0	14.5
Help with Job Search	12.2	19.4
Job Referrals	13.5	17.9

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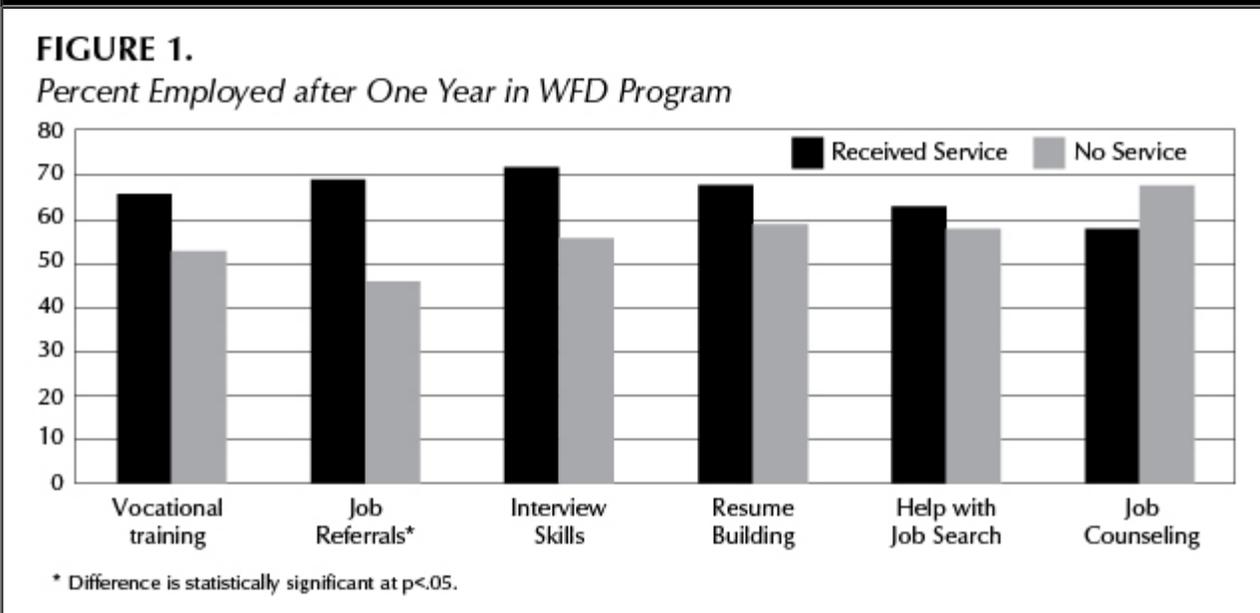
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Workforce Development Program: A Pilot Study of its Impact in the U.S. Probation Office, District of Delaware

Figures

[Figure 1](#)

Figure 1.
Percent Employed after One Year in WFD Program



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Evaluation of Kentucky's Early Inmate Release Initiative: Sentence Commutations, Public Safety and Recidivism¹

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THE PRISON SYSTEM is one of the most expensive and largest public systems in the nation. With more than 1.5 million prison inmates in 2008 (Sabol, West and Cooper, 2009), corrections costs American taxpayers more than \$63 billion annually (Hughes, 2006). With this continued growth on both fronts (Hughes, 2006; West and Sabol, 2009), handling this escalation is one of our nation's most pressing public policies. The size and expense of American corrections, coupled with the fact that criminal sentences in the United States are among the longest and harshest in the world, means that controlling increases in populations and expenses may require a paradigm shift in how we view and use prison space.

Two general approaches exist for how to address the need of limiting or reducing correctional populations and costs—limiting the number of offenders who go to prison and limiting the time inmates stay in prison. With no significant movement apparent for controlling the sentencing of offenders to prison, it may be most beneficial to look for ways to control the size of inmate populations using a backdoor approach—limiting the time inmates are incarcerated and managing populations through more effective release policies and practices. However, such an approach is often considered dangerous for both policy makers and the public. With the public and policy-makers concerned that limiting periods of incarceration will lead to more and more quickly occurring recidivism, it is important to examine whether there is a threat to public safety from managing prison populations through a backdoor approach. This is the goal of the current study: to examine whether there are public safety dangers associated with correctional officials

moving inmates back to the community prior to the expiration of their sentences. Through an assessment of the recidivism patterns of a cohort of prison inmates released through sentence commutations and a matched control group of inmates not released, this study examines whether sentence commutations can be done without a threat to public safety.

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Recidivism of Former Inmates

Rates of Recidivism

According to national statistics, within three years of release from prison fully 67.5 percent of all felons are rearrested, 46.9 percent are reconvicted of a criminal offense and 25.4 percent are returned to prison for a new offense (Langan and Levin, 2002). Additionally, more than one-half (51.8 percent) of all released offenders are returned to prison for some reason (a new conviction or technical violation of release conditions). Recidivists account for just over one-third (35.6 percent) of individuals admitted to prison in 2007 (West and Sabol, 2008).

Recidivism rates vary in important ways across types of offenders. According to national statistics, offenders with the highest rates of reincarceration are property offenders (56.4 percent), followed by drug offenders (49.2 percent), violent offenders (48.8 percent) and those convicted of public order offenses (48.0 percent). Among specific offenses, the highest rates of reincarceration are for those possessing/selling stolen property (62.1 percent), larcenists (60.0 percent) and motor vehicle thieves (59.1 percent) (Langan and Levin, 2002). Sex offenders, contrary to popular belief, tend to have some of the lowest rates of reincarceration (rape, 43.5 percent; other sexual assaults, 36.0 percent). Recidivism also tends to occur soon after release from prison. National statistics show that 29.9 percent of released offenders are rearrested within 6 months of release and within two years more than one-half (59.2 percent) are rearrested. Return to prison comes slightly later (as criminal justice processing can take a lengthy period of time); only 5 percent of released felons are reincarcerated within 6 months and 18.8 percent are reincarcerated within two years (Langan and Levin, 2002).

Specialization of Offenses

Scholars debate whether criminal offenders specialize in one particular criminal offense (or particular type of criminal offense), or whether offenders are generalists who engage in a variety of criminal offenses. Evidence to support both positions is available, with research suggesting that the distinguishing factor between specialists and generalists is age. Adult offenders display a greater likelihood of specializing in one particular type of offense (Blumstein, Cohen, Das and Moitra, 1988; Brennan, Mednick and John, 1989; Britt, 1996; Lo, Kim and Cheng, 2008). Juveniles, on the other hand, are more likely to display a pattern of opportunistic offending, engaging in a wide range of types of offenses (Farrington, Snyder and Finnegan, 1988; Tracy, Wolfgang and Figlio, 1990). It is important, though, to consider how specialization is defined and how it is measured, for different analytic approaches can suggest different outcomes (Sullivan, McGloin, Ray and Caudy, 2009). Armstrong (2008: 218) focused on the relationship between specialization and age and showed that specialization does occur, and “the influence of age on trends in specialization across offenses is particularly important for property offenses and violent offenses.”

However, even recognizing that adult offenders have a greater likelihood of specialization and that specialization (at least for violent and property offenses) may be related to an offender's age does not mean that offenders only engage in one particular type of offense (Langan and Levin, 2002). According to national statistics on recidivism (measured as reincarceration), property offenders (46.3 percent) are the most likely to commit a same/similar offense leading to reincarceration (Langan and Levin, 2002). Among other types of offenders, 41.2 percent of drug offenders returned to prison are reincarcerated for a subsequent drug offense, 31.2 percent of reincarcerated public order offenders are reincarcerated for another public order offense, 21.6

percent of violent offenders returned to prison are returned for a subsequent violent offense, and only 2.5 percent of reincarcerated rapists are returned to prison for a subsequent rape (Langan and Levin, 2002). In the end, there is not a clear indication that offenders restrict their criminal activities to only one specific type of offense, although a significant minority of adult recidivists do return to prison for offenses similar to those for which they were previously incarcerated.

Correlates of Recidivism

When looking at correlates of recidivism, there are a number of demographics, personal experiences, and criminal history issues that have been shown to be related to increased rates of recidivism. Among the wide range of demographic variables shown to be important in predicting recidivism are age, race, gender, family structure, and educational achievement. National statistics suggest that African-Americans have higher recidivism rates (54.2 percent; whites, 49.9 percent; other races, 49.5 percent) (Langan and Levin, 2002). Regarding age, few differences in rates of recidivism are seen, except for offenders aged 45 or older at release, who have lower (40.9 percent) rates than others (50 percent to 56 percent). The clearest demographic differences are seen for gender, with 53 percent of men and 39.4 percent of women returned to prison within 3 years. Related to education, employment post-release is a well known and repeatedly established important predictor of desistance from offending (Visher, Winterfield and Coggeshall, 2005). Offenders who leave prison with at least a high school equivalence level of achievement are less likely to be reincarcerated (Gendreau, Little and Goggin, 1996; Zgoba, Haugebrook, and Jenkins, 2008).

Among personal experiences, mental illness and psychological impairment are frequently identified as among the most important predictors of recidivism and re-incarceration (Messina, Burdon and Hagopian, 2006). Similarly, substance abuse is commonly linked with criminal recidivism. Evidence for the link of substance abuse and recidivism has been shown in numerous studies, including a meta-analysis of 45 studies of the impact of substance abuse on recidivism. This meta-analysis, which examined studies published between 1950 and 1998, revealed that a combined alcohol and drug abuse problem has the highest mean effect size of assessed possible influences (Dowden and Brown, 2002). However, what is important is the actual abusive use of alcohol and drugs, not whether an offender has a record of substance abuse offense convictions (Dowden and Brown, 2002).

Other personal experience and demographic variables have defied logic and been shown not to be linked with increased likelihood of recidivism. These non-significant predictors of recidivism, as shown through a meta-analysis of 131 studies published between 1970 and 1994, include intellectual functioning and measures of personal distress and socioeconomic status (Gendreau, et al., 1996).

Perhaps the most logical and (according to at least some research) most effective predictor of criminal recidivism is an offender's criminal history (Gendreau, Little and Goggin, 1996; Nilsson, 2003; Stalans, Yarnold, and Seng, 2004). Some scholars and policymakers hold to the idea that criminal behavior may be especially difficult to modify, and believe that incarceration (through a deterrent effect) may be the most beneficial way to stem criminality. One large national study of more than 38,000 offenders released from prison in 1994 shows that over the first three years of return to the community, fully 56 percent of offenders show a deterrent effect of incarceration (Bhati, 2006); however, others (Langan and Levin, 2002) suggest that length of time incarcerated is only related to (a lower) likelihood of recidivism for those serving 5 years or more of incarceration. Community supervision apparently had no significant effect upon recidivism rates. However, another study (Nilsson, 2003) reported contradictory results. The amount of time previously spent in prison was a more significant predictor of recidivism than post-prison living conditions (education, employment, financial status, social relations, and health). As Nilsson (2003: 57) concludes, "a prison term appears to reduce ex-offenders' opportunities to lead a conventional life with a legitimate income, and thus supports marginalization and social exclusion in society."

Studies of Commutations and Early Release

A limited body of literature examines the impact of early release from incarceration upon recidivism rates. In their meta-analysis of 50 such studies, Gendreau, Goggin and Cullen (1999) found that persons who were incarcerated rather than receiving a sentence of either community corrections or an intermediate sanction had higher rates of recidivism. This finding was especially true for lower-risk offenders. In fact, lower-risk offenders display higher rates of recidivism when serving longer periods of time in prison.

A second study of time to recidivism (measured as reincarceration) for groups of violent, sex and drug specialized offenders showed that offenders who served at least 50 percent of their original sentence had significantly lower rates of recidivism and a longer time period to recidivate than offenders who served less than 50 percent of their sentences (Kunselman, 2000). However, offenders who served 60 percent or more of their sentences had lower survival probabilities than offenders who served between 50 and 60 percent of their sentences. Drug and sex offenders showed significantly longer time to recidivism than violent offenders when serving at least 50 percent of the original sentence.

These findings suggest three very important policy implications. First, a sentence of incarceration by itself may be a facilitator of criminal recidivism. Second, inmates (especially those deemed low risk initially) who serve longer proportions of sentences may be at increased risk of recidivating. Third, there is questionable value to long-term public safety in keeping offenders incarcerated for longer periods of time. In fact, at least for low-risk offenders and drug and sex offenders, longer periods of incarceration may have a negative effect on public safety/recidivism. In effect, early release can be a crime prevention mechanism.

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The Present Study: Evaluating Kentucky's Commutation Initiative

Kentucky is a uniquely situated jurisdiction for assessing the viability of releasing prison inmates earlier than called for in current sentences. Kentucky is a mid-sized system, ranking 25th among states in the number of prison inmates (Sabol, West and Cooper, 2009). It is also a correctional system experiencing rapid growth. According to the Bureau of Justice Statistics (Sabol, West and Cooper 2009), between 2000 and 2007 Kentucky experienced the largest growth in the imprisonment rate of all American jurisdictions. Kentucky experienced an increase of 139 inmates for every 100,000 residents, a rate 5 times higher than the national increase of 28 per 100,000 (Sabol, West and Cooper, 2009). Although the 2007 inmate population did not exceed the operational capacity of Kentucky prisons, fully 95 percent of all prison beds in the state were occupied (Sabol, West and Cooper, 2009).

In an effort to partially address a state budget shortfall, Kentucky Governor Paul Patton announced an initiative to commute the sentences for nearly 900 inmates in December 2002. Only class C and D felons (the lowest two felony levels in the Commonwealth of Kentucky) convicted of non-violent offenses were considered for release. The 883 offenders who were released "early" were all within 120 days of the expiration of their sentences. The commutation initiative was projected to lead to a savings of \$1.3 million immediately and perhaps as much as \$3 million within one year. However, shortly following release, four inmates were arrested for new offenses and received significant state-wide media coverage. As a result, Governor Patton suspended the program in January, 2003. To date, no systematic evaluation of the initiative has been completed.

This commutation initiative is important to evaluate. It can inform public policy decisions designed to address possible ways to control the rapidly increasing populations and costs of corrections. If the initiative is shown to pose no threat to public safety, then policymakers would be wise to consider shortening the length of time served by felons. Such a move would save millions of dollars, while presenting no greater threat to public safety than the expenditure of saved dollars on lengthier incarceration. Or, if the initiative is shown to contribute to increased

rates of recidivism, policymakers will be armed with data to determine a bearable financial cost to offset the costs of victimization via maintaining inmates in prison.

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Methods

The data for this study came from the Kentucky Department of Corrections (KDOC). The KDOC provided data from their inmate database for two groups of inmates: those whose sentences were commuted and a matched comparison group. To clarify, all members of the cohort of inmates who had their sentences commuted (i.e., were released “early”) were identified (N=866). The KDOC then created a comparison group of inmates not granted commutations (N=866). KDOC used the following variables to match the commuted and comparison groups: age, race, sex, and original offense.

The variables used in the analysis include offender sex, race, age, county of commitment, original conviction offense, the inmate's last custody level while incarcerated, and whether the offender was reincarcerated within five years and if so, the offense(s) for which the offender was reincarcerated. In the data, males were coded as 1 and females were coded as 0. Whites were coded as 1 and non-whites were coded as 0. Blacks were coded as 1 and 0 for non-blacks. Age is a continuous variable representing the offender's age at time of release. The offense location was coded to reflect urban (1) or rural (0) county. The individual's custody level was coded so that 1 = minimum, 2 = medium, and 3 = community. The offense (i.e., original or new) for which the offender was (re)incarcerated was coded as (1 = Drug offense, 2 = Violent Offense, 3 = Property Offense, 4 = Theft, and 5 = Other).

[Table 1](#) presents the demographic attributes of the Commuted and Comparison groups. The two groups are comparable and almost identical with regard to the proportions of each group in terms of race, sex, and mean age at first incarceration. However, there were statistically significant differences between the two groups in terms of their original offense. The Comparison Group had a greater proportion of violent offenders (9.6 percent vs. 2.1 percent) than the Commuted Group. The Commuted Group had a slightly higher proportion of offenders in every other category (Drugs, Property, Theft and Other). The Commuted Group had a statistically significantly higher proportion of offenders from urban counties (67 vs. 58 percent). The last statistically significant difference was expected—the Commuted Group served 237.5 fewer days incarcerated than the Comparison Group (583 vs. 821).

The analysis focuses on assessing the reincarceration percentages for both the cohort of commuted sentence inmates and the comparison group, as well as identifying specific subgroups based on demographics (race, sex, age, county of origin, and last custody designation while incarcerated) and the original and reincarceration offenses (drugs, violent, property, theft, and other offenses).² In addition, analysis focuses on the cost savings associated with sentence commutations.

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Findings

Reincarceration: Percentages and Offense Patterns

In [Table 2](#), we see that the reincarceration percentages for both groups were roughly the same: Commuted Group (40.0 percent) and Comparison Group (38.7 percent). Additionally, this table also presents the reincarceration percentages for subgroups (based on demographics and original offense) within the Commuted and Comparison Groups. Our focus is the statistically significant differences in reincarceration for these groups.

In regards to demographics, there are statistically significant differences in reincarceration

likelihood for subgroups based on race, age, sex and last custody level of incarceration. Regarding race, in both groups black releasees (Commuted: 44.5 percent, Comparison: 47 percent) had statistically significant higher percentages of reincarceration than white releasees (Commuted: 40.3 percent, Comparison: 36.4 percent). Younger releasees (age 18-26) were reincarcerated at statistically significant greater percentages in both groups (Commuted: 52.6 percent, Comparison: 48.3 percent). Regarding sex, male releasees (42.8 percent) in the Commuted Group were reincarcerated more frequently than females (22.5 percent); however, no statistically significant difference is seen on the variable of sex for the comparison group. Finally, releasees from both groups who were last held at Medium security levels were more likely to be reincarcerated than either Minimum or Community levels of custody (Commuted: 47.5 percent, Comparison: 42.3 percent).

When examining types of offenders based on offense for which originally incarcerated, only one statistically significant difference is seen. Offenders originally incarcerated for Property offenses were reincarcerated at statistically significantly higher percentages than other types of offenders in the Comparison Group (46.8 percent).

[Table 3](#) presents a breakdown of reincarceration likelihood across both groups in terms of their new offense. Here there are no differences between the two groups that are statistically significant. However, the modal category for both groups was a new drug offense (Commuted: 32.8 percent, Comparison: 37 percent).

A second important aspect of such an effort is to examine whether such a move produces significant cost savings. At the time that the commutation initiative was implemented, the total daily cost of incarceration for both groups in 2002 was \$56,550.88. Therefore, by releasing the commuted sentence inmates there is a cost savings of \$13,430,834.³

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Conclusion

The findings of this analysis demonstrate that inmates released prior to the expiration of their sentences (no more than 120 days early) posed no greater threat to public safety than those inmates who did not received commuted sentences. This suggests that the commutation initiative was an effective method of reducing the size and cost of the prison population while generating recidivism percentages (Commuted: 40 percent, Comparison: 38.7 percent) that were not statistically significantly different.

In total, the results of this study indicate that Kentucky's commutation initiative was successful. There are few statistically significant or meaningful differences between the two groups regarding the likelihood of reincarceration, and the initiative generated a substantial cost savings. Arguably, the comparison group offenders could also have been released when the Commuted Group had their sentences commuted, thereby generating a greater cost savings with little or no additional threat to public safety.

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Evaluation of Kentucky's Early Inmate Release Initiative: Sentence Commutations, Public Safety and Recidivism

Tables

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Table 1.

Demographic Attributes of the Commuted and Comparison Groups

Attribute	Commuted Group	Comparison Group
Race¹		
White	591 (71.3%)	590 (70.5%)
Black	238 (28.7%)	247 (29.5%)
Sex²		
Male	746 (86.1%)	746 (86.1%)
Female	120 (13.9%)	120 (13.9%)
Original Offense³		
Drugs	255 (30.2%)	252 (29.2%)
Violent	18 (2.1%)	83 (9.6%)
Property	179 (21.2%)	171 (19.8%)
Theft	220 (26.0%)	195 (22.6%)
Other	173 (20.5%)	162 (18.8%)

Offense Location⁴		
Urban	580 (67.0%)	502 (58.0%)
Rural	286 (33.0%)	364 (42.0%)
Mean Age⁵	33.64	33.24
Mean Days Served⁶	583.84	821.40
1. Chi-square value: 0.129, degrees of freedom: 1, significance level: .719 2. Chi-square value: 0.00, degrees of freedom: 1, significance level: 1.000 3. Chi-square value: 43.715, degrees of freedom: 4, significance level: .000 4. Chi-square value: 14.983, degrees of freedom: 1, significance level: .000 5. t-value: 0.915, degrees of freedom: 1730, significance level (2 tailed): .360 6. t-value: 5.509, degrees of freedom: 1722, significance level (2 tailed): .000		

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Table 2.		
<i>Reincarceration: Commuted and Comparison Groups</i>		
Attribute	Commuted Group	Comparison Group
Reincarcerated?¹	Reincarceration Percentage	Reincarceration Percentage
Yes	346 (40.0%)	335 (38.7%)
No	531 (60.0%)	531 (61.3%)
TOTAL	866	866
Race^{2 3}	Reincarceration Percentage	Reincarceration Percentage
White	238 (40.3%)	215 (36.4%)
Black	106 (44.5%)	116 (47.0%)
Age^{4 5}	Reincarceration Percentage	Reincarceration Percentage
18–26	120 (52.6%)	113 (48.3%)
27–32	89 (43.8%)	86 (41.0%)
33–39	72 (37.9%)	64 (33.7%)
40 & Older	65 (26.5%)	72 (31.0%)
Sex^{6 7}	Reincarceration Percentage	Reincarceration Percentage
Male	319 (42.8%)	297 (39.8%)
Female	27 (22.5%)	38 (31.7%)

Last Custody Level^{8 9}	Reincarceration Percentage	Reincarceration Percentage
Medium	121 (47.5%)	83 (42.3%)
Minimum	29 (44.6%)	37 (37.4%)
Community	73 (34.1%)	71 (30.0%)
Original Offense¹⁰	Reincarceration Percentage	Reincarceration Percentage
Drugs	96 (37.6%) ¹¹	87 (34.5%) ¹²
Violent	5 (27.8%) ¹³	28 (33.7%) ¹⁴
Property	72 (40.2%) ¹⁵	80 (46.8%) ¹⁶
Theft	94 (42.7%) ¹⁷	78 (40.0%) ¹⁸
Other	67 (38.7%) ¹⁹	62 (38.3%) ²⁰
County^{21 22}	Reincarceration Percentage	Reincarceration Percentage
Urban	108 (37.8%)	142 (39.0%)
Rural	238 (41.0%)	193 (38.4%)

1 Chi-square value: 0.293, degrees of freedom: 1, significance level: 0.588
2 Commuted: Chi-square value: 1.27, degrees of freedom: 1, significance level: .259
3 Comparison: Chi-square value: 8.06, degrees of freedom: 1, significance level: .005
4 Commuted: Chi-square value: 35.29, degrees of freedom: 3, significance level: .000
5 Comparison: Chi-square value: 17.29, degrees of freedom: 3, significance level: .001
6 Commuted: Chi-square value: 17.69, degrees of freedom: 1, significance level: .000
7 Comparison: Chi-square value: 2.89, degrees of freedom: 1, significance level: .089
8 Commuted: Chi-square value: 8.76, degrees of freedom: 2, significance level: .013
9 Comparison: Chi-square value: 7.27, degrees of freedom: 2, significance level: .026
10 Commuted: Chi-square value: 35.29, degrees of freedom: 3, significance level: .000
11 Commuted: Chi-square value: 0.82, degrees of freedom: 1, significance level: .371
12 Comparison: Chi-square value: 2.59, degrees of freedom: 1, significance level: .107
13 Commuted: Chi-square value: 1.37, degrees of freedom: 1, significance level: .287
14 Comparison: Chi-square value: 0.95, degrees of freedom: 1, significance level: .330
15 Commuted: Chi-square value: 0.007, degrees of freedom: 1, significance level: .934
16 Comparison: Chi-square value: 5.89, degrees of freedom: 1, significance level: .015
17 Commuted: Chi-square value: 0.95, degrees of freedom: 1, significance level: .331
18 Comparison: Chi-square value: 0.18, degrees of freedom: 1, significance level: .668
19 Commuted: Chi-square value: 0.14, degrees of freedom: 1, significance level: .713
20 Comparison: Chi-square value: 0.01, degrees of freedom: 1, significance level: .905
21 Commuted: Chi-square value: 0.86, degrees of freedom: 1, significance level: .355
22 Comparison: Chi-square value: 0.28, degrees of freedom: 1, significance level: .866

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Table 3.

New Offense at Reincarceration: Commuted and Comparison Groups

New Offense ¹	Commuted Group	Comparison Group	Total
Drugs	113 (32.8%)	124 (37.0%)	237 (34.9%)
Violent	47 (13.6%)	45 (13.4%)	92 (13.5%)
Property	50 (14.5%)	55 (16.4%)	105 (15.4%)
Theft	70 (20.3%)	49 (14.6%)	119 (17.5%)
Other	65 (18.8%)	62 (18.5%)	127 (18.7%)
1. Chi-square: 4.42, degrees of freedom = 4, significance level: .352			

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Implementing Gender-Responsive Treatment for Women in Prison: Client and Staff Perspectives

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OVER THE PAST TWO decades, the overall number of female prisoners in the United States has grown substantially. While the number of women in prison remains lower than the number of men, women are entering prisons at a faster rate than men. From 1995 to 2005, the total number of female prisoners increased 57 percent compared with a 34 percent increase in male prisoners (Harrison & Beck, 2006). The increase of the number of women in the nation's prison population has largely been due to incarceration for drug-related offenses. Zero tolerance policies related to addiction have created a greater demand for substance abuse treatment for men and women within a prison setting.

The prison-based therapeutic community (TC) treatment model has become the preferred method of substance-abuse treatment in American prisons over the past two decades (DeLeon, 2000). Rehabilitation in the TC environment focuses on a global change in lifestyle involving abstinence from drugs, elimination of antisocial activities, and the development of employable skills and pro-social attitudes and values (DeLeon, 2000). However, traditional TC programs were initially tailored to treat substance-abusing men. When studies analyze data for men and women separately, findings have shown that men and women have very different pathways to crime, addiction, and recovery (Grella & Joshi, 1999; Messina, Burdon, & Prendergast, 2003). Women's patterns of drug abuse have been shown to be more socially embedded than men's and primarily revolve around interpersonal relationships (Bloom, Owen, & Covington, 2003).

Among women, histories of sexual and physical abuse in childhood are major indicators of pre-existing conditions to subsequent addiction and criminality (Messina & Grella, 2006). The trauma that results from early victimization also increases the risk of mental and physical health problems and interpersonal violence in women's adolescent and adult relationships (Bloom, Chesney-Lind, & Owen, 1994; Messina et al., 2003; Messina & Grella, 2006), all of which are directly linked to recovery from drugs and alcohol for women (Grella & Joshi, 1999).

While researchers have reported some success in using the TC model to treat women in prison (Wexler et al., 1990; Inciardi et al., 1997), the ability of programs to fully meet the specialized treatment needs of drug-dependent women offenders remains in question, particularly within an institutional setting. Even though offenders have similar categories of needs with regard to addiction, mental health issues, and vocational/educational training, men and women manifest these needs differently. Research on drug-dependent women and men offenders suggests major differences in the degree of intensity of these needs and the ways in which treatment programs should address them to reduce the risk of relapse and recidivism (Covington, 1998; Henderson, 1998; Peters et al., 1997; Prendergast & Wellisch, 1995). In response to these differences, many have advocated for gender-specific substance abuse treatment for incarcerated women.

Theoretical models that focus on addiction and recovery for women have emerged in recent years. One approach to placing women's needs within a conceptual framework is relational theory, originally proposed by Miller (1976) and developed more recently by Jordan and colleagues (1991) and by Covington (1998) in her work on drug-abuse treatment for women offenders. Relational theory recognizes the different ways in which women and men develop psychologically and the centrality of relationships in women's lives (Miller, 1976). Relational theory views women's psychological development as growth with an emphasis on connection rather than on the separation that more traditional theories of psychology emphasize (Miller, 1976). It suggests that women develop a sense of self-worth when their actions arise out of connections with others (Covington, 2002; Jordan et al., 1991). Therefore, healthy connections with other people are fundamental to women's psychological well-being. From this perspective, psychological problems, drug abuse, and other antisocial behaviors can be traced to disconnections within women's past relationships that characterize the childhood experiences of most women offenders (Bloom et al., 2003). Women who have not had healthy, growth-fostering relationships in the past will often repeat their patterns of neglect and abuse (Covington, 2002; Jordan et al., 1991). These women often use drugs to connect with a drug-dependent partner, to deal with pain in their relationships, or to alter themselves to fit a relationship.

Relational theory could provide guidance to create the kinds of programs in the criminal justice system that will be most effective for drug-dependent women offenders. The expectation is that programs that focus on women's specific needs, guided by a theoretical understanding of women's psychological development, are in a better position to meet these needs than programs using the typical TC approach. The authors of this article are evaluating a women-focused treatment program implementing curricula based on relational theory to determine its relative effectiveness compared to a standard prison therapeutic community (TC) treatment program.

As part of this evaluation, focus groups were conducted with the staff and clients of the women-focused program to determine which elements had the greatest impact on participants during treatment, the degree to which the women-focused treatment met the needs of women offenders and the barriers to successfully implementing a women-focused program in a prison setting. Focus groups have mainly been used in the business and marketing fields as a way to get opinions on products and services but are increasingly being used in substance abuse research to elicit information about satisfaction with a particular service or program, service needs, and barriers (Connors & Franklin, 2000; Howell & Chasnoff, 2004), because they can provide more in-depth information and a deeper understanding of a particular topic than surveys or questionnaires. The purpose of this article is to describe the results of the focus group discussions and to communicate new insights into providing appropriate substance abuse treatment to women in a prison setting.

Materials and Methods

The treatment protocol and specific curricula of the women-focused program (i.e., “*Helping Women Recover*,” Covington, 1999; “*Beyond Trauma*,” 2003) are based on clinical experience and relational theory. The manualized, multi-faceted curriculum is specifically designed to be relevant to the needs of drug-dependent women in correctional settings, although it is widely used in community programs as well. The Helping Women Recover program is organized into four modules that address the areas that researchers have identified as necessary for women to work on in order to facilitate recovery and to avoid relapse: self, relationships, sexuality, and spirituality.

1) *Self module*: Women discover what the “self” is; learn that addiction can be understood as a disorder of the self; learn the sources of self-esteem; consider the effects of sexism, racism, and stigma on a sense of self; and learn that recovery includes the expansion and growth of the self.

2) *Relationship module*: Women explore their roles in their families of origin; discuss myths and realities about motherhood and their relationships with their mothers; review relationship histories, and consider how they can build healthy support systems. To assist the participants' growth, counselors role-model healthy relationships among themselves and with the participants.

3) *Sexuality module*: Women explore the connections between addiction and sexuality; body image, sexual identity, sexual abuse, and the fear of sex when clean and sober. Women may enter recovery with arrested sexual development, because substance abuse often interrupts the process of healthy sexual development. Many also struggle with sexual dysfunction, shame, fear, and trauma that must be addressed so that they do not return to addictive behaviors to manage the pain of these difficulties.

4) *Spirituality module*: Women are introduced to the concepts of spirituality, prayer, and meditation. Spirituality deals with transformation, connection, meaning, and wholeness. Each woman is given an opportunity to experience aspects of spirituality and to create a vision for her future in recovery.

During the Beyond Trauma curriculum, women begin a process of understanding what has occurred in their past (i.e., sexual or physical abuse, or other victimization) that has been traumatizing. They explore how this abuse has impacted their lives and learn coping mechanisms, while focusing on personal safety, using a strengths-based approach. In addition, women-focused program elements are delivered within the safety and comfort of a same-gender environment, encompassing non-confrontational and nonhierarchical learning experiences. Other elements include groups on parenting techniques and child custody issues, perinatal services, health and hygiene, grief and loss, and decision-making skills.

Implementation of the Curriculum

The present study was conducted at a California State Prison for Women. This prison had two TC programs, which provided approximately 6–24 months of substance abuse treatment. Inmates with a history of substance abuse are transferred into the programs near the end of their prison sentence under California Department of Corrections and Rehabilitation (CDCR) mandate. The two programs maintained separate counseling staff, treatment facilities, and housing units for participants in each program.

One of the programs was transformed into the women-focused program by incorporating the Helping Women Recover and Beyond Trauma curricula into their programming. The female counseling staff took part in a series of training workshops at the prison, which were led by Dr.

Participant Characteristics

The participants in the women-focused program at the time the study was conducted were 53 percent Caucasian, 20 percent African American, 18 percent Hispanic, and 9 percent “other ethnicity.” Of these, 47 percent reported never being married, 36 percent were divorced or separated, 12 percent were married and 5 percent were widowed. The women ranged in age between 18 and 54 years, with a mean age of 36 years (SD=9.3). They had a mean of 11 years of education (SD=1.7). Approximately 58 percent of the women were not in the labor force in the year prior to incarceration and another 18 percent were unemployed. Women working part time accounted for 14 percent and the remaining 10 percent were employed full time. Additionally, women reported a mean average lifetime period of incarceration of 4.8 years at treatment admission.

Approximately 80 percent of the women entering the program reported experiencing depression in their lifetime. Additionally, 75 percent of the women reported a history of physical abuse and 53 percent reported a history of sexual abuse. Fifty-four percent of the women reported methamphetamine or amphetamines as their primary drug problem, 20 percent reported cocaine or crack, 7 percent reported heroin, 14 percent reported other drugs and 5 percent reported no drug problem. Finally, 49 percent of the women reported daily use of drugs in the 30 days prior to incarceration and 14 percent reported using 3–6 times a week.

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Program Staff Characteristics

The women-focused program was staffed by 16 full-time staff members (i.e., a program director, a clinical manager, two administrative support staff, and three coordinators of services, including orientation, family services, and transitional care). The program direct counseling staff comprised three clinical counselors, three journey-level counselors, and three entry-level counselors (all of them women). The staff group members ranged in age from 25 to 60 years, with a mean age of 43 years (SD= 11.2). The staff was approximately 44 percent Hispanic, 37 percent Caucasian, and 19 percent African American. Half of the program staff members reported a high school diploma as their highest level of education obtained, another 44 percent an associate's degree, and 6 percent reported obtaining a bachelor's degree. The staff members ranged between less than one and seven years in their current position, with a mean of nearly four years. The staff members in the women-focused program reported an average of six and a half total years of experience in the field, and the program staff had a combined 105 years of experience in the substance abuse treatment field.

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Procedures

Two focus group sessions were conducted: one with the staff of the women-focused program and the other with the clients. The primary purpose of the focus groups was to qualitatively assess the staff and client perceptions of the appropriateness of the specific elements of the women-focused curriculum. The focus group interviews were conducted with randomly selected staff who had facilitated the group sessions and client volunteers who had received treatment for at least 4 months. At least two research members were present for each group; one member facilitated the group, the other took detailed handwritten notes. Each session was recorded on audiotape (with participants' permission) to ensure accuracy in the transcription and analysis of the data. Assurances of confidentiality and anonymity were provided to all focus group

participants and all participants gave informed consent. All study procedures were reviewed and approved by UCLA General Campus Internal Review Board for research with human subjects.

The topics covered in the focus groups included:

- Client perceptions of their treatment needs and how well the women-focused curriculum addressed their needs;
- Staff and client perceptions of the client's treatment experience;
- Staff and client opinions of the materials for the women-focused curriculum; and
- Staff and client views on barriers to implementation.

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Results

Treatment Needs

Participants in the client focus group identified several issues that they felt were important to address in order facilitate their recovery. There was a general consensus that the top two issues that they needed and wanted to address while in treatment were their drug use and their familial relationships. Many expressed a desire to really understand why they were using drugs. The women who were mothers were very concerned about the effects of their drug use and lifestyle in general on their children. On the other end of the spectrum, some women wanted to deal with their own childhood issues and how relationships with their parents played a part in their drug use.

I think past relationships with your parents...because, as far as me, I feel like it has a very big impact on the way I turned out and about my drug usage and a just a big part of who I am today. And, yeah, but then I know I can't continue to put the blame on them because I become an adult at a certain age, so—I think something like that should be put in there, you know, where you can understand... [Client]

When asked how well the curriculum addressed these issues, the majority of the participants in the client focus group felt that the curriculum did a good job in helping them deal with them.

...I think it would be more like yes, because it talks even about all the feelings and stuff that you're going through... relationships and, and to me, relationships covers all the way from a friend...to your dad, you know... I really believe it does because the fact is that with our group, we get in depth, even with the grandparents, you know. [Client]

...And we cover all the bases of family and children, and how your children are going through it, and what you think that they're going through. [Client]

I'm gonna have to say that it's been real beneficial to me...because on page twenty-eight and twenty-nine, it has the spirals of the outcome from going down spiral on your addiction, and then coming out of your addiction—and then it's got the downward spiral of trauma and coming out and healing. And it just covers every basis of, of how to work with your...emotions and how to understand them, instead of relapsing back to drugs. And I really think that this, that the Beyond Trauma, has helped me more than the SAP program has because I'm understanding how to deal with my emotions better out of reading how to do it, instead of going back to getting a drug to help me just cover up the problem. [Client]

Although many of the participants in the client focus groups liked how the curriculum addressed their drug use, some expressed the desire to go beyond the underlying issues leading

to their drug use and learn about their actual addiction.

...I would like to see us talk a little bit more about it than, you know, like the effects that it has on you, you know, the different types of drugs, and what the effects are, and what to look for...that you could see that your kids are using or to realize the signs and stuff like that...and to bring in the films and stuff like that, you know, to show us more stuff like that, you know...this is what it does and, and, you know, this is what the crack does... But yeah, I think they need to start putting more stuff in it like that so that we could see reality, you know... [Client]

Treatment Experience

The results from both focus groups indicate that the women benefited from participating in the women-focused treatment program. The facilitators succeeded in creating a safe environment for the women and noticed many positive changes in the women in their group as a result.

Okay, I facilitate the study group and it's a smaller group, and I've noticed a significant change and...I can see a difference in their attitudes and the way they present themselves. The one quiet one is now going out and doing opening circle. She's never ever done that. She's never even spoken up in her regular group because I've had her in her regular caseload group. And not that she's jumping up and doing jumping jacks or anything, but she says she feels more confident ...And then the one with the anger problems just said that that section of the book really hit me good, you know, to where we learned how to contain certain things to the appropriate time, and all that... [Staff]

I see those that, that are doing it, they want more out of their recovery. They're not okay with just the surface stuff anymore, but they wanna get deeper in. And then I also have those that they kind of like protect it—they back it up. Like when someone new comes in and they're like, ugh, Beyond Trauma again, or this is stupid—they're like, no, I've learned this and, and they will sell it ...themselves. [Staff]

I've seen a few of 'em where they've let relationships go and it's over with, you know—where they want something different—they want change in their life and a lot of this material has opened them up to where—I don't need that. You know, they don't need the things behind these walls. ... You know, they, they're really changing their, their behaviors, their ways, and I know there's some that even in their rooms, you know, they talk about process... [Staff]

The women-focused curriculum is delivered in a group format. The women who have been randomized to the women-focused program are placed into small groups with the same participants from beginning to end. This development of a peer support group allows the women to talk openly about their personal experiences, including past physical and sexual abuse in a safe confidential environment. One of the staff members noted how the women in her group formed a close-knit bond.

I see them wanting to change—make a better life. And in the study group, they bonded. You know, there's on—, it's a small group, so they bonded a little bit more—it's a little bit more tighter. It's a—people who normally wouldn't talk to each other actually talking to each other, you know, regardless of what goes on in the unit after hours, you know? But in the group itself, they bonded and they really will talk and listen to each other's voices instead of trying to out shout each other, like it has happened... [Staff]

Many of the women in the client focus group reported that they were not comfortable sharing their personal experiences in a group setting. Many of those who had been there for a while were able to overcome this as they got to know the other members of the group and saw that they could trust the other members not to take what is said outside of the group.

...it's necessary to grow. It's just, we don't do this alone, so therefore common sense tells me, if I'm doing this with other people, they've gotta know something about what it is my needs are. [Client]

One woman in particular, expressed how having a female facilitator has allowed her to really talk about the issues that she needs to address.

I kind of have taken some big chances—I've taken two big chances...Three and four are in the same group, and we have that, too. It seems that nothing that, to my knowledge, has been, you know, spread around, gossiped about—what have you... That's important to me, only because I have to live with people and I have to live in the mentality of a prison setting...But, it was very hard for me because—yeah, it, it was very hard for me. I find my issues being a female, that my issues have been easier to deal, to bring up with a female leader, or counselor, if you will, than a male, because it's just the nature of my...my needs right now, or whatever—my things I have to talk about. [Client]

A couple of the women were only comfortable sharing their personal experiences one-on-one with their counselors and preferred to just listen while in group. But even though these women did not feel comfortable talking about their experiences in group, they still felt that they were getting a lot out of this format, because it helped them to see that other women are going through some of the same things as they are.

I like hearing other people process...you know, I'd rather do that, that, I, and I'd like to have a, an one-on-one, I'd feel more comfortable... I have just started, so I like listening to other people's stories, you know...Kinda being a sponge [Client]

It does have an impact on them—I do notice that. We have, in our, in my caseloads, we do have a fish bowl, and I've noticed that some of the stuff that we've covered in Beyond Trauma is ending up in our fish bowl where we, that we want to go more in depth on that certain subject that we, that we covered in Beyond Trauma. I've noticed that some of the ones that were resistant in the beginning are, you know, kind of jumping in and, and participating.... And the ones that, all I do is sit here and observe—I don't say nothing, but I take in—are the ones that are starting to share and, you know, realizing that there are other people that have gone through the same thing, so I believe it does... [Staff]

Materials

As part of the curriculum, the women are given a journal to record what they are learning and feeling throughout their recovery process. All of the women liked this aspect of the curriculum, because it really allowed them to reflect on the lessons that they are learning whenever they wanted to and to write about things they did not feel comfortable talking about in group.

Because we do get to read it and we do get to write in 'em, and we get to take 'em back with us and go over 'em, or we get to take 'em with us and do the homework, if we don't finish it in here. And we just get to, you know, to, to be able to absorb whatever we don't learn because we have the books to take back with us...to look over 'em. And, and like she was saying, like a journal, like it's almost like a journal, also, where when we start thinking about stuff, we could go back and look at it or even we can just, you know, dart down whatever we're going through or whatever at that time. [Client]

There's where you just get to look at the book and write it down in a journal and then you get to work in the book, and I'm working in the book and I really get to learn who I am, and what I've gone through and learn how to deal with it, and it's helped a lot. [Client]

Unfortunately, the focus group revealed that many of the women were not getting the journals. The client and staff participants felt that this was something that all of the women should have because it allows them to continue with their recovery process outside of the group.

I think that maybe having a journal to write in would be helpful, because a lot of times I find myself really going through a lot of like brainstorming, just ideas and things...I want to, you know, just like focus on in the, at a future time, or something...And not having the material readily available to write it down, I really, I forget...And I think that would be helpful because there's so much that we get from these, and to be able to like look back at what some of the key...like the paraphrasing you did, did earlier, like that type of thing...being able to kind of like sum it up and to have that to just, you know, look back on. [Client]

I've had ladies ask me for different types of materials, and ask me about, you know, the curriculum and how they further it—so I've had a few one-on-ones if they want, I, you know, even ladies that have been a step down, you know, and wanna come back. So it's like, it's opened something...and they really—it, it makes a difference in the atmosphere. They're here, but deep down inside it's opened something where they wanna further it. You know, they wanna further it. ... and I think...there should be a way that, you know, they can check them out—the ones that really wanna pursue it. [Staff]

Barriers to Implementation

In addition to lack of materials, the participants in the staff focus group mentioned a number of other things that made delivering the curriculum in a prison setting difficult. One of the challenges reported was not having enough time to cover everything due to the size of the group.

I'm going to agree with that number one, that it's difficult to stay within that time frame, when I believe that this curriculum was—this is my perception—that it was written for between twelve and fifteen people. We have, sometimes, thirty people in a group and it's real difficult, even the check-in time, it says to give two minutes for everybody to settle in and, and do your meditations and all that. When I do a group that's got thirty in it, I give 'em five minutes, minimum, just because there's so many, it's hard for them to settle down and get situated... [Staff]

All of the staff participants agreed that the number of women in the groups needed to be reduced to a manageable size. A little less than half of the staff participants felt that one way to reduce the size of the group was to exclude the involuntary participants, as they were viewed as being disruptive to the group.

...because a lot, a lot of the participants here have been forced to come to this SAP program...So when you get half of those, roughly, you know—even a hundred of 'em, that don't wanna buy into it, it makes it real difficult for you to implement the program to them...because they're constantly disrupting it, acting out, you know, whatever it is. So you spend a lot of your time putting fires out, when you could be focusing totally on the curriculum. That irritates me. Not, not on anyone's part, it's... just irritating that you have so many in there that don't wanna be there, and it really disrupts the rest of 'em and it hinders their learning process [Staff]

However, over half of the participants in the staff focus group didn't want to exclude the involuntary participants, because they felt that, even though they are resistant in the beginning, the program may help them in some way.

Well, I believe that, you know, I'm gonna agree a little bit with Counselor number three, because I wouldn't wanna take from nobody ...You know, and like Counselor number five says, you know there's some that, you know, they really don't wanna be

here, but then they're doing big things today. They're doing a lot and it was just that little bit, you know, that's saying a whole lot because it's very hard facing the fears and all, you know, the things that we come up to. So, I agree...and I would think, you know, I couldn't see taking it from anybody... [Staff]

Well, my own personal opinion... I just think that we should downsize our group...and have a balance of, you know, the ones that are willing, the ones that are not willing, and just have maybe ten people per group—five that's willing, and maybe five that's not willing...you know, and just have a balance like that instead of just knocking all the ones out that don't wanna participate... 'cause those are the ones we wanna try to get to. [Staff]

Related to the time issue, participants in the staff focus group also reported that disruptions to programming can make it difficult to cover everything that is required. As a result, disruptions can make things a little inconsistent when the clients don't receive their normal programming due to staffing issues or lockdowns.

...if somebody calls in sick, or two women call in sick, oh my gosh, it is crazy, so we're, we, we don't get consistent with it.... I think that that's my greatest challenge with it, is when people, you know, take vacation or whatever...the case may be, you know, and we don't have enough women to run it...And then, you know,...the other counselors, will try to fill in, but they're not really familiar, you know, where we are or—they try to be, but they have other things going on, too, so it's really hard at times when it's just ran by only female staff. And again, time—maybe it needs to be broken down a little bit more for this environment that's... [Staff]

...just inconsistency of, of us, you know, not having the ladies all the time, then sometimes being a lockdown on foggy schedules and other things that we have to do, you know... [Staff]

The clients for the most part were satisfied with the counseling staff and felt that they really contributed to making the program a positive experience. In contrast, both the staff and clients felt that the attitudes and behaviors of the custody staff often had a damaging effect on the women, sometimes hindering the progress that was being made.

...They don't wanna open the door, sometimes, on time for us. And then, they wanna be just straight, excuse my language, but assholes, you know, and, and where women are just trying to do their program and do what they got to do and get back to what they got to do—the officers is like, you know, they just wanna be assholes...you know, and even though you're trying to do what you're supposed to do, they hinders that... you know, because you get pissed off at them and then there'll go half of your day being pissed off at them... So, if they, because I don't think they treat you as though you're human because you're in prison. And it's like, well, nobody told you to come here no way. Of course, they didn't—we didn't even tell us to come here, but we're here. You know, so why treat us like we're animals or...or we're just numbers, you know? [Client]

I think our officers need to go through this curriculum, or this training, so they can understand what we're trying to do and be a little bit—I know it's two different worlds, you know, we're treatment, they're officers—but I—I think that's hindering, sometimes 'cause they just don't care, and—I can't say that about all, but you know, for the most part—and you know, we're, we want them to be okay when they leave us...you know, and send them back to the trenches and, and to their rooms, and they, they just need so—, some more support, I think, from CDC, I, in an ideal world. [Staff]

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Discussion

Differences between male and female offenders have been identified throughout the literature. In general, men tend to have more legal problems (Anglin et al., 1987; Langan & Pelissier, 2001; Messina et al., 2000, 2003; Peters et al., 1997) and engage in more violent and serious types of crime (Grella, 2003; Peters et al., 1997). In contrast to this, women's involvement in criminal activity tends to be drug-related (Bloom et al., 1994). Thus, the average female offender is more likely than her male counterpart to be in prison as a result of her drug use. Drug treatment is seen as a way to stop the cycle of addiction and crime among women offenders. But many researchers believe that drug treatment alone is not enough to make long-lasting lifestyle and behavioral changes (Wellisch, 1996). Programs need to address the underlying problems that are driving women's drug use, which in turn leads to their involvement in criminal activity.

Women tend to define themselves and their self-worth in terms of their relationships, and drug relapses are often related to ongoing and/or failed relationships (Covington & Surrey 1997; Stevens & Glider, 1994). The findings from the client focus groups confirmed that relationships played an important part in the lives of the women in the women-focused program. They all agreed that in order to get their lives on track they had to work through their relationship issues. Thus the curriculum based on relational theory proved to be a good fit for this group of women.

In order for this curriculum to be truly effective, it has to be delivered in a stable, safe, and supportive environment that allows the women to feel comfortable to fully disclose and process what is going on in their lives. This is difficult to do in a prison setting for various reasons. With regard to program stability, many disruptions (e.g., lockdowns) happen in a prison setting that can interfere with the staff's ability to deliver the treatment in a consistent manner. Staffing issues such as staff shortages and high turnover rates often threaten the stability of programming (Burdon et al., 2002; Farabee et al., 1999). The participants in the staff focus group reported that limited staff resources sometimes created problems as a result of the requirement that the curriculum be delivered by a female counselor. This became an issue whenever someone called in sick or went on vacation, because the other available staff was either not trained on the curriculum or did not have time to temporarily take over another group.

The conflicting goals of the treatment and custody staff proved to be another threat to the success of the new program. Consistent with what has been reported in literature, the client and staff participants both reported that the behavior and attitudes of the custody staff towards the female program participants often undermined the progress being made in the group sessions. The failure of the custody staff to support the treatment goals of the women shows the need to include them more in the treatment process by cross-training both treatment and correctional staff, so that the goals of both are clearly understood and implemented in a way that works for everyone (Burdon et al., 2002; Farabee et al., 1999).

Another issue that made delivering the curriculum in prison challenging was the size of the group. All of the participants felt that the size of the group should be substantially reduced. This brought up the question of whether or not the program should only include clients who volunteered to participate. Farabee et al. (1998) in their article highlighted several issues surrounding the debate between coerced versus voluntary treatment. On one side of the spectrum some researchers have argued that there is very little benefit from forcing an individual who does not really want to be there into treatment (Hartjen et al., 1981; Platt et al., 1988). They believe that motivation is essential to getting people to actively participate and engage in treatment and that it is waste of resources to give a treatment slot to someone who has been coerced into treatment and is unlikely to change. Others believe that coerced treatment is necessary because it gets clients into treatment and keeps them there long enough to allow them to become engaged in treatment and to change their motivation to one of commitment (Anglin & Maugh, 1992; Salmon & Salmon, 1983). The findings indicate that the staff participants tended to support the proponents of coerced treatment. Although limiting participation in the program to voluntary clients would make the groups more manageable, the majority of the staff participants did not want to do so, because they have found that many of their involuntary clients benefit from being part of the women-focused group.

Despite the richness and utility of the data, generalizability from the focus group discussions may be limited due to the small sample size and the fact that the participants were not randomly selected. Thus, the findings from the focus group discussions represent the perceptions of the staff and clients who participated in the focus groups and may not represent those who did not. Nevertheless, in-depth focus group discussions with staff and clients can provide valuable and unique insight into their experiences and concerns regarding the implementation of a new curriculum. The information gathered from these focus groups highlights the need to increase the collaboration between the treatment and custody staff in order to ensure that the goals of the treatment program are not undermined by the conflicting goals of the correctional system.

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A Pilot Survey Linking Personality, Leadership Style, and Leadership Success among Probation Directors in the U.S.

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PROBATION, AS A suspended prison sentence, has the dual responsibility of controlling offenders while concurrently offering a “helping hand” for them to maintain community and family ties. At year-end 2008, fully 83.8 percent (4,270,917) of a total of 5,095,200 adult offenders under local, state, and federal community supervision were on probation, and the adult probation population has slightly but steadily grown annually (Bureau of Justice Statistics, 2009). Despite being one of the most promising formal social control mechanisms employed in the United States to promote public safety and serve a large offender population, probation has been distrusted and criticized by political leaders and the public for its perceived failure to contribute to public safety (e.g., high number of unnoticed violations and absconders, and high recidivism rates among probationers).

Lack of credibility with politicians and the public has unfortunately hampered probation funding, negatively affecting its ability to employ quality supervision strategies and specialized treatment for special needs (Petersilia, 1997). Consequently, probation has been recognized as “the most troubled component of the criminal justice system” (Reinventing Probation Council, 2000, p. 49). The response to that negative assessment should be renewed effort to build an effective probation system to better provide for public safety, and consequently to regain trust,

confidence, and support from the political arena and the public (Beto, Corbett, & DiIulio, 2000). To implement effective probation practices and to reduce the challenges they face, current probation administrators and managers need to lead their departments, rather than merely manage them. Despite the emphasis on effective probation leadership, many probation leaders over the past 100 years “have been replaced by competent but unimaginative managers” (Beto, 2007, p. 9). In other words, many probation executives have proven deficient in formulating an inspiring vision and transforming their probation organizations. Absent such sustained leadership, probation will fail to engender public support and positively impact public safety.

Leadership has long been an important topic to both probation practitioners and researchers. Despite the emphasis on effective probation leadership, there has been no empirical leadership research in this particular area of probation. Responding to this need, this pilot research seeks answers to what makes an effective leader by assessing the effects of probation executives' personality and leadership style behavior on their leadership success. According to Bass (1990), “leadership can be learned, and it can—and should—be the subject of management training and development” (p. 27). In a similar vein, Kirkpatrick and Locke (1991) contend that individuals can learn leadership traits, even though some are born with leadership traits. Findings from the present study will provide substantively useful and practical managerial information on which leadership style and personality are significant determinants of leadership success, and may help probation administrators and managers not only better lead their departments, but also develop hiring/promotional criteria and leadership development programs for more effective future leaders.

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Literature Review

Leadership theories have evolved over time, with two primary schools of thought concerning how leadership effectiveness can be approached. These schools are trait theory (the “born leader”) and style theory (learned leadership). Although trait theory was popular until the 1950s, little empirical research succeeded in finding the strong relationship between a set of personal traits and leadership, or to differentiate non-leaders from effective leaders (e.g. House & Aditya, 1997). The inconsistent and disappointing results of early research have prompted researchers to focus on the style approach rather than the personal trait approach (Smith & Canger, 2004). Style theory is about leader behavioral characteristics, focusing on what on-the-job activities, roles, and responsibilities leaders perform and how they behave toward their followers. Determining how effective leaders differ in their behavior from ineffective ones is critical. Therefore, these two different leadership theories should be distinguished from each other.

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Style Theory: Transformational Leadership Style

The dominant leadership style theory, originally introduced by Burns (1978), is Bass's (1985) transformational leadership, which has captured many leadership scholars' attention. Bass (1985) succinctly defined transformation leadership as a process in which a leader increases followers' awareness of what is right and important and motivates them to perform beyond expectation. As DiIulio (1987) notes: “Organizations are largely the shadows of their executives. . . . It does not matter whether one is talking about Harvard University, the Chrysler Corporation, or the Texas Department of Corrections. The executive's skills and abilities, his sense of mission and dedication to duty, are decisive in determining how—and how well—an organization runs” (p. 187). That is, an effective leader is one who can focus individual motivation and group involvement on organizational vision, mission, and goal. Bass and Avolio (1997) proposed three major leadership behavioral styles: laissez-faire, transactional, and transformational. According to Bass (1990), laissez-faire leadership refers to behaviors where leaders avoid accepting and carrying out any leadership and management responsibilities.

Transactional leadership is defined as a process of gaining compliance from followers through contacts with the leader. This approach to leadership refers to management and “occurs when one person takes the initiative in making contact with others for the purpose of an exchange of valued things” (Bass, 1985, p. 19). Transactional leaders usually display behaviors associated with the following: active management-by-exception, passive management-by-exception, and contingent reward (Bass & Avolio, 2004). Specifically, transactional leaders use either of the two forms of management-by-exception (active or passive) to correct followers' poor performance through corrective criticism, negative feedback, and negative enforcement. A leader taking the active form of management-by-exception intensively focuses attention on mistakes, complaints, and poor performance or rule violations, and then concentrates full attention on taking corrective action. The leader using passive management-by-exception intervenes only after detecting serious mistakes. In essence, both active and passive management-by-exception are primarily based on implicit or explicit contingent reinforcement of rules and keeping track of and avoiding mistakes. Alternatively, contingent reward involves an exchange between leaders and followers in recognizing good performance towards attainment of organizational goals.

Transformational leadership differs from transactional leadership and “occurs when one or more person[s] engage with others in such a way that leaders and followers raise one another to higher levels of motivation and morality” (Bass, 1985, p. 20). Central to transformational leadership are the following four related behavioral characteristics: 1) idealized influences (decide, share, and encourage a clear vision, mission, and purpose for organization, while being role-models for followers), 2) inspirational motivation (communicate a vision of a desired future state and high level of expectations to make the pain of change worth the meaningful and challenging effort), 3) intellectual stimulation (challenge and inspire followers to go beyond their own self-interests for the desired good of the group), and 4) individual consideration (coach and elevate the concerns of individual followers from lower-level physical needs to higher-level psychological needs). These behaviors support a transformational process wherein leaders inspire followers with a vision for organization that goes beyond their own self-interests (Judge & Bono, 2000).

Transformational leadership behaviors, in contrast to the transactional and laissez-faire leadership behaviors, can develop followers into leaders to fulfill a clearly defined vision and mission for any organization. Across many different types of organization, such as governmental, educational, or nursing organizations, empirical research has demonstrated a highly positive relationship between transformational leaders and leadership success, as measured by followers' satisfaction, extra effort, commitment, and effectiveness when compared with transactional leaders (e.g., Medley & Larochelle, 1995; Wofford, Whittington, & Goodwin, 2001). Additionally, Howell and Avolio (1993) found that transformational leadership predicts organizational effectiveness after controlling for transactional leadership, but the reverse is not true. Most of the reviewed literature empirically supports the theoretical propositions that transformational leadership is positively related to leadership success. Transactional leadership is positively but weakly related to leadership success. Laissez-faire leadership is negatively related to leadership success (e.g., Bono & Judge, 2004; Dumdum, Lowe, & Avolio, 2002; Lowe, Kroeck, & Sivasubramaniam 1996). Interestingly, according to Judge and Piccolo (2004) in their recent meta-analysis of testing relative validity of transformational and transactional leadership, contingent reward among both transactional leadership behaviors and transformational leadership behaviors shows strong positive relationships to follower job satisfaction, satisfaction with the leader, and follower motivation.

More specifically, in the relationships between transformational leadership and leadership success, a recent meta-analysis conducted by Lowe et al. (1996) found that transformational leadership behaviors substantially correlate with and significantly predicted both subordinate attitudes and measures of leader effectiveness. Among all four transformational behaviors, the authors found the construct charisma, a combination of idealized influence and inspirational motivation, to be a major component of transformational leadership. More recently, Bono and Judge (2004), in their meta-analysis study, found that the construct charisma, a combination of idealized influence and inspirational motivation, encapsulated the fundamental nature of

transformational leadership behavior, explained much of the variance in leadership success, and affirmed the results from Lowe et al. (1996). In sum, these findings suggest that transformational leadership, especially the charismatic leadership behaviors drawn from idealized influence and inspirational motivation, correlates better with and predicts leadership success. Along with transformational leadership behaviors, it appears that contingent reward, one component of transactional leadership behaviors, is a critical element to understand the process of how transformational leaders affect followers and their performance.

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Personality of Transformational Leaders

As noted earlier, following the '50s there was a shift from the trait approach to the style approach, since many scholars doubted whether any personal traits are reliably associated with leadership success. Despite this unpopularity, however, personality traits as a correlate and predictor of successful leadership style and effectiveness have demonstrated consistent reliability and usefulness, leading to a revival of this approach in recent years (e.g., Hogan, Curphy, & Hogan, 1994). Among many personality trait measurements of a leader's performance, the Big Five Model of personality trait measurement has enhanced the value and usefulness of personality trait measurement in correlating with and predicting successful leadership (Hogan, et al., 1994). The Big Five Model components, developed by Costa and McCrae (1992), cover most constructs of personality and include neuroticism (i.e. impulsive), extraversion (i.e. active), openness (i.e. open-minded), agreeableness (i.e. selfless), and conscientiousness (i.e. strong-minded).

Existing literature (such as Silvershorne, 2001) has empirically supported the contention that effective leaders tend to score significantly higher on extraversion, openness, agreeableness and conscientiousness, and lower on neuroticism, than non-effective leaders. Examining the relation between personality traits and transformational leadership, some studies (such as Dubinsky, Yammarino, Jolson, & Spangler, 1995) have not found expected relationships, but other recent studies have successfully linked personality traits to transformational leadership. Judge and Bono (2000) found that among the Big Five components, extraversion and agreeableness significantly and positively predicted transformational leadership. More recently, Judge, Bono, Ilies, and Gerhardt (2002), in their meta-analysis of the extensive literature on personality and leadership, found that extraversion, openness, and conscientiousness were all positively correlated and neuroticism was negatively correlated with both leadership emergence (being perceived as leader-like) and effectiveness (being able to influence subordinates to perform). After regressing all Big Five personality traits on overall leadership, they found that extraversion, openness, and conscientiousness are the most consistent predictors of both leadership emergence and effectiveness.

Given the accumulated theoretical explanation and empirical findings, both leadership style behaviors and personality traits have been recognized as important attributes of successful leadership. Extending the previous literature on both leadership style behaviors and personality traits into this study, the authors developed and tested the following four specific hypotheses to generalize the previous findings to the probation setting:

H₁: Overall leadership styles will be more important than personality traits in correlating with and predicting leadership success.

H₂: Transformational leadership, especially idealized influence and inspirational motivation, will significantly and positively correlate with and predict leadership success.

H₃: Contingent reward within the transactional leadership style will significantly and positively correlate, but laissez-faire leadership style will negatively correlate with and predict leadership success.

H₄: Extraversion, openness, and conscientiousness among the Big Five Model personality traits will significantly and positively correlate with and predict leadership success.

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Method

Sample and Data Collection

This study was conducted under the auspices of the National Association of Probation Executives (NAPE).¹ The survey was distributed through the mail to 187 members of NAPE who are directors of probation departments in the United States. In the survey, the sampled directors were asked to self-assess their personality, leadership style and leadership success as well as provide certain demographic information. To secure a high response rate for a valid and reliable analysis, one follow-up survey was mailed. Both surveys included an encouragement cover letter from NAPE Executive Director Christie Davidson and emphasized the anonymity of responses, guaranteeing confidentiality. The survey period began on April 15 and ended on June 15, 2009. Each respondent was provided a self-addressed, stamped envelope to return the survey directly to the researcher at Angelo State University. Survey responses were obtained from a total of 135 probation directors in the U.S. After examining the data on an item-by-item and case-by-case basis, it appeared that of the 135 responses, 4 cases required deletion due to missing data. This reduced the usable data sample to 131, giving a response rate of 70.1 percent, indicating very good survey quality for adequate analysis and reporting (Maxfield & Babbie, 2005).

Individual status data listed in [Table 1](#) represents respondents' socio-demographic and work-experience information. The selection of these individual status variables incorporated into the survey was guided by an extensive literature review. Males accounted for 67.9 percent of the survey population. The average age of the respondents was 50.7 years (the minimum was 34 years, and the maximum 72 years), with 90.1 percent reported to be Caucasian, compared to African-American (4.6 percent), Hispanic (3.1 percent), and Others (2.3 percent). With respect to educational background, 45 percent had a bachelor's degree or less, while a slight majority (55 percent) had earned a master's degree or doctorate degree (50.4 percent and 4.6 percent, respectively). Respondents had been directors of their departments for an average of 6.34 years, ranging from a minimum of 0.27 to a maximum of 34 years. Of the 131 respondents, the majority (64.1 percent) were selected or promoted from outside the department. The responses indicate that the majority (61.8 percent) directed departments with fewer than 100 total employees. It should be noted that these individual status variables are not being studied. Instead, they are used as control variables in this study.

Measurement of Variables & Descriptive Analyses

To obtain self-assessments of leadership style, personality, and success, two standardized questionnaires were used to gather data from the sampled directors. First, as suggested by Bass and Avolio (2004), the 45-item form of the Multifactor Leadership Questionnaire (MLQ 5X-Short, Self) was used to conceptually capture three distinct leadership styles² (transformational, transactional, and laissez-faire leadership). As for the MLQ's 9-item form to measure the following three different leadership outcomes: extra effort, effectiveness, and satisfaction, a principal components' factor analysis was conducted to determine whether the three underlying dimensions present can be conceptually combined into one variable. The three leadership outcome components were successfully reduced into leadership success.³ Questionnaire items were rated using a five-point response scale: 0=not at all; 1=once in a while; 2=sometimes; 3=fairly often; and 4=frequently, if not always. Participants were asked to self-assess how frequently, on average, they displayed the leadership style and outcome behaviors. Second, the personality inventory used was the 60-item form of the NEO Five Factor Inventory (NEO-FFI) (Costa & McCrae, 1992). This test is a concise measure of the five major dimensions of

personal traits: neuroticism, extraversion, openness, agreeableness, and conscientiousness. The items were measured using the five-point scale, ranging from 1 (strongly disagree) to 5 (strongly agree).

While no missing response for the individual status variables was found, there were a minimum number of missing values for both the NEO-FFI personality trait and MLQ leadership style variables. Guided by the manual (Costa & McCrae, 1992), we selected the neutral response option for 5 missing responses for the NEO-FFI variables. Lacking any specific guideline in its manual (Bass & Avolio, 2004), however, we replaced 45 missing responses for the MLQ variables with the means of each variable. [Table 2](#) presents means, standard deviations, and reliability for all personality traits, leadership style variables, and leadership success. The Cronbach Alpha statistical reliability procedure was applied to test for the internal consistency of each scale. Alpha reliability coefficients for each scale in [Table 2](#) ranged from 0.56 to 0.88. Sample reliabilities for the five personal traits were well above the minimal level of acceptability. Among the leadership style and leadership success behaviors, the reliability of laissez-faire leadership was somewhat below the minimal level of acceptability. However, since the MLQ leadership style and outcome inventory is a standardized assessment with high validity, the laissez-faire leadership was retained, ensuring comparability of the results to other studies using this inventory.

Using two cut-off points (1.5 and 2.5, on the 5-point scale, ranging from 0 to 4), the leadership style variables were broken into the following three groups: laissez-faire leadership (0.59) for a low-average group, transactional leadership (1.83) for a neither low- nor high-average group, and transformational leadership (3.15) for a high-average group. Among the three leadership style variables, transformational leadership was found to have the highest average mean. Specifically, utilizing the cutoff point of 2.5 (the midpoint between sometimes and fairly often), all four components of transformational leadership behaviors, one component of transactional leadership, and leadership success behavior were identified as belonging to the high-average group. They were: idealized influence (attributed and behavior), inspirational motivation, intellectual stimulation, individualized consideration, contingent reward, and leadership success. On the other hand, using the cutoff point of 1.5 (the midpoint between once in a while and sometimes), two of the three transformational leadership behaviors (active and passive management-by-exception) along with laissez-faire leadership behavior were identified as belonging to the low-average categorical group. Among the three leadership style behavioral variables, laissez-faire leadership behavior had the lowest average mean.

As for comparing the five-factor model of personality, based upon the published point in the professional manual (Costa & McCrae, 1992), the accumulated score for neuroticism in our survey of leaders (13.08) was much lower than the published average score (19.07), reflecting relatively high emotional stability among the participating probation directors. Similarly, the accumulated scores for the other four positive personality factors exceeded the published average scores, indicating relatively high extraversion, openness, agreeableness, and conscientiousness among the participants. The overall findings from the descriptive analyses suggest that the sampled probation directors have a desirable leadership style (transformational leadership) and leadership personalities, all theoretically contributing to leadership success.

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Confirmatory Factor Analysis

Extensive leadership literature (e.g., Yammarino & Dubinsky, 1994; Carless, 1998) argues that, due to high correlation with the four behavioral factors of the transformational leadership style, the four factors might be best represented as a single transformational leadership scale, not represented by separate transformational leader behaviors. It follows that this argument might be applied to the three behavioral factors of the transactional leadership style. In response to the issue of the unclear factor structure of the MLQ raised by previous research, this study examined whether a three-factor model of the leadership style behaviors (transformational,

transactional, and laissez-faire leadership style) may be proven empirically. Accordingly, we conducted a confirmatory factor analysis to test whether the three-factor model is better than the original eight-factor model.⁴

Based on the results of the first analysis in [Table 3](#), only the χ^2 ratio among the four indices used supported the absolute fit of both three-factor and eight-factor models.⁵ However, Modification Indices provided by AMOS 16 (Arbuckle & Wothke, 2006) suggested that the fit of the tested models could be improved by correlating selected parameters within the models. Accordingly, the results from the second analysis using the suggested modification indicated that all of the fit indices of both models improved from those of both models in the first analysis and supported the absolute and incremental fit of both models, although the results of the two-step confirmatory factor analyses suggested that the eight-factor model provided a better fit than the three-factor model. Therefore, this study used both the three- and eight-factor models as (respectively) general and specific approaches to better understand general leadership styles and specific leadership behaviors in the probation setting. Before conducting further analysis, we examined data based upon the pre-analysis data screening suggested by Mertler and Vannatta (2005) to secure the accuracy of the data and to prevent any biased result.⁶

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Results

Zero-Order Correlation Analysis

Consistent with existing literature, transformational leadership style was significantly and positively related—and laissez-faire leadership was significantly and negatively correlated—with leadership success. However, transactional leadership style ($r = 0.17$) was positively but weakly and insignificantly associated with leadership success. Among the leadership styles, transformational leadership ($r = 0.68$) had the strongest relationship to leadership success. Specifically, using the cutoff point of ± 0.50 (Davis, 1971), the group with strong relationships (larger than ± 0.50) includes all four behavioral components of the transformational leadership style and contingent reward of the transactional leadership style. Inspirational motivation ($r = 0.69$), individualized consideration ($r = 0.64$), and idealized influence ($r = 0.56$) were found to have the top three strongest leadership behaviors to correlate with leadership success. As for the association of the five personality factors with leadership success, as expected, extraversion, openness, agreeableness, and conscientiousness were all positively correlated, and neuroticism was negatively correlated with leadership success. However, although conscientiousness ($r = 0.47$) had the strongest relationship to leadership success among the personality factors, the relationship was still moderate.

Multivariate Analysis

We examined the statistics to determine whether or not the findings on the sampled directors' leadership success are still maintained after statistically controlling for the effects of individual status, personality, and/or leadership style behavior variables, respectively. In each equation of [Table 5](#), the self-rated leadership success was the dependent variable and a total of seven individual status and work-experience characteristics (gender, age, race, education level, length of time as director, director selection method, and total employee population) were viewed and included as control variables.

Equation 1 in [Table 5](#) examines only the impact of five personality factor variables on the sampled directors' leadership success after statistically controlling for the effects of the individual status variables. We found that 44 percent of the variance in the dependent variable of leadership success was accounted for by three individual status control variables (age, gender, and education level) and two personality variables (conscientiousness and extraversion). That is, among the five personality factor variables, self-rated successful leadership tends to obtain from the sampled directors who scored significantly higher on extraversion (i.e. active) and

conscientiousness (i.e. strong-minded) than their counterparts. Not as hypothesized, however, extraversion was excluded from the final best-fit equation, since it lacked a statistically significant, high partial correlation (Hair et al., 2006).

Equation 2 in [Table 5](#) examines only the impact of effects of leadership style behavior variables on the sampled directors' leadership success after statistically controlling for the effects of individual status variables. Out of fourteen individual status and leadership style behavior variables, five variables based upon each statistically significant, high partial correlation were included in Equation 2. Among the seven control variables, only age had statistically significant effects on leadership success: older directors were more likely than younger directors to express higher levels of self-rated leadership success. Among the eight leadership style behaviors, three leadership transformational style behaviors (inspirational motivation, idealized influence, and individual consideration) were found to be positive and significant determinants of leadership success, whereas laissez-faire leadership was a negative and significant determinant. However, there was no significant determinant among three transactional leadership behaviors, especially contingent reward.

Two additional findings related to Equation 2 are worth mentioning. First, after controlling for the effects of the individual status variables, the four transformational and laissez-faire leadership style behavior variables included accounted for 68 percent of the variance in the dependent variable, leadership success. This portion of variance, explained by Equation 2 (R -square = 0.68) is almost 1.5 times higher than that explained by Equation 1 (R -square = 0.44). This finding suggests that leadership style behavior factors have a more substantial contribution to make in predicting a director's leadership success than the personality factor. Second, the standardized regression coefficient for laissez-faire leadership style behavior was significant but had weak prediction power ($Beta = -0.15$).

In contrast, the standardized regression coefficients for the three transformational leadership style behaviors (inspirational motivation, idealized influence, and individualized consideration) were 0.37, 0.29, and 0.23, respectively. All coefficients well exceeded 0.20. These three transformational leadership behaviors, therefore, appear to have both statistical and substantive significance in predicting directors' self-rated leadership success. Given the standardized regression coefficients, inspirational motivation had the strongest statistically significant effect on leadership success, suggesting that, among the four transformational leadership style behaviors, transformational leaders should communicate a vision of a desired future state and high level of expectations in a way that makes the pain of change worth the challenging but meaningful effort, greatly contributing to successful organizational transformation.

Equation 3 in [Table 5](#) is the final and most complete best-fit regression model ($\chi^2 = 49.28$, $df = 6$, $p < 0.001$). All individual status variables were treated as statistical control variables to mainly determine whether the significant personalities and leadership style behaviors found in Equation 1 and 2 are still statistically significant. The proportion of variance explained by Equation 3 (R -square = 0.71) is slightly higher than that explained by Equation 2 (R -square = 0.68) and is almost 1.6 times higher than that explained by Equation 1 (R -square = 0.44). This finding from Equation 3 indicates that the leadership style behavior factor still has a greater contribution to make in predicting the sampled directors' successful leadership, even after controlling for the effects of the personality factor.

While there was still no significant determinant of transactional leadership behavior variables, six variables were included in Equation 3: only one control variable (age), only one personality variable (conscientiousness), and the same four leadership style behavior variables, statistically supportive of the identical direction and almost the equal strength of the same individual status and leadership style behavior variables found in Equation 2. In comparison with the findings of Equation 1 and 2, two inconsistent findings relevant to Equation 2 are worth mentioning. First, in comparison with Equation 1, two individual status control variables, gender and education level, were excluded from Equation 3. Only age was still included as being statistically significant in Equation 3, and age turned out to be associated with personality and leadership style behaviors in significantly predicting leadership success. Second, unlike the findings of

Equation 1, extraversion was excluded from the final best-fit equation after leadership style behavior variables were included in Equation 3, while only conscientiousness was still included in the final model. These findings suggest that the effects of gender and education level, among the individual status variables, and extraversion, among the personality variables, on leadership success are indirect and are mediated through the leadership style behavior variables. Furthermore, the prediction strength of conscientiousness reduced almost one-half ($Beta = 0.32$ in Equation 1 to 0.17 in Equation 3).

Taken together, overall findings from the bivariate and multivariate analyses suggest that the hypotheses (H_1 and H_2) are fully supported and indicate that transformational leadership style behaviors, rather than the other leadership styles and all personalities, have a substantially greater association with leadership success. However, contingent reward among transactional leadership behaviors significantly correlated with but had no contribution to make in predicting leadership success. Also, extraversion had an indirect impact on leadership success, while openness had no significant impact. Therefore, the hypotheses (H_3 and H_4) are only partially supported. Despite some partially supported hypotheses, these findings clearly indicate that the three transformational leadership style behaviors (inspirational motivation, idealized influence-attributed, and individualized consideration) have more substantial contributions to make in predicting the sampled directors' self-reported leadership success, whereas one personality trait, conscientiousness, contributes significantly, but weakly, to predict.

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Discussion and General Policy Implication

The literature suggests that the present probation system, despite its actual benefits, fails to gain trust, confidence, and support from politicians and the public (Beto, Corbett, & DiIulio, 2000; Reinventing Probation Council, 2000). In response to this negative assessment, it is essential for probation administrators and managers to be leaders. Kotter (1996) noted, "Successful transformation is 70 to 90 percent leadership and only 10 to 30 percent management" (p. 26). From this, transformational leadership provides the organization with new vision and influences, and the entire culture changes, within which transactional management must follow the new vision and adjust to the change. That is, only leaders (rather than managers) can formulate an inspiring vision for an effective probation system, and influence and transform probation personnel from passive into active participants in building a more effective system, eventually engendering public support and positively promoting public safety.

As a pilot study on leadership in the area of probation, this research began by asking what makes an effective leader. The literature indicates two dominant schools of thought on how to approach leadership effectiveness. Overall findings from the descriptive analysis suggest that the sampled probation directors exhibit transformational leadership, higher levels of desirable personality traits (i.e., extraversion, openness, agreeableness, and conscientiousness), and lower levels of undesirable personality (neuroticism), all theoretically contributing to leadership success. However, results from the further analyses clearly indicate that, of all three leadership styles, transformational leadership style has a substantially greater association with sampled directors' leadership success and has a substantial contribution to make in predicting such success. Also, consistent with leadership literature such as Lowe et al. (1996), the construct charisma—a combination of idealized influence and inspirational motivation—was confirmed as fundamental to transformational leadership. Leadership success is predicted for those who have higher levels of ability to provide a vision and a sense of mission, while role-modeling for followers (idealized influence) and communicating a vision of a desired future state in a way that makes the pain of change worth the effort (inspirational motivation). That is, for probation directors, leadership style, especially charismatic transformational leadership, is seen as more important than personality in correlating with and predicting leadership success.

Both leadership style and personality have recently been recognized as important attributes to successful leadership. For example, Kenny and Zaccaro (1983) concluded that between 49

percent and 82 percent of the variance in transformational leadership behavior could be explained by stable personality traits across different situations. Likewise, results from the multivariate analysis indicated that 44 percent of the variance in leadership success was accounted for by some personalities after controlling for individual status variables. Conscientiousness (strong-minded, responsible, and accountable) had a direct impact on leadership success, while extraversion (active) had its indirect impact on leadership mediated through leadership style. However, openness had no significant impact on leadership success. Rather than finding comfort in things that are routine, open-minded probation leaders should be focused on helping their departments continually respond and adapt to the ever-changing demands and needs from their internal and external environments. Even though some are born leaders, individuals can learn leadership traits (Kirkpatrick & Locke, 1991). Probation leaders should be aware of the important role of open-mindedness in developing their leadership personality.

Judge and Piccolo (2004) found that contingent reward among the transactional leadership behaviors and transformational leadership were significantly correlated with and significantly predicted leadership success. Given the important role of contingent reward, we recommend that probation administrators recognize the limited opportunities for extrinsic rewards available in public service and strongly consider internal rewards, such as opportunities for professional growth and development to enhance leadership success. This might serve to compensate for extrinsic rewards such as pay and promotion. Initiating intrinsic rewards might encourage individual probation personnel to move toward a more effective system to rehabilitate offenders and promote public safety. Despite the importance of transformational leadership over transactional leadership (management), fulfilling the vision *for* and *of* an organization should require both leadership styles. Therefore, transactional leadership should not be ignored by probation administrators.

This exploratory study was the first empirical leadership study in the field of probation. Despite the potentially significant academic and practical contributions, however, it may not be appropriate to generalize findings from the data obtained from the sampled probation directors. The accumulated findings suggest that the sampled probation directors utilize the desirable transformational leadership style, which should contribute to their leadership success. The laissez-faire style, anticipated to be the most prevalent leadership style according to Hardyman (1992), was the least common style reported to be used by probation administrators. Accordingly, we suspect that there was a degree of selection bias in this study; members of NAPE are likely more invested in and more committed to the probation profession than administrators who are not members. Therefore, the findings in this study should be interpreted with caution. In addition, this study is limited to a self-assessment of leadership style and leadership success by the sampled directors. Assessing both leadership style and leadership success should also be conducted from the subordinate's perspective, since leadership is a social behavioral phenomenon (Conger & Kanungo, 1987). In response to these two limitations, future research should employ Equal Probability of Selection Method in a geographic-specific survey to provide external validity. Also, future research should utilize the rater (subordinates) MLQ form to measure leadership style and leadership success, eventually securing internal validity.

We conclude that it is clearly better to incorporate personality into leadership style behavior research, eventually improving leadership success and providing more crucial and useful criteria for personnel selection and placement, and leadership training.

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A Pilot Survey Linking Personality, Leadership Style, and Leadership Success among Probation Directors in the U.S.

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Table 1.
Individual Status Variable Statistics (N = 131)

Variable	N (%)	Mean	Min	Max	SD*
Gender					0.47
Male	89 (67.9)				
Female	42 (32.1)				
Age	in years	50.67	34	72	7.48
Race					0.30
Caucasian	118 (90.1)				
Non-Caucasian	13 (9.9)				
Education Level					0.50
Bachelor's degree or less	59 (45)				
Master's degree or more	72 (55)				
Length of Time as Director	in years	6.34	0.27	34	6.23
Director Selection Method					0.48
Inside	47 (35.9)				

Outside	84 (64.1)				
Total Employee Population					2.01
Fewer than 25	40 (30.5)				
25–49	22 (16.8)				
50–99	19 (14.5)				
100–149	14 (10.7)				
150–299	13 (9.9)				
300–999	13 (9.9)				
1000 or more	10 (7.6)				
* Standard Deviation					

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Table 2.

Personality and Leadership Style Variable Descriptions, Statistics, and Reliability (N = 131)

Variable	No of Final Items	Item Mean*	SD**	α***
Personality				
Neuroticism	12	13.08	6.50	0.84
Extraversion	12	31.95	6.62	0.85
Openness	12	28.00	6.16	0.77
Agreeableness	12	33.96	5.51	0.77
Conscientiousness	12	36.92	5.25	0.81
Leadership Style				
Transformational Leadership	20	3.15	0.43	0.88
Idealized Influence****	8	3.08	0.56	0.62
Inspirational Motivation	4	3.26	0.57	0.82
Intellectual Stimulation	4	3.11	0.55	0.74
Individualized Consideration	4	3.22	0.49	0.65
Transactional Leadership	12	1.83	0.33	0.62
Management-by-Exception (Active)	4	1.45	0.62	0.66

Management-by-Exception (Passive)	4	0.99	0.60	0.62
Contingent Reward	4	3.05	0.52	0.64
Laissez-faire Leadership	4	0.59	0.48	0.56
Leadership Success	9	3.21	0.43	0.86

* The items in the five factor model of personality were measured using the five point scale, ranging from 1 (strongly disagree) to 5 (strongly agree); Responses to each item in the eight factor model of leadership are made on a 5-point Likert scale with anchors labeled (0) strongly disagree or not at all, and (4) strongly agree or frequently, if not always.
** Standard Deviation; *** Cronbach's Alpha reliability scores.
**** For a simplicity purpose, two dimensions of idealized influences (attributed and behaviors) were combined into an overall measure of idealized influence.

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Table 3.
Comparison of Overall Fit Measures between the Two Separate Factor Models

Model	χ^2	df	χ^2 ratio*	RMSEA	CFI	TLI
First Analysis						
Three factor model	1033.74	594	1.74	0.08	0.66	0.64
Eight factor model	791.32	567	1.40	0.06	0.83	0.81
Second Analysis						
Three factor model	656.27	547	1.20	0.04	0.92	0.90
Eight factor model	571.62	534	1.07	0.02	0.97	0.97

Note: All models were significant at $p < .05$.
* χ^2 Ratio is calculated by dividing the χ^2 value by the degrees of freedom.

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Table 4.
Zero-Order Correlations

Personality and Leadership Style	Correlation	Individual Status	Correlation
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Variables		Coefficient	Variables		Coefficient
Personality			Gender		-0.08
Neuroticism		-0.44**	Age		0.35**
Extraversion		0.44**	Race		-0.01
Openness		0.19*	Education Level		0.16
Agreeableness		0.34**	Length of Time as Director		0.07
Conscientiousness		0.47**	Director Selection Method		-0.09
			Total Employee Population		0.26**
Leadership Style					
Transformational Leadership		0.68**			
Idealized Influence (Attributed)		0.56**			
Inspirational Motivation		0.69**			
Intellectual Stimulation		0.52**			
Individualized Consideration		0.64**			
Transactional Leadership		0.17			
Management-by-Exception (Active)		-0.01			
Management-by-Exception (Passive)		-0.18*			
Contingent Reward		0.55**			
Laissez-faire Leadership		-0.30**			
* Correlation is significant at the 0.05 level (2-tailed); ** Correlation is significant at the 0.01 level (2-tailed).					

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Table 5.
The Determinants of Leadership Success

Included Variables	Equation 1		Equation 2		Equation 3	
	Beta ^a	VIF ^b	Beta ^a	VIF ^b	Beta ^a	VIF ^b
Control Variables						
Age	0.32***	1.14	0.15**	1.10	0.15**	1.10
Gender	-0.16*	1.12				

Education Level	0.14*	1.04				
Personality						
Conscientiousness	0.32***	1.17			0.17**	1.26
Extraversion	0.31***	1.14				
Leadership Style						
Inspirational Motivation			0.37***	1.71	0.32***	1.82
Idealized Influence			0.29***	1.40	0.26***	1.43
Individualized Consideration			0.23***	1.62	0.25***	1.62
Laissez-faire Leadership			-0.15**	1.05	-0.13*	1.12
<i>R</i> -square =	0.44***		0.68***		0.71***	
<i>F</i> =	19.23		53.48		49.28	
^a Standardized Coefficients; ^b Variance Inflation Factor; * $p < 0.05$; ** $p < 0.01$; *** $p < 0.001$.						

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Alcohol: Still the Forgotten Legal Drug

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[Toward a New Probation Officer Manifesto on Alcohol](#)

IT HAS NOW BEEN over 20 years since my initial articles on alcohol addiction appeared in this journal (Read, 1987, 1988 & 1990). Disappointingly, and among far too many probation offices throughout the country, the conspiracy of silence on this drug continues, despite advances in research and the science of addiction, including its causes and treatment protocols. This need not be so. My hope is that the younger generation of community supervision workers will soon challenge this reality on alcohol, break the consequent silence, and start actively intervening for positive change.

In the late 1980s, I was a line officer busy with a full caseload and doing my best to hold offenders accountable to conditions of supervision *and* treatment expectations when necessary. This was before the crack and methamphetamine epidemics, before “enhanced supervision,” and before the get-tough policies our justice systems inevitably cycle through. We've since returned to recognizing the importance of mandated chemical dependency treatment (NIDA, 2007) but there is scant evidence we've done much better truly accepting alcohol's widespread and devastating effects. Many of us still forget or unintentionally downplay the role this legal but highly addictive drug plays in the lives of our offenders.¹

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Legal but Slippery

Here's a conversation between client and officer that we suspect does not occur with nearly enough frequency throughout the country's probation, parole, and community supervision offices. First, the probation officer works hard to create a trusting relationship with his or her client on supervision. In fact, just getting to the moment displayed below may have taken several different meetings over the course of several months. Then the officer takes the time to patiently break down the relapse, to examine and ask the necessary questions about what might have transpired before and after the event. Most relapses begin well before the actual drink or drug is consumed.

The officer gently probes (note it typically takes a lot longer than we have space here to illustrate) into the full historical and chronological setting that precipitated the relapse. Using skillful and empathic persistence, the probation officer makes an effort to parse out the entire relapse scenario from beginning to end. What were the specific triggers? What really happened? What, if anything, was *different* this time? *Start* with the assumption that alcohol was involved. Rule it out later if necessary.

Probation Officer: “Okay, I’m glad you trust me enough to admit the relapse.”

Offender: “Yeah, I got high. I hit the pipe again. Unbelievable.”

Probation Officer: “What happened? You’d been clean for several months, and doing so well.”

Offender: “I don’t know, man. It just happened, that’s all.”

Probation Officer: “It rarely ‘just happens,’ you know that.”

Offender: “Six months I had, six months clean, man.”

Probation Officer: “Okay, but what was different about that evening?”

Offender: “What do you mean, *different*?”

Probation Officer: “Well, you say you had six months clean, right?”

Offender: “Yeah, six months not using.”

Probation Officer: “What about alcohol; what about drinking that night?”

Offender: “I’m not a drinker. Really, straight up, I’m not. But I was with friends that night and *did have a beer or two* for the first time in months.”

He “did have a beer... or two.” Don’t stop there. Was it one beer or several? Make certain you understand exactly how much alcohol was consumed. Why? Not because amount defines addiction per se, but because it helps complete a factual picture. And good assessment demands accuracy. Beer manufacturers these days make many different types of beer, each with distinctly varying levels of alcohol. Ask specifically what brand of beer. Was it malt liquor (malt liquor has nearly 30 percent more alcohol content than regular beer)? How many ounces per can? Was it a 40 oz. malt liquor or a 12 oz. beer? Obviously there is a big difference.

Next, try to engage your client in a conversation about how his or her judgment may have been affected by consuming a few beers. Spend time on the nexus between a seemingly innocuous decision to have a drink, a beer, a glass of wine, or *anything containing alcohol* and what happens to the resolve to stay clean. Abstinence is abstinence. It’s not abstinence from illicit drugs. It’s abstinence from all mood-altering substances, including alcohol. This would be the time to discuss why it is so important to discontinue alcohol altogether, if one is serious about *staying* clean. Not only is it a powerful mood intoxicant, but it also seriously jeopardizes the offender’s ability to think in ways that support his or her self-interest.

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Moving Beyond the Distractions and Denial

We often unwittingly allow offenders to distract us from the realities of their addictions, particularly when it comes to alcohol. We overlook drinking time and again in our interviews and personal interactions with offenders. We do this by failing to take the precious minutes to either test for blood alcohol levels on the spot when faced with the appropriate window or to take the time to directly ask the follow-up questions designed to build a relationship with the

offender as well as formulate assessment.

Beverage alcohol is a legal and socially coveted drug in the United States. And the disease of alcoholism shows scant signs of easing its destructive impact. This should be (but unfortunately is not always) even more obvious to those of us serving our communities as probation and parole officers. However, the reality is that we find it far more comfortable to talk about the heroin, cocaine, or methamphetamine addict. Identifying out is much less difficult when it comes to the non-alcoholic “addict.” The less glaringly alcoholic client might be too close to home for some of us. Our personal feelings about alcohol, our experiences with family members, and even our own consumption patterns can pose significant distractions capable of sabotaging successful intervention efforts. Alcohol use and abuse is less *defined*, less black and white, and so we are less certain about it and what our message about it should be. Often because of these circumstances, we fail to bring it up at all, resulting in great risk and lost opportunity.

As but one example, I recently reviewed an officer's case notes prior to a routine consultation. As a matter of course I typically examine two key predictors of future adjustment: criminal history and substance use history. I noticed that this male offender (on supervised release for marijuana distribution) had at least two prior convictions for alcohol-related driving offenses, and one other alcohol-related re-arrest. Both were clearly delineated in the pre-sentence report. But there was no indication—either in the chronological record or upon my direct questioning afterwards—that the officer discussed present-day drinking patterns, family history, or any other alcohol-related matter. Many experts in the addictions field would maintain that simply having two prior alcohol-related convictions is *prima facie* evidence of alcohol dependence. Missing this as a potential criminogenic factor is more common than not in my observation as a supervisory officer over the years.

Remembering the Facts

The facts on alcohol and crime are sobering indeed. Normally accustomed to the litany of correlations between illicit drug dependency and crime and recidivism, I tried to focus exclusively on alcohol as the primary criminogenic element. Unfortunately, the general literature is biased toward the illegal or illicit drug canopy of correlates. That's to be expected, although we can hope that in time this too will begin to shift. But if you look closely you will see that the numbers exclusive to alcohol are indeed persuasive:

- Contrary to conventional wisdom, *alcohol* is tightly linked with more violent crimes than crack, cocaine, heroin, or *any*² other illegal drug (Califano, 2007 and CASA, 1998).
- In fact, *alcohol abuse* has been identified as a significant factor in 40 percent of violent crimes committed in the United States (Greenfield, 1998).
- Three out of four incidents of violence against spouses involved *alcohol use* by the offender; that's a rate of 75 percent (Greenfield, 1998).
- On an average day in 1996, an estimated 5.3 million convicted offenders were under the supervision of criminal justice authorities. Nearly 40 percent of these offenders, about two million, had been *using alcohol* at the time of the offense for which they were convicted (Greenfield, 1998).
- About six in 10 convicted jail inmates said they had been *drinking alcohol* on a regular basis during the year before the offense for which they were serving time. Nearly two out of three of these inmates reported having previously been in a treatment program for *alcohol dependency* (Greenfield, 1998).
- Two-thirds of victims who suffered violence by an intimate (a current or former spouse, boyfriend, or girlfriend) reported that *alcohol* had been a factor (Greenfield, 1998).

Addiction (including *alcohol abuse and dependency*) has been implicated in the crimes and incarceration of 80 percent of our men and women behind bars (Greenfield, 1998).

- Half (that's one of every two violators!) of probation and parole violators were under the influence of drugs, *alcohol, or both* when they committed their new offense (CASA, 1998, p. 45).
- Nearly one in three Americans abuse or become *dependent on alcohol* at some point in their lives and most never seek treatment (Hasin et al., 2007); keep in mind that this refers to the general population, not the documented higher rates among our criminal offenders.
- Alcohol use in offender population: Abstainers (1 percent); Non-problem drinkers (29 percent); *Problem drinkers* (70 percent) (Gorski, 1994).

Now, if we really and truly reflect on these statistics—supported by a foundation of respectable research protocol (e.g., Columbia University, Bureau of Justice Statistics)—we cannot help but be struck by the overwhelming influence alcohol has over our criminal justice population in nearly every single risk category. Just consider the numbers and percentages: for the most part, we're talking *well over 50 percent* in nearly every category. If that doesn't emphasize where we ought to be focusing our resources, time, and money, I'm not sure what does. Unfortunately, many of us remain comfortably steeped in our own denial. We see one offender after another in the office and in the field, but fail to discern (or confront!) the potential reality ethyl alcohol may be playing in their progressively destructive lifestyle and worsening recidivism.

Our sins of omission in this sense put at risk our offenders' lives and those of others who may become their unwitting victims along the way. We lose the teaching moment and/or the opportunity to effectively intervene. We miss our chance to execute our statutory duty to “improve offender circumstances” and reduce overall community risk. There is no escaping the fact that alcohol presents a devastating reality in most offender life experiences. Unfortunately, too many of us don't probe or pursue the uncomfortable questions. Sometimes we are legitimately too busy, some with caseloads approaching the hundreds. Most of us simply don't feel we have the time to thoroughly assess whether or not alcohol is a factor every time we have a suspicion. However, we must resist our temptation to overlook this drug if we expect to improve community supervision successes and reduce recidivism.

Few disagree that alcoholism's diagnostic hallmark is *progressive loss of control* (Ketcham, 2000). This means losing the ability to predict when and how much alcohol will be consumed on any one particular occasion. Contrary to popular belief, it is not the amount, the frequency, or the type of alcohol consumed that determines whether someone is in trouble with alcohol. Instead, it is what happens to that person when they do drink. Think, for example, about domestic violence. Anthony drank only periodically, but every single time he struck his wife, he was intoxicated. Not drunk necessarily, but certainly influenced by alcohol. Every time. He persistently drank against his best interests, arguably the hallmark of abuse and/or dependency.

Or take the offender referenced above in our introduction. It wasn't the amount of alcohol that became problematic. It wasn't the type of drink or frequency consumed. It was, however, all about what happened to that person's judgment when he did choose to drink. “Bob” doesn't drink every day, in fact he doesn't even drink every weekend, but when he does drink he argues with his wife in an ugly way. Almost always, in fact. “Mary” doesn't drink much when she does drink, and in fact she rarely drinks anything stronger than red wine. Nevertheless, she is unable to predict whether or not she'll drink herself straight into a blackout. Sometimes, yes; sometimes, no. It's quite frightening, because there is no predictable pattern.

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Supervision Do's and Don'ts

What is all too predictable is what we as probation officers *don't* do most of the time. We do not focus on alcohol with nearly enough frequency in most situations. We do consistently screen our "known" drug addicts, rarely overlooking placing them on random urinalysis schedules. Our labs run gallons of offender urine through the gauntlet of metabolic assays. A steady stream of illicit urinalysis results flow into our e-mail and tracking accounts. We confront offenders. We bust them. We urge them to seek help. We refer them to outpatient clinical groups and drug counseling. We recommend violation based on repeated signs of use. We insist on abstinence from illegal drugs. We counsel and cajole and warn about the dangers of methamphetamine, crack cocaine, and prescription pills. However, rarely do we mention alcohol, as it flies well below the radar screen of the typical probation officer lexicon.

We need to work to change this lopsided paradigm and to minimize our tendency (as a system and individually) to overlook optimum intervention or crisis points specific to the drug alcohol in the lives of our offenders. By doing so, we at least position ourselves in a place where personal revelation, growth, and/or behavioral transformation could actually begin. Here is a list of practical *Do's and Don'ts* for supervision officers determined to break the conspiracy of silence on alcohol.

- *Do always ask about alcohol use as a precursor to any illicit drug relapse scenario.* Just as we discussed above, whether or not drinking was in any way involved with an illicit drug relapse should always be one of the supervising officer's first questions. Be patient with your interview; it may take some time to elicit the truth. Emphasize the importance of both illicit drug and alcohol abstinence during the recovery process. Hopefully the community treatment programs with which you interact (and contract) are equally as stringent about the need for alcohol abstinence while clients are attending their sessions.
- *Do assume (then rule out if necessary) that alcohol is a prominent factor in any incident of domestic violence.* Remember the cold hard facts: 3 out of 4 incidents of domestic violence involve alcohol use. Your clients will undoubtedly minimize any drinking, especially during the early stages of the inquiry or follow-up investigation. Don't be distracted and don't be swayed by their initial explanation of circumstances and events, sometimes quite elaborate in scope, but typically completely devoid of any mention of alcohol. They are nervous and scared but also vulnerable. You must exploit this vulnerability by calmly and patiently listening. Choose the right moment to delicately intervene and help the offender come to terms with a deeper reality. Utilize this moment or crisis point to become a partner in making connections and helping identify circumstances where previous arguments, "accidental" assaults, and/or problematic relationships had alcohol at center stage.
- *Do make consistent use of breathalyzers and other alcohol detection devices* both in the office and the field. Use them randomly on offenders with alcohol and/or substance dependence treatment conditions. Use them consistently on others who end up in your office with alcohol on their breath, or as mentioned above, to report an incidence of domestic assault. Remember: preparing for a visit to a parole or probation officer by consuming alcohol to relax is not a responsible use of the drug and in fact may be an early sign of compulsion and loss of control. Most offices pour an abundance of resources and time, both in training and specimen collection, into *illicit drug* detection programs, often to the exclusion of what is often a far greater stumbling block to successful supervision: alcohol. If there is any doubt, utilize that breathalyzer. It's inexpensive and sends the right message.
- *Don't overlook the presentence investigation report* and the valuable historical information it and other case file records may contain about familial alcoholism and/or prior alcohol-related arrests, such as DUIs, DWIs, and misdemeanor disorderly conduct or destruction of property offenses, often masking alcohol as a precipitating factor. Ask the offender directly as well. The research hasn't changed over the years. Alcoholism tends to run in families. Sometimes it skips generations, so don't overlook questions about grandparents. Avoid open-ended questions about alcoholism in the family

generally; instead ask pointedly if either grandparent was in trouble with alcohol. Be specific and patient as you gather information. Your time will be well spent, both in terms of alcohol (or other drug) intelligence and bottom-line relationship formation.

- *Don't hesitate to petition the court for an alcohol abstinence condition* when necessary (see bullets below). We routinely take the time to recommend that judges (or parole boards) impose other special conditions or sentence modifications. Judges and magistrates impose halfway house confinement. They extend supervision terms, impose drug aftercare and mental health treatment conditions, and limit travel. Why is it so rare to approach the court and request a no alcohol condition—especially in those cases where we *know* alcohol is a potential risk factor? The following scenarios demand close attention in this regard and should lend themselves to consideration for an alcohol-related prohibition:
 - More than one conviction for an alcohol-related driving offense
 - Incidents of domestic violence in which alcohol is a factor
 - Client admission of alcohol dependence and/or abuse
 - Illicit drug use/relapse in which alcohol is determined to be a factor or precursor

Many jurisdictions proscribe alcohol use as a standard protocol of their supervision or if drug aftercare treatment is otherwise ordered by the sentencing authority. This makes the best sense, really, as we all know the unintended alcohol cross-tolerance that may develop while abstaining from illegal substances like heroin, cocaine, and/or methamphetamine.

- *Do consistently seek input from significant others* about your client's relationship to alcohol. Do this at every initial meeting or point at which you are introduced to significant others in their lives. Many officers are unnecessarily reluctant to venture into this area. Don't be. Be persistent and make certain your questions are answered. Ask questions in varying ways. For example: “How's John's drinking on the weekends?” “You say his drinking isn't ‘bad,’ but what does that mean specifically?” “Would your relationship be enhanced were he *not* consuming alcohol?” “How does John respond to your expressions of concern over his drinking?” Stay on point. You may be pleasantly surprised and/or rewarded with helpful diagnostic or assessment insight.
- *Do not believe everything an offender says about his or her relationship to alcohol.* Most of us accept this as true when it comes to illegal drugs, but similar barriers may exist with regard to alcohol, even though it is legal. The offender's first impulse, *always*, regardless of whether or not he or she is truly dependent, will be to minimize and obfuscate. Know this. Be patient. Accept it and move on, asking the follow-up questions you know come next.
- *Do take the time necessary to solicit a good drinking history.* Probation officers generally have no problem delving into an offender's history of illicit drug use. Why the reticence to explore alcohol consumption? Ask for specifics. By devoting time to alcohol in this way, we help telescope and reinforce the message that drinking is not something we are prone to minimize and that clients will not get a “free ride” as to their alcohol consumption while on supervision. Screening for alcohol abuse and/or dependence takes some time and patience, but it does not take years of study. Besides, what conceivable damage could result from an officer's premature or mistaken assessment that his or her client may be dependent on alcohol?

While a formal substance or alcohol assessment may lie beyond the purview of most line officers and should remain within the bailiwick of trained doctors, therapists, and addiction personnel, conducting a brief screening session is another matter entirely. Screening for alcohol abuse and/or dependence is not difficult. It only takes effort and a slice of time designed to encourage the client to look honestly at his or her drinking history.

Many federal probation officers throughout the country already utilize the Texas Christian University Drug Screen II (TCU); although in my experience some officers race through the questionnaire, it is available and fills a certain informational void if utilized to its fullest (Texas Christian University, 1999). Officers should take the full 20 minutes or so to generate a meaningful discussion with their offenders.

Another even easier and less time-consuming screening tool is known as the CAGE Questionnaire. In use now for well over two decades, it is in fact still one of the most widely used, informal and practical instruments out there (Ewing, 1984):

- **Control:** Have you ever felt the need to *control or cut down* your drinking or drugging? Have you made but then broken promises to yourself about cutting back or changing drinks, like switching from whiskey to beer, or drinking only on weekends? Focus on the key issue of control, the loss of which generally forms solid evidence of addiction or at least serious abuse.
- **Anger:** Have you ever felt annoyed or angry in response to criticism of your drinking? Avoid open-ended questions. Focus on their spouse, lovers, siblings, or children and what they might say about the client's drinking experiences. How do you feel when this significant person expresses concern? Have relatives ever commented? How did you feel?
- **Guilt:** Do you ever feel bad or the slightest bit guilty when it comes to your drinking (or drugging)? If you really think about it, would your quality of life improve without alcohol, without so much booze, or without drug use? Take the time to directly ask about blackouts, waking up ashamed about the evening before, spending excess money.
- **Eye-Opener:** Have you ever felt it necessary to start the day with a drink? Or to settle your morning hangover with a drink or two? This question is obviously designed to provide valuable insight as to the seriousness of someone's alcohol abuse, and whether or not the person may actually require inpatient detoxification due to the level of physical dependency.

Answering yes to any one of these four questions suggests that the offender is moving out of the experimental or early stage of use and warrants further assessment. The CAGE questionnaire is recommended as a broad-measured screening device. It is easy to remember and provides a very comfortable (if sensitively and carefully administered) framework within which to launch that longer conversation about where an offender is in his or her relationship with alcohol.

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Raising the Bottom: Thoughts on Coerced Treatment, Self-Help Group Alternatives, and Probation Officer Responsibility

We hear it all the time, both inside and outside probation offices: “You can't help the addict or alcoholic unless they want help.” This thought pattern forms the basis of what is probably the single most erroneous and damaging misconception about addictions treatment. Sit in any Alcoholics Anonymous (A.A.) or Narcotics Anonymous (N.A.) meeting and listen to the number of people who directly (and often with fondness) attribute their sobriety to someone or something outside of themselves that became the leverage point and “raised the bottom” for them. Think about most of our inpatient or residential drug treatment referrals. Do offenders willingly “volunteer” their interest in long-term care? Father Joseph Martin, a well-known priest devoted to helping alcoholics, once said so aptly, “You can lead a horse to water, but you can't make him drink—but you sure can hold him there long enough to make him thirsty.”

The erroneous thought is that unless someone is miraculously motivated (or “ready”) to seek help, he or she is destined for failure, regardless of outside effort or intervention. Unfortunately, this is the attitude that kills, literally. No one ever walks into an A.A., N.A., or self-help group

meeting without a sizeable footprint on his or her back, whether it be a spouse's, employer's, or even probation officer's (see below clarification of our changing role regarding 12-step group referrals given recent case law). Regardless of who or what actually compels the addict into a treatment or healing environment, the motivation for recovery begins in treatment, rarely before.

When I first wrote about officer utilization of A.A. and other 12-step self-help programs, we thought nothing of mandating offender participation (Read, 1996). Today, we must be slightly more circumspect when discussing self-help options with offenders for whom abstinence (and recovery) is a requirement. Instructing an offender to start attending A.A. (or N.A.) as a special condition of their supervision could in some jurisdictions yield constitutional law challenges. In fact, Assistant General Counsel for the Administrative Office of the United States Courts Joe Gergits (2008) writes recently, "In *Inouye*, the Ninth Circuit held that requiring a parolee to participate in A.A. violated the Establishment Clause of the First Amendment, and that the parole officer who required A.A. attendance did not enjoy qualified immunity from a civil suit filed pursuant to 42 U.S.C. Section 1983."

What is important is that an officer working with an addicted (alcohol and/or drugs) offender in treatment and/or actively engaging in the recovery process provide meaningful self-help group alternatives as complements to their treatment plans. A.A., with its religious underpinnings, is not the only self-help resource available. Utilize the Internet and research local addiction support services. Someone resistant to A.A. or N.A. can instead be referred to Moderation Management, Secular Organizations for Sobriety, SMART Recovery, or Women for Sobriety.

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Toward a New Probation Officer Manifesto on Alcohol

We need to move alcohol out of the closet and into our day-to-day intervention experiences. The bottom line is that we must begin "raising the bottom" for many of our offenders in trouble with drugs and/or alcohol. The therapeutic use of our court- or parole-sanctioned authority, in conjunction with our knowledge of the addictive process, should mean the lowering of offender pain thresholds, the creation of discomfort by insisting upon complete drug abstinence, non-acceptance of "controlled drinking," possible returns to court for violations, and even jail in some instances. Our actions may help catalyze in the addict's consciousness that decisive connection among an addict's continued use, his or her tenuous court or parole status, and his or her ultimate powerlessness over the substance.

An isolated intervention experience, no matter how powerful or sincere, rarely guarantees sustained recovery, as most of us know firsthand. Do not be discouraged that "repetition" is more likely the watchword: repetition of treatment experiences, repetition of court violations, repetition of probation officer interventions designed to help gain the offender's attention. That's simply the nature of addictive disease. And unless the officer becomes a true *presence* in the offender's life and persists in raising the bottom to the extent that he or she can, the officer will miss out on becoming a part of the offender's eventual recovering "story."

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Crime Victims' Week

Each April since 1981, the Office for Victims of Crime (OVC) has helped lead communities throughout the country in their annual observances of National Crime Victims' Rights Week (NCVRW) by promoting victims' rights and honoring crime victims and those who advocate on their behalf. NCVRW will be observed April 10-16, 2011. Those interested can sign up to receive announcements and updates regarding 2011 NCVRW. Registrants will receive:

- A free copy of the 2011 NCVRW Resource Guide and theme poster;
- E-mail notification when the Resource Guide is available to download from the OVC Web site;
- Details concerning NCVRW prelude events; and
- Information about the National Crime Victims' Service Awards.

OVC is requiring all interested parties to sign up to receive a printed copy of the 2011 Resource Guide and theme poster, regardless of the manner by which you received the Resource Guide in previous years.

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Disaster Planning

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) is partnering with the National Commission on Children and Disasters to explore creative ways to support state planning activities for disaster preparedness of youth-serving systems across the nation. Under the Consolidated Appropriations Act of 2008, the Commission was authorized to conduct a comprehensive study of children's needs as they relate to preparedness for, response to, and recovery from major disasters; to review and evaluate existing laws, regulations, and policies relevant to these needs; to identify and evaluate lessons learned from past disasters; and to report to the President and Congress on its findings and recommendations.

The Commission's interim report, released in October 2009, recommended the formation of a working group on the needs of youth in the juvenile justice system during disasters. Laurie Robinson, Assistant Attorney General for the Office of Justice Programs, appointed Melodee Hanes, Counselor to the Administrator and Acting Deputy Administrator for Policy, OJJDP, to lead the team, officially known as the Justice Working Group on Children and Disasters. Composed of experts in emergency preparedness, juvenile justice, health and human services, courts, and education, the Justice Working Group's goals are to:

- Identify common gaps and shortcomings in state disaster planning and best practices.
- Provide technical assistance and training to states.
- Encourage state juvenile justice systems to develop or update disaster plans in coordination with state emergency management and key stakeholders, including juvenile courts, residential treatment, correctional and detention facilities that house juveniles, and social service agencies.

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Juvenile Court Training

Intended for juvenile court judges, defense attorneys, prosecutors, and probation staff, the curriculum provides in-depth training materials on the most up-to-date adolescent development research and its application to juvenile court practice. As a part of the John D. and Catherine T. MacArthur Foundation's project titled Models for Change: Systems Reform in Juvenile Justice, this curriculum (available to jurisdictions across the country) helps professionals make high-

quality, developmentally appropriate decisions about the court-involved youth with whom they work.

Each module contains an estimate of presentation timing, a list of learning objectives, a summary of key concepts, and substantive material. To encourage trainings to be interactive, the authors have included several exercises, including hypothetical case scenarios, discussion guides for video clips, and other training tools.

The Justice Information Sharing Practitioners Network, or JISPnet, is a network of state and local justice information sharing practitioners interested in best practices, standards, and resources for solving the issues of information sharing within criminal and juvenile justice at local, state, and national levels.

The area of information systems integration in criminal justice has grown exponentially in the past 5–10 years. Scores of professional criminal justice organizations within the justice community have begun to address the issues of interoperability and information sharing, and a number of organizations and agencies (funded by the federal government) have become expressly devoted to studying this issue and providing information or technical assistance in the area of information sharing and integration. However, most of these efforts lack clarity across the enterprise (i.e., many are devoted either to a single aspect of the “integration problem” and others are concerned only with the perspective of single line-of-business, e.g. law enforcement, corrections, etc.).

For more on JISPnet, visit www.jispnet.org.

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Crossover Cases

The theme of the latest issue of “The Judges’ Page” newsletter, published by the National Court Appointed Special Advocates (CASA) Association and the National Council of Juvenile and Family Court Judges (NCJFCJ), is “Crossover Cases: Children and Youth Involved in the Child Welfare and Juvenile Justice Systems.” See www.casaforchildren.org/site/c.mtJSJ7MPIsE/b.5332551/k.D500/Current_Newsletter.htm. Courts often refer to crossover cases as those involving children and youth who have a case in the dependency as well as the delinquency court. Crossover cases may also include children and youth who have committed a status offense or a child in need of care or supervision (CHINS) offense. In some states, the court with jurisdiction of dependency cases is the same court that has jurisdiction of delinquency, status offense, and CHINS cases. In other states, there are two court systems involved, with different judges having jurisdiction. These are challenging cases.

The National Council of Juvenile and Family Court Judges (NCJFCJ) has published several documents that are critical to understanding best practices in each of the court systems involved in crossover cases:

- *Resource Guidelines: Improving Court Practice in Child Abuse and Neglect Cases*
- *Adoption and Permanency Guidelines: Improving Court Practice in Child Abuse and Neglect Cases*
- *Juvenile Delinquency Guidelines: Improving Court Practice in Juvenile Delinquency Cases*

In addition, NCJFCJ has established model courts to implement the recommendations of these publications and develop best practices that result in successful outcomes.

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Evidence-Based Framework

In June 2008, the U.S. Department of Justice, Office of Justice Programs, National Institute of Corrections (NIC) awarded the Center for Effective Public Policy, in partnership with the Pretrial Justice Institute, the Justice Management Institute, and The Carey Group, a cooperative agreement to build a system-wide framework (arrest through final disposition and discharge) that will result in more collaborative, evidence-based decision-making and practices in local criminal justice systems. The purpose of this initiative is to equip criminal justice policymakers in local communities with the information, processes, and tools for measurable reductions of pretrial misconduct and post-conviction reoffending. The principal product of Phase I of the initiative is a document entitled A Framework for Evidence-Based Decision Making in Local Criminal Justice Systems (“the Framework”).

NIC seeks applications from cities and counties interested in collaborating with NIC, OJP, and their partners to begin to test this Framework over a one-year pilot test preparation phase (i.e., to serve as “seed” sites during Phase II of this initiative). No direct funding will be provided to jurisdictions that are selected to participate; however, participating jurisdictions will receive technical assistance from a team of providers with expertise in evidence-based decision-making, management, and operations in all facets of the criminal justice system.

For further information please contact Lori Eville, Correctional Program Specialist, National Institute of Corrections at 202-616-2848 or leville@bop.gov.

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Technology

The National Law Enforcement and Corrections Technology Center (NLECTC) provides the Law Enforcement & Corrections Technology News Summary as a service to law enforcement, corrections, and forensic science practitioners. The Summary includes abstracts of articles from major national newspapers, business magazines, websites, national and international wire services, and periodicals focusing on law enforcement and corrections technology.

The Sentencing Project is pleased to announce the publication of a first-of-its-kind comprehensive database, “State Recidivism Studies.” The database provides references for 99 recidivism studies conducted from 1995 to 2009 in all 50 states and the District of Columbia. These studies have been produced by a variety of agencies, including departments of corrections, sentencing commissions, statistical analysis centers, and universities. The studies address issues including juvenile/adult status, race, gender, offense type, program intervention, and many others, and thus offer insights into the variety of factors that affect recidivism outcomes.

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Statistics

The National Center for Juvenile Justice has published “Juvenile Court Statistics, 2006–2007,” which was developed with funding from the Office of Juvenile Justice and Delinquency Prevention. Drawing on data from the National Juvenile Court Data Archive, the report profiles the nearly 1.7 million delinquency cases handled each year by U.S. courts with juvenile jurisdiction in 2006 and 2007. It also describes trends in delinquency cases processed by juvenile courts between 1985 and 2007 and status offense cases handled between 1995 and 2007. “Juvenile Court Statistics 2006-2007” is available online, via OJJDP’s Statistical Briefing Book, at ojjdp.ncjrs.gov/ojstatbb/publications/StatBBAbstract.asp?BibID=252137.

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E-Newsletter

The Office of Justice Programs (OJP) has released the June 2010 issue of its Justice Resource Update e-newsletter. The latest issue features a closed-caption video in which Assistant Attorney General Laurie Robinson describes the integration of evidence-based approaches into OJP's activities. The issue also includes a call for peer reviewers, advance notice of upcoming reports from OJP's Bureau of Justice Statistics, and an announcement of state and local criminal justice grants from OJP's Bureau of Justice Assistance, among other matters. See www.ncjrs.gov/OJPnewsletter/june2010/juvjust.htm.

OJJDP Publications:

- “Delinquency Cases in Juvenile Court, 2007” is available online at ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=252200
- “Delinquency Cases Waived to Criminal Court, 2007” is available online at ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=252199
- “Juvenile Delinquency Probation Caseload, 2007” is available online at ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=252202
- “Person Offense Cases in Juvenile Court, 2007” is available online at ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=252201

Print copies of “Delinquency Cases in Juvenile Court, 2007” may be ordered at www.ncjrs.gov/App/ShoppingCart/ShopCart.aspx?item=NCJ+230168

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Childhood Trauma

The Justice Policy Institute has released “Healing Invisible Wounds: Why Investing in Trauma-Informed Care for Children Makes Sense.” The brief examines the relationship between childhood trauma and involvement in the juvenile justice system. According to the brief, while research shows that up to 34 percent of children in the United States have experienced at least one traumatic event, between 75 and 93 percent of youth entering the juvenile justice system annually are estimated to have experienced some degree of trauma. See “Healing Invisible Wounds: Why Investing in Trauma-Informed Care for Children Makes Sense” is available online at www.justicepolicy.org/images/upload/10-07_REP_HealingInvisibleWounds_JJ-PS.pdf. For further information about the brief, see the Justice Policy Institute’s press release at www.justicepolicy.org/content-hmID=1811&smID=1581&ssmID=102.htm#press

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Child Well-Being

The Federal Interagency Forum on Child and Family Statistics has released “America’s Children in Brief: Key National Indicators of Well-Being, 2010.” Since 1997, the Forum has published this annual report, which provides detailed information on the welfare of children and families, alternating between a comprehensive report and a condensed version highlighting selected indicators, as is the case this year. This year’s edition reports on child welfare indicators spanning seven domains: family and social environment, economic circumstances, health care, physical environment and safety, behavior, education, and health. The brief concludes with a summary table displaying recent changes in all 40 indicators. “America’s Children in Brief: Key National Indicators of Well-Being, 2010” is available online at www.childstats.gov/americaschildren/index.asp. Print copies can be ordered online from the National Criminal Justice Reference Service. The Forum’s website (<http://childstats.gov>) provides additional information, including:

- Detailed data, including trend data, for indicators discussed in this Brief as well as other *America's Children* indicators not discussed here.
- Data source descriptions and contact information.
- *America's Children* reports from 1997 to the present and other Forum reports.
- Links to Forum agencies, their online data tools, and various international data sources.
- Forum news and information on the Forum's overall structure and organization.

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Sexting

The Youth Online Safety Working Group recently released recommendations to help education and legal professionals prevent and manage the rising number of sexting incidences. The group comprises representatives from the federal government, law enforcement, education, legal entities, and other public and private organizations, including the National Center for Missing & Exploited Children (NCMEC). NCMEC is supported by OJJDP. As the number of young people with cell phones continues to grow, so does the dangerous practice of sexting, which is generally defined as minors sending sexually explicit texts or nude or partially nude images of minors. Often, these texts or images are self-produced. According to the Pew Internet & American Life Project, sexting affects approximately 1 in 6 youths. The recommendation from the working group can be found in the *Interdisciplinary Response to Youths Sexting: Recommendations from the Youth Online Safety Working Group*.

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College Drinking

While heavy student drinking has been implicated in recent disturbances and tragedies on college campuses, few schools and communities have united successfully in curbing alcohol access, a new study suggests. Researchers noted that most colleges are not implementing community-based approaches, which have been found to be effective in reducing college drinking. The study was reported in Health Behavior News Service. For the study, administrators from 351 schools responded to an online survey in 2008. The study appears online and will also appear in the October issue of the journal *Alcoholism: Clinical and Experimental Research*.

In their survey of four-year institutions, researchers asked whether they were following recommendations from the National Institute on Alcohol Abuse and Alcoholism. Its college drinking task force had issued a report in 2002 grouping strategies based on effectiveness and relevance to students. Evidence shows that community-based alcohol control is effective in reducing college drinking. Policies include monitoring illegal sales, requiring responsible beverage service training, limiting the number of retail alcohol outlets and increasing prices.

Yet, only a third of college communities performed compliance checks for illegal sales, while 15 percent mandated server training, the survey indicated. Only 7 percent restricted alcohol outlet density in the community and 2 percent raised prices.

About two of three colleges reported providing intervention for problem drinkers or those at high risk, either on campus or through payment for off-campus services. However, almost one in four of these colleges did not offer any programs supported by scientific evidence. See www.collegedrinkingprevention.gov.

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First Do No Harm

A new report, “First, Do No Harm,” by the Charles Hamilton Houston Institute for Race and Justice at Harvard Law School examines how school officials and law enforcement can cooperate to preserve safety in schools without criminalizing the normative behavior of youth in middle and high schools. The authors, Johanna Wald and Lisa Thureau, attribute the rise in school-based police (i.e., School/Security Resource Officers (SROs)) to the availability of more funds for community-oriented policing, highly visible school shootings such as Columbine, and aggressive “tough on crime” tactics with highly racialized undertones. The authors note that in 1997 there were an estimated 9,446 SROs in schools and currently there are over 17,000 nationwide.

Schoolyard scuffles once considered the responsibility of school officials have come to be viewed more recently as incidents that require law enforcement. While some police officers, parents, and government officials believe SROs are needed to curb violence, civil rights groups, legal advocates, and youth advocates have expressed concern about the criminalization of student behavior that previously would have been addressed using after-school detention or a phone call to the disruptive student’s parents. Parents and child advocate groups have also argued that officers and school officials are masking the true purpose of placing officers in schools and suggest that they are merely excluding youth, particularly youth of color, who do not conform to behavioral, attitudinal, or educational demands.

Citing a recent study, Wald and Thureau pointed out that schools gave harsher punishments to low-performing students during “testing windows” and used “selective discipline” to “reshape the testing pool.” In other studies, conducted by the American Bar Association, researchers’ findings reported that schools were dumping their disciplinary problems onto the courts and that disproportionate representation of students of color in the juvenile justice system was partly due to the large number of cases coming from school-based referrals.

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Neighborhood Homicides

A new study by Patrick Sharkey, a sociologist at New York University, analyzed 6,041 Chicago homicides and found that African-American children score lower on reading and vocabulary tests within a week of a homicide in their neighborhood, compared to tests a month before or after a homicide. The results add a new area of support to the evidence that children are negatively impacted when they live in close proximity to extremely violent events.

Not surprisingly, the study illustrates that exposure to local homicides varies substantially by race and ethnicity: exposure to a local homicide is much less likely to be experienced by Hispanic students and is extremely rare among whites. Sharkey draws on prior research that shows that violence weighs on the minds of children and leads to reductions in cognitive performance. According to the data used in the study, about 15 percent of the African-American children in the study spend at least one month out of a year functioning at a low level because of exposure to a local homicide. See Sharkey, Patrick. 2010. “*The Acute Effect of Local Homicides on Children's Cognitive Performance.*” Proceedings of the National Academy of Science Early Edition.

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Crack Cocaine

After decades of debate, research and recommendations, the United States Congress has approved legislation to increase fairness in sentences for crack cocaine offenses. The Fair Sentencing Act of 2010 would raise the minimum quantity of crack cocaine that triggers a 5-year mandatory minimum from 5 grams to 28 grams, and from 50 grams to 280 grams to trigger

a 10-year mandatory minimum sentence. The amount of powder cocaine required to trigger the 5 and 10-year mandatory minimums remains the same, at 500 grams and 5 kilograms respectively. The legislation also eliminates the mandatory minimum for simple possession of crack cocaine. The quantity disparity between crack and powder cocaine would move from 100 to 1 to 18 to 1.

The Sentencing Project has long advocated for the complete elimination of the sentencing disparity that has doled out excessive and harsh penalties and created unwarranted racial disparity in federal prisons. Currently, 80 percent of crack cocaine defendants are African American, and possession of as little as 5 grams of crack cocaine subjects defendants to a mandatory five-year prison term. For decades the controversial cocaine sentencing law has exemplified the disparate treatment felt in communities of color and the harshness of mandatory minimum sentences.

According to estimates from the U.S. Sentencing Commission, the approved changes to the current penalties for crack cocaine offenses could impact nearly 3,000 defendants a year by reducing their average sentence 27 months. The Commission projects that 10 years after enactment the changes could produce a prison population reduction of about 3,800. For people currently serving time for low-level crack cocaine offenses, the bill's passage will not impact their fate. The Sentencing Project urges Congress, the U.S. Sentencing Commission and the President to apply the sentencing adjustments mandated in the Fair Sentencing Act retroactively. See www.sentencingproject.org/crackreform.

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Girls' Delinquency

OJJDP has published “Causes and Correlates of Girls’ Delinquency.” Part of OJJDP’s Girls Study Group series, the bulletin summarizes the research team’s review of social science literature on factors impacting girls’ delinquency and notes their policy and program implications. The bulletin identifies eight factors correlated with girls’ delinquency: negative and critical mothers, harsh discipline, inconsistent discipline, family conflict, frequent family moves, multiple caregivers, longer periods of time with a single parent, and growing up in socioeconomically disadvantaged families. “Causes and Correlates of Girls’ Delinquency” is available online at ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=248352. For further information and resources on girls’ delinquency, visit OJJDP’s Girls’ Delinquency Web portal page at ojjdp.ncjrs.gov/programs/girlsdelinquency.html. Print copies may be ordered online at www.ncjrs.gov/App/ShoppingCart/ShopCart.aspx?item=NCJ+228414&repro=0. For further information about girls’ delinquency, visit OJJDP’s Girls’ Delinquency page at ojjdp.ncjrs.gov/programs/girlsdelinquency.html.

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Online Safety

Published by the Federal Trade Commission (FTC), “Net Cetera: Chatting with Kids About Being Online” offers parents practical tips to guide their children in navigating the online world. As the guide notes, online means of interaction come with certain risks, including inappropriate conduct, contact, and content. The information that “Net Cetera” provides can help parents empower their children to reduce these risks. This free resource is available via OnGuardOnline.gov, a website maintained by the FTC with support from its partners, among them the Department of Justice’s Office of Justice. “Net Cetera: Chatting with Kids About Being Online” is available online at www.onguardonline.gov/topics/net-cetera.aspx. The guide is also available in Spanish at www.alertaenlinea.gov/pdf/stec04.pdf. Bulk print copies may be ordered at bulkorder.ftc.gov/.

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Child Maltreatment

The U.S. Department of Health and Human Services' (HHS) Administration for Children and Families has published "Child Maltreatment 2008." The report, the latest in an annual series issued each April in observance of National Child Abuse Prevention Month, indicates that 2008 saw the lowest child victimization rate in five years. An estimated 772,000 children were victims of child abuse and neglect, a rate of 10.3 per 1,000 children, with almost a third of the victims less than four years old. "Child Maltreatment 2008" is available online at www.acf.hhs.gov/programs/cb/pubs/cm08/. For further information and resources related to National Child Abuse Prevention Month, visit www.ncjrs.gov/childabuse/.

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NamUs

The National Missing and Unidentified Persons System (NamUs) is a free online database that is helping to solve cases by making information about missing and unidentified persons easy to access and search. Information is available to medical examiners, coroners, law enforcement officials, and the public. Anyone can enter data about missing persons, but all data is verified before it appears on NamUs. The database is searchable. Only medical examiners and coroners can enter information into NamUs about unidentified decedents. This information can then be searched by anyone, including the public, according to characteristics like gender, race, body features, and dental information. NamUs automatically performs cross-matching comparisons between the missing and unidentified persons' databases, searching for similarities among cases. Recently, NamUs has been in the national spotlight as a result of a public service announcement (PSA) featured at the end of *The Forgotten*, a crime drama on ABC. *The Forgotten* centers on a fictitious network of civilian volunteers who work to identify unknown victims. Christian Slater, the star of the show, provides the voiceover for the PSA, which airs at the end of every episode. To learn more or to search NamUs, see www.namus.gov.

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Conditions of Confinement

OJJDP has published "Conditions of Confinement: Findings From the Survey of Youth in Residential Placement." The third in a publication series derived from findings from the Survey of Youth in Residential Placement, this OJJDP bulletin describes the characteristics of the facilities in which youth are confined and the programs that serve them. "Conditions of Confinement: Findings From the Survey of Youth in Residential Placement" (NCJ 227729) is available online at ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=249736. Print copies may be ordered at www.ncjrs.gov/App/ShoppingCart/ShopCart.aspx?item=NCJ+227729. For an overview of the series, see "Introduction to the Survey of Youth in Residential Placement" at ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=240090.

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Street Gangs

The National Gang Center, a collaborative project of the Bureau of Justice Assistance and OJJDP, has published "History of Street Gangs in the United States." Written by James C. Howell, Senior Research Associate, and John P. Moore, Director, National Gang Center, the bulletin reviews the chronology of major events associated with the emergence of street gangs in each of the country's four major geographic regions. "History of Street Gangs in the United States" is available online at www.nationalgangcenter.gov/Content/Documents/History-of-Street-Gangs.pdf. To obtain further information about the National Gang Center, visit www.nationalgangcenter.gov.

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Juveniles in Adult Court

“Get tough” ideology has led to more juveniles being transferred to the adult criminal justice system in the past 20 years. Researchers Kareem Jordan and Tina Freiburger have examined the impact of race for juveniles who are transferred to the adult system and find that race plays a significant role in sentencing decisions in cases of youthful offenders. Black youth are more likely to be sentenced to jail or prison, while white youth are more likely to be sentenced to probation. Latino youth are also more likely to be sentenced to prison rather than jail compared to whites. In addition, the authors found that race interacts with factors such as prior record in influencing sentencing decisions.

Having a previous contact with the juvenile justice system increased the chances of a black youth being sanctioned to prison rather than jail, yet surprisingly, decreased the chances that a white youth would be. The authors speculate that judges tend to view prior records of racial categories differently, with African-American youth viewed as more dangerous. The authors recommend that judges receive diversity training to minimize the influence of stereotyping at sentencing. See Jordan, Kareem L. and Tina L. Freiburger (2010), “Examining the Impact of Race and Ethnicity on the Sentencing of Juveniles in Adult Court,” *Criminal Justice and Policy Review* 21(2):185-201.

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Communications Technologies Center of Excellence

The U.S. Department of Justice, Office of Justice Programs' National Institute of Justice (NIJ) established the NLECTC Communications Technologies Center of Excellence in October 2007 to serve as a specialized technology resource for the 19,000+ state, local, and tribal law enforcement and corrections agencies across the U.S. To learn more about the Center of Excellence, go to www.commtechcoe.org.

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Kid Gun Deaths

Children in the most rural areas of the U.S. are as likely to die by gunshot as those in the biggest cities, an analysis of nearly 24,000 deaths finds. Homicides involving firearms are more common among city youths, but gun suicides and accidental fatal shootings level the score. They are more common among rural kids, according to a study at the Children's Hospital of Philadelphia and published in *Pediatrics*. The researchers analyzed data from nearly 24,000 gun-related deaths among people 19 and younger from 1999 through 2006. That included about 15,000 homicides, about 7,000 suicides, and about 1,400 accidental shootings. The researchers sorted them by county and then compared the gun death rates for the most urban counties (those with populations of one million or more) and the most rural counties (the ones far from cities or with fewer than 2,500 people). They found essentially the same rate: about four deaths per 100,000 children. A previous analysis of adult deaths showed similar patterns.

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Dropouts

The primary reason young adults drop out of college is an inability to juggle school and work, according to the Public Agenda. The research surveyed more than 600 people ages 22 to 30. Each fall, 2.8 million students enroll in some form of higher education, but fewer than half of students who start school graduate within six years. At public community colleges, only 20

percent of students graduate within three years. When students decide to drop out, 70 percent say they did so because they needed to work to support themselves. Other reasons include not being able to afford tuition and fees, needing a break, finding that classes are not useful, and needing more time with family.

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Conditions of Confinement

Findings from the Survey of Youth in Residential Placement (NCJ 227729) OJJDP Survey of Youth in Residential Placement Series, *Bulletin*, 16 page(s) presents results from the Survey of Youth in Residential Placement (SYRP) on the characteristics of the facilities in which youth are confined and the programs provided to them. SYRP is the first comprehensive national study to gather information about youth in custody by interviewing the detained offenders. Findings also describe the security in facilities where juveniles are housed, the types of youth offenders in each program, the disciplinary measures used in the facilities, and youth's access to legal representation and emotional support.

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National Center for Youth Law Publications

Representing Juvenile Status Offenders

Juvenile status offenders need strong advocacy to help them avoid deeper juvenile justice system involvement and detention. This publication offers a roadmap to representing status offenders.

HEY Guide: Youth Empowerment

The practices, strategies, and tools presented in this step-by-step guide will provide a framework to support the growth and empowerment of your agency's youth and staff.

Lessons from Luzerne County: Promoting Fairness, Transparency and Accountability

This report provides a roadmap for improving Pennsylvania's juvenile justice system and preventing another Luzerne County tragedy.

OJJDP Publications—During ceremonies marking the U.S. Department of Justice's recent observance of National Missing Children's Day, OJJDP released the following publications related to missing children:

- “The Crime of Family Abduction: A Child’s and Parent’s Perspective” reveals why the abduction of children by noncustodial family members is a serious crime that must be treated as such.
- “When Your Child Is Missing: A Family Survival Guide” is the fourth edition of this pioneering guide for families of missing children written by parents of missing children. “The Crime of Family Abduction: A Child’s and Parent’s Perspective” is available online at ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=251965. Print copies may be ordered at www.ncjrs.gov/App/ShoppingCart/ShopCart.aspx?item=NCJ+229933.” “When Your Child Is Missing: A Family Survival Guide” is available online at ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=250759. Print copies may be ordered at www.ncjrs.gov/App/ShoppingCart/ShopCart.aspx?item=NCJ+228735.

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Practice in Juvenile Court

The National Juvenile Defender Center, in partnership with the Juvenile Law Center, has published the second edition of “Toward Developmentally Appropriate Practice: A Juvenile Court Training Curriculum.” Intended for juvenile court judges, defense attorneys, prosecutors, and probation staff, the curriculum provides in-depth training materials on current adolescent development research and its application to juvenile court practice. It is available as part of the John D. and Catherine T. MacArthur Foundation’s project, Models for Change: Systems Reform in Juvenile Justice. A detailed overview of the learning objectives for each curriculum module is available at modelsforchange.net/publications/255/Juvenile_Court_Training_Curriculum_2nd_Ed.pdf. To request a hardcopy of the curriculum or training based on it, visit modelsforchange.net/publications/255.

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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. Published by the Administrative Office of the United States Courts www.uscourts.gov
[Publishing Information](#)

YOUR BOOKSHELF ON REVIEW

Update on Crime and Punishment

Studies in Law, Politics, and Society: New Perspectives on Crime and Criminal Justice.

Edited by Austin Sarat
Emerald Group Publishing Ltd., 2009

REVIEWED BY TIMOTHY P. CADIGAN

Edited by Austin Sarat, this book presents a fresh and in-depth exploration of some crucial issues facing the criminal justice system that have as yet been somewhat underserved by the research. Those issues include zoning as an urban tool, counsel to the poor, pretrial release, and mass incarceration. Sarat has chosen some wonderfully deep and comprehensive topics in need of exploration, selected recognized authorities to write on those topics, and done so in a series with a distinguished history. Let's delve into the substance and analyze the product he has assembled.

The review begins with the discussion of pretrial services and the many issues that the criminal justice system faces as a result of its lack of attention to the topic over the years.

“American bail reform: Lessons from Philadelphia's evidence-based judicial strategy” is written by Goldkamp and Vilcica and opens with the simple observation that bail reform needs to be judicial reform. One of the great strengths of the Goldkamp and Vilcica research is that it squarely takes on some of the most enduring “urban legends” of pretrial services risk assessment research. For example, most pretrial services agencies continue to capture data on and analyze the variable community ties. While some of the fascination with this variable stems from its identification as an important variable in the granddaddy of all pretrial services research, the original Vera project, the variable endures to this day in all likelihood because of its tremendous “face validity.” Its inclusion in the small number of long-standing important pretrial services variables is certainly not warranted by the research results of the last 20 years. However, most researchers merely ignore the variable after the analysis does not bear out its value [e.g., AOUSC. (1979, June 19). *Fourth Report on the Implementation of Title II of the Speedy Trial Act of 1974*. Washington, D.C.: Administrative Office of the United States Courts; VanNostrand, M. (2003). *Assessing risk among pretrial defendants in Virginia: The Virginia pretrial risk assessment instrument*. Richmond, VA: Virginia Department of Criminal Justice Services; VanNostrand, M. & Keebler, G. (September 2007). Our journey to pretrial justice. *Federal Probation*, 71-2, pp. 20-25]. Goldkamp and Vilcica take on the lack of value of community ties in an effort to remove this variable from its lofty perch.

Goldkamp's analysis of factors influencing judicial decisions at the pretrial release

decision, however, found that contrary to the intended effect of Vera-type information-based reform procedures community ties items did not play a significant role in shaping judges' actual pretrial custody decisions—and were not helpful predictors of defendant risk. (Goldkamp & Vilcica, 2009: p. 124.)

One of the most seemingly “obvious” issues is not found in virtually any other research on the topic of risk assessment: the importance of including judicial officers in the development, implementation, and ongoing use of a risk assessment device. Only Goldkamp and Vilcica's findings discuss the issue, not to mention endorsing the strong role it played in the Philadelphia research: “As a judicially developed and adopted policy, it stands alone in the nation in the first years of the 21st century—one might argue, in isolation—as an empirically informed approach to the problem of judicial discretion at the bail stage” (Goldkamp & Vilcica, 2009:129-30).

Given Goldkamp and Vilcica's vision of pretrial justice and desire to improve the pretrial release process and reduce judicial discretion, it is almost shocking that they missed the importance of pretrial detention and made the tool detention neutral (Goldkamp & Vilcica, 2009:134). This is especially true since Philadelphia has operated pretrial services under federal court supervision due to jail overcrowding during the 20-plus years encompassed by the guideline project in Philadelphia. Reducing unnecessary pretrial detention needs to be a core principle for pretrial services and judicial officers, given the negative consequences of pretrial detention at subsequent phases of the criminal justice system. However, even with this shortcoming the work provides a significant advance in the pretrial services literature.

“Protecting Due Process in a punitive era: An analysis of changes in providing counsel to the poor,” by Allissa Pollitz Worden and Andrew Lucas Blaize Davies, attempts to bring to light a very real phenomenon, the loss of due process in the current punitive climate of the criminal justice system and its impact on the attainability of counsel for the poor.

Indigent defense, like pretrial services, is somewhat obscured from the general public's understanding of criminal justice and thus has also garnered limited attention in the criminal justice literature. Despite its lack of public recognition, and thus commensurately poor funding, providing indigent defense is crucial to maintaining a fair and equitable criminal justice system. Worden and Davies examine the impact of what they and Garland term “the punitive turn” of indigent defense policies over the past two decades. Their goal is to answer two sets of questions: 1) has the system improved over those two decades, or did the “punitive turn” derail those improvements? And 2) did variability in states' political climates explain initial indigent policies, and over those two decades does the variability account for stability or changes in policy throughout the era?

The right to counsel has evolved through a variety of Supreme Court decisions, beginning with *Powell* in 1932 (capital cases) to *Gideon* in 1963 (felonies) to *Argersinger* in 1972 (many misdemeanors). Since then the court has been relatively silent on the topic and that silence, the authors argue, has enabled the political climate in a particular state to have a significant impact on indigent defense policies in that state. In addition, rising crime rates, public fear of crime, and related realities have had an overall detrimental effect on indigent defense policies.

Worden and Davies' conclusions are fascinating: incarceration rates did not prove predictive of low investment in indigent defense; indigent defense programs have not advanced very much from their origins; and the states proved very stable over time. In addition, the authors make some excellent suggestions for future research. In the final analysis this is an excellent article that offers significant information on a vastly under-served topic.

“Understanding mass incarceration as a grand social experiment,” written by Natasha A. Frost and Todd R. Clear, is tremendously well researched, thorough, and complete; as a bonus, it is very well written for such a technical piece. My knowledge of the various policies and their intent was greatly expanded and I learned a great deal on the topics. First, Frost and Clear focus on establishing and defining “grand social experiment” in the context in which they view it. They utilize two grand social experiments to establish the framework for the research: The New

Deal and The Great Society.

Frost and Clear do an excellent job of separating the wheat from the chaff in terms of what truly led to the grand social experiment of mass incarceration that became the law and policy of the United States. While the crime rate is the most frequently cited factor in the escalation of incarceration rates in the United States, the authors point out that the crime rate became a political opportunity that was exploited quite successfully to advance a conservative agenda. That political agenda and change moved from society into the criminal justice community.

We saw then, in the 1970's, a seismic shift in orientation—a shift toward the punishment imperative. Given that criminal offenders were calculating rational thinkers choosing crime because crime paid, our approach to addressing crime had to include increasing the costs associated with committing crime...It is almost impossible to overstate the get tough character of the ensuing paradigm shift in criminal justice. Where crime was the question it seemed incarceration was the answer (p. 174).

The authors identify four lessons learned through the mass incarceration policies of the past 30 years:

1) the incarceration rate is surprisingly disconnected from the crime rate; 2) prison expansion has not met its own goals; 3) mass incarceration has exacerbated, rather than ameliorated, many of the social problems that we ended the twentieth century concerned about; and 4) mass incarceration is perhaps one of the best examples of how tightly entwined politics and punishment can become (p. 177).

The article serves as a significant contribution to the book and to the future of criminal justice. As the authors point out, the undoing of the punishment imperative will not be accomplished by removing existing draconian penalties and will in all likelihood require massive change to the criminal justice system to truly remove the stain this has left.

“Aspects of Non-Democratic Policing: The rise of the Nazi policing system,” by Peter K. Manning, focuses on the need for the next generation of policing to look not to the policing systems of stable democracies like the United States and Canada, but to non-democratic police systems. The author argues that this is necessary because the current literature is severely limited by lack of inclusiveness of the range of contingencies that police face internationally.

“Supermax prisons and the trajectory of exception,” by Lorna A. Rhodes, argues that the supermax prison has “replaced older forms of segregation to become a taken-for-granted element in the state and federal penal landscape” (p. 194). The author's intent is to “explore the contradictory terrain that comes into view if we examine these supermax ‘enclosures’” as social settings whose history and cultural logic shed light on their capacity for expansion.

“Zoning out disorder: Assessing contemporary practice of urban social control,” by Steve Herbert and Katherine Beckett, looks at various new tools police are using to clear public areas of individuals found undesirable. The article argues that these methodologies further criminalize those who create urban disorder. The authors use data from Seattle to explore the impacts and implications of these policies, concluding that the methodologies raise serious issues about using the criminal law to address social problems.

Overall, the editor and each of the individual authors have done an excellent job of creating a piece of work that succeeds both as a book and as a collection of individually satisfying articles. I highly recommend this intelligently conceived and rewarding book.

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Results-based Framework for Post-conviction Supervision Recidivism Analysis

1. *Strategic Assessment of Federal Probation and Pretrial Services, 2004*. Urban Institute, Justice Policy Center
(http://jnet/Probation_and_Pretrial_Services/Strategic_Assessment.html).
2. *Guide to Judiciary Policy*, Volume 8, Part E, The Supervision of Federal Offenders (Monograph 109).
3. *Federal Probation*, Volume 72, *Results-Based Management in Federal Probation and Pretrial Services*, September 2008, John M. Hughes.
4. ATLAS is a software program developed by the Administrative Office of the U.S. Courts that provides a browser-based user interface for performing criminal record checks. It is widely used by probation and pretrial services officers to perform criminal record checks on defendants and offenders for supervision and investigation purposes.
5. The Risk Prediction Index (RPI) is an instrument used by officers to estimate the likelihood that an offender will be arrested or have supervision revoked during his or her term of supervision. It is a statistical model developed by the Federal Judicial Center at the request of the Judicial Conference Committee on Criminal Law and approved by the Judicial Conference in March 1997. The model has been extensively tested and has been shown to be a strong predictor of the risk of recidivism for all federal offenders. "Recidivism" is defined as any revocation of supervised release, probation, or parole; arrest under federal or state jurisdiction; or absconding from supervision. RPI scores range

from 0 to 9, with 9 indicating a higher likelihood of violation. Scores of 0 or 1 indicate that the offender has a very high likelihood of success (i.e., over 90 percent of offenders in these categories do *not* recidivate).

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Alternatives to Pretrial Detention: Southern District of Iowa, A Case Study

1. Performance and outcome measure improvements identified using data extracted from the Probation and Pretrial Services Automated Case Tracking System (PACTS) database as detailed in the Findings section of this report.
2. Title 18, United States Code, Section 3142(c)(1)(B).
3. Title 18, United States Code, Section 3142(e) contains three categories of criminal offenses that give rise to a rebuttable presumption that “no condition or combination of conditions” will (1) “reasonably assure” the safety of any other person and the community if the defendant is released; or (2) “reasonably assure” the appearance of the defendant as required and “reasonably assure” the safety of any other person and the community if the defendant is released.
4. Title 18, United States Code, Section 3142(g).
5. An illustrative list of conditions is set forth in Title 18, United States Code, Section 3142(c)(1)(B)(i through xiv), which gives the judicial officer authority to impose conditions not specifically enumerated so long as the same serve the purposes set out in § 3142(c)(1)(B).
6. VanNostrand, Marie and Gena Keebler. “Our Journey Toward Pretrial Justice” in *Federal Probation*, Volume 71, Number 2 (September 2007), pp. 20-25.
7. *Putting Public Safety First: 13 Strategies for Successful Supervision and Reentry* (The Pew Center on the States, 2008).
8. VanNostrand, Marie and Gena Keebler. *Pretrial Risk Assessment in the Federal Court: For the Purpose of Expanding the Use of Alternatives to Detention* (Department of Justice, Office of Federal Detention Trustee, 2009).
9. VanNostrand, Marie and Gena Keebler. *Pretrial Risk Assessment in the Federal Court: For the Purpose of Expanding the Use of Alternatives to Detention* (Department of Justice, Office of Federal Detention Trustee, 2009), see page 36.

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Workforce Development Program: A Pilot Study of its Impact in the U.S. Probation Office, District of Delaware

1. The authors wish to thank Jack McDonough, Chief U.S. Probation Officer, Wilmington, Delaware and his staff for providing the data for this study, Christopher Lowenkamp for developing the comparison sample, and Steven Martin for comments on an earlier draft.

This project was supported by the U.S. Probation Office, District of Delaware. Address all communications to the first author at visher@udel.edu.

2. The sample includes individuals on community probation as well as individuals on

supervised release who are under the supervision of the U.S. Probation Office, District of Delaware. We use the term probationer to refer to both groups of participants.

3. A note about statistical significance: For this study we use a cutoff value of $p < .10$. This allows us to be fairly confident in generalizing the findings from this sample. There are several instances where there is a large percentage difference between two groups but the relationship is not statistically significant. While there may appear to be a relationship between two variables in this sample, we are limited by the small sample size in this pilot study and cannot confirm that the relationship would be present in a different sample.
4. Probation revocation is being considered as recidivism in this sample because the revoked participants had multiple, serious non-compliance events which resulted in incarceration.
5. Arrests made by local as well as state and other federal agencies were included in this measure. All traffic-related arrests were excluded, with the exception of driving while intoxicated.
6. To obtain these services participants needed to participate in a special workshop or they received individual assistance from the Community Resource Specialist (CRS). Often probationers who were unemployed for several months or had not been actively searching for employment were mandated to attend these workshops or meet with the CRS. Individuals who received interview skills training and resume building training were not different from those who did not, based on their prior employment history or risk level. However, they may have been more non-compliant prior to receiving these services, which then led to them being mandated to attend the workshops or individual sessions by their probation officer.
7. Among those who recidivated, statistically similar proportions were rearrested and revoked in both the Delaware and the comparison groups (27 percent vs. 42 percent revoked; 73 percent vs. 58 percent rearrested, respectively).

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Evaluation of Kentucky's Early Inmate Release Initiative: Sentence Commutations, Public Safety and Recidivism

1. The Kentucky Department of Corrections participated in this research and provided access to all data. However, the Kentucky Department of Corrections disclaims approval or endorsement of the findings and interpretations of this study. All views expressed herein are those of the authors and the authors alone.
2. Please note that in the following Tables, when the group total for the variable presented is less than 866 for each group (when total figures for subgroups do not equal the original subtotal), there were missing data for the variable under consideration.
3. This figure was calculated using the percentage of inmates held at each custody level for each group and multiplying that figure times the daily cost of incarceration for those levels (figures obtained in 2008 dollars from the Kentucky Department of Corrections). The total daily figure was then adjusted to be measured in the value of 2002 dollars (the year that the Commuted Group was released). This figure was then multiplied by 237.5 days, the average difference in time served between the Commuted and Comparison groups.

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A Pilot Survey Linking Personality, Leadership Style, and Leadership Success among Probation Directors in the U.S.

1. Founded in 1981, NAPE is a professional organization representing the chief executive officers of local, county, and state probation agencies, and has been substantially devoted to the issue of leadership and the challenges faced by probation administrators.
2. As described earlier, four leadership behavioral scales were defined as characteristic of transformational leadership (idealized influence: attributed and behavior, inspirational motivation, individual consideration, and intellectual stimulation). Three behavioral scales were identified as characteristic of transactional leadership (contingent reward, active management-by-exception, and passive management-by-exception). The last behavioral scale was described as non-leadership and non-management, also known as laissez-faire leadership.
3. The three subordinate outcome components factored together with an appropriate *eigenvalue* of 2.75—greater than 1.00 through a discontinuity test—and factor loadings all over 0.50, suggesting substantial loadings.
4. The fit of the model to the data was evaluated by the following four indices: χ^2 Ratio, RMSEA, CFI and TLI (Hair, Black, Anderson, & Tatham, 2006).
5. The χ^2 ratio test itself should not be considered as a best test of the model's absolute fit (Hair et al., 2006).
6. The assumption of normality, linearity and homoscedasticity was met. According to variance inflation factor (VIF) scores, no multicollinearity was found.

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Alcohol: Still the Forgotten Legal Drug

1. I will use “client” and “offender” interchangeably, out of deference to both sides of the ever-present law enforcement–social work chasm.
2. Emphasis added by author throughout.

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Workforce Development Program: A Pilot Study of its Impact in the U.S. Probation Office, District of Delaware

Buck, M.L. 2000. "Getting Back to Work: Employment Programs for Ex-Offenders." Philadelphia, PA: Public/Private Ventures.

Harris, Patricia & Keller, Kimberly. 2005. "Ex-Offenders Need Not Apply: The Criminal Background Check in Hiring Decisions." *Journal of Contemporary Criminal Justice*, Vol. 21, No. 1, 6-30.

Holzer, Harry; Steven Raphael and Michael Stoll. 2002. "Will Employers Hire Ex-Offenders? Employer Preferences, Background Checks and Their Determinants." In M. Pattillo, D. Weiman and B. Western eds. *The Impact of Incarceration on Families and Communities*. New York: Russell Sage Foundation.

National Research Council, Committee on Community Supervision and Desistance from Crime. 2007. *Parole, Desistance from Crime, and Community Reintegration*. Washington, DC: National Academies Press.

Petersilia, Joan. 2001. "Prisoner Re-entry: Public Safety and Reintegration Challenges." *The Prison Journal*, 81(3), 360-375.

Seiter, Richard and Kadela, Karen. 2003. "Prisoner Reentry: What Works, What Does Not, and What Is Promising." *Crime & Delinquency*, Vol. 49, No. 3, 360-388.

Amy L. Solomon, Jesse Jannetta, Brian Elderbroom, Laura Winterfield, Jenny Osborne, Peggy Burke, Richard P. Stroker, Edward E. Rhine, William D. Burrell. 2008. *Putting Public Safety*

First: 13 Strategies for Successful Supervision and Reentry. Washington, DC: Justice Policy Center, The Urban Institute.

Uggen, Christopher. 2000. "Work as a Turning Point in the Life Course of Criminals: A Duration Model of Age, Employment, and Recidivism." *American Sociological Review* 65:529-46.

Visher, Christy, Debus, Sara, and Yahner, Jennifer. 2008. *Employment after Prison: A Longitudinal Study of Releasees in Three States*. Washington, DC: Justice Policy Center, The Urban Institute.

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Evaluation of Kentucky's Early Inmate Release Initiative: Sentence Commutations, Public Safety and Recidivism

Armstrong, T.A. 2008. Are trends in specialization across arrests explained by changes in specialization occurring with age? *Justice Quarterly*, 25, 201-222.

Bhati, A.S. 2006. *Studying the Effects of Incarceration on Offending Trajectories: An Information-Theoretic Approach*. Washington, D.C.: Urban Institute, Justice Policy Center.

Blumstein, A., J. Cohen, S. Das, and S.D. Moitra. 1988. Specialization and seriousness during adult criminal careers. *Journal of Quantitative Criminology*, 4, 303-345.

Brennan, P., S. Mednick, and R. John. 1989. Specialization in violence: Evidence of a criminal subgroup. *Criminology*, 27, 437-453.

Britt, C. L. 1996. The measurement of specialization and escalation in the criminal career: An alternative modeling strategy. *Journal of Quantitative Criminology*, 12, 193-222.

Dowden, C. and S.L. Brown. 2002. The role of substance abuse factors in predicting recidivism: A meta-analysis. *Psychology, Crime & Law*, 8, 243-264.

Farrington, D.P., H.N. Snyder, and T.A. Finnegan. 1988. Specialization in juvenile court careers. *Criminology*, 26, 461-485.

Gendreau, P., C. Goggin, and F.T. Cullen. 1999. *The Effects of Prison Sentences on Recidivism*. Ottawa, Canada: Solicitor General Canada.

Gendreau, P., T. Little, and C. Goggin. 1996. A meta-analysis of the predictors of adult offender recidivism: What works! *Criminology*, 34, 575-607.

Hughes, K.A. 2006. *Justice Expenditure and Employment in the United States, 2003*. Washington, D.C.: Bureau of Justice Statistics.

Kunselman, J.C. 2000. Desistance among Specialized Persistent Felony Offenders: A Policy Analysis of a Criminal Statute in Kentucky. Unpublished doctoral dissertation, University of Louisville.

Langan, P.A., D.J. Levin. 2002. *Recidivism of Prisoners Released in 1994*. Washington, D.C.: Bureau of Justice Statistics.

Lo, C.C., Y.S. Kim and T.C. Cheng. 2008. Offense specialization of arrestees: An event history analysis. *Crime & Delinquency*, 54, 341-365.

Messina, N., W. Burdon, and G. Hagopian. 2006. Predictors of prison-based treatment outcomes: A comparison of men and women participants. *American Journal of Drug and Alcohol Abuse*,

Nilsson, A. 2003. Living conditions, social exclusion, and recidivism among prison inmates. *Journal of Scandinavian Studies in Criminology and Crime Prevention*, 4, 57-83.

Sabol, W. J., H.C. West and M. Cooper. 2009. *Prisoners in 2008*. Washington, D.C.: Bureau of Justice Statistics.

Stalans, L.J., P.R. Yarnold, and M. Seng. 2004. Identifying three types of violent offenders and predicting violent recidivism while on probation: A classification tree analysis. *Law and Human Behavior*, 28, 253-271.

Sullivan, C., J. McGloin, J. Ray and M. Caudy. 2009. Detecting specialization in offending: Comparing analytic approaches. *Journal of Quantitative Criminology*, 25, 419-441.

Tracy, P. E., M.E. Wolfgang, and R. M. Figlio. 1990. *Delinquency Careers in Two Birth Cohorts*. New York: Plenum.

Visher, C.A., L. Winterfield and M.B. Coggeshall. 2005. Ex-offender employment programs and recidivism: A meta-analysis. *Journal of Experimental Criminology*, 1, 295-316.

West, H.C. and W.J. Sabol. 2009. *Prison Inmates at Midyear 2008—Statistical Tables*. Washington, D.C.: Bureau of Justice Statistics.

West, H.C. and W.J. Sabol. 2008. *Prisoners in 2007*. Washington, D.C.: Bureau of Justice Statistics.

Zgoba, K.M., S. Haugebrook, and K. Jenkins. 2008. The influence of GED obtainment on inmate release outcome. *Criminal Justice and Behavior*, 35, 375-387.

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Implementing Gender-Responsive Treatment for Women in Prison: Client and Staff Perspectives

Anglin, M. D., Hser, Y., & Booth, M. W. (1987). Sex differences in addict careers: IV. Treatment. *American Journal of Alcohol and Drug Abuse*, 13(3), 253-280.

Anglin, M.D., & Maugh, T.H. (1992). Overturning myths about coerced drug treatment. *California Psychologist*, 19-22.

Bloom, B., Chesney-Lind, M., & Owen, B. (1994). *Women in California prisons: Hidden victims of the war on drugs*. San Francisco: Center on Juvenile and Criminal Justice.

Bloom, B., Owen, B. & Covington, S. (2003). *Gender-responsive strategies: Research, practice, and guiding principles for women offenders*. Washington, DC: National Institute of Corrections.

Burdon, W. M., Farabee, D., Prendergast, M. L., Messina, N. P., & Cartier, J. (2002). Prison-based therapeutic community substance abuse programs—implementation and operational issues. *Federal Probation*, 66, 3-8.

Conners, N. & Franklin, K. (2000). Using focus groups to evaluate client satisfaction in an alcohol and drug treatment program. *Journal of Substance Abuse Treatment*, 18(4), 313-320

Covington, S. (1998). The relational theory of women's psychological development: Implications for the criminal justice system. In *Female Offenders: Critical Perspectives and Effective Interventions*, edited by R.T. Zaplin. Gaithersburg, MD: Aspen Publishers.

- Covington, S. (1999). *Helping women recover: A program for treating substance abuse*. San Francisco, CA: Jossey-Bass.
- Covington, S. (2002). *A woman's journey home: Challenges for female offenders*. Washington, DC: Urban Institute.
- Covington, S. (2003). *Beyond trauma: A healing journey for women*. Center City, MN: Hazelden.
- Covington, S., & Surrey, J. (1997). The relational theory of women's psychological development: Implications for substance abuse. In S. Wilsnak & R. Wilsnak (Eds.), *Gender and alcohol: Individual and social perspectives* (pp. 335-351). Piscataway, NJ: Rutgers University Press.
- DeLeon, G. (2000). *The therapeutic community: Theory, model & method*. New York: Springer Publishing Co.
- Farabee, D., Prendergast, M., & Anglin, M. D. (1998). The effectiveness of coerced treatment for drug-abusing offenders. *Federal Probation*, 62, 3-10.
- Farabee, D., Prendergast, M., Cartier, J., Wexler, H., Knight, K., & Anglin, M. D. (1999). Barriers to implementing effective correctional drug treatment programs. *The Prison Journal*, 79, 150-162.
- Glaser, G. & Strauss, A. (1967). *The discovery of grounded theory*. Chicago: Aldine,
- Grella, C. E., & Joshi, V. (1999). Gender differences in drug treatment careers among clients in the national abuse treatment outcome study. *American Journal of Drug and Alcohol Abuse*, 25(3), 385-406.
- Grella, C. E. (2003). Effects of gender and diagnosis on addiction history, treatment utilization, and psychosocial functioning among a dually-diagnosed sample in drug treatment. *Journal of Psychoactive Drugs*, 35, 169-179.
- Harrison, P. & Beck A. (2006). Prison and Jail Inmates at Midyear 2005. *Bureau of Justice Statistics Bulletin*; NCJ 213133, 1-13.
- Hartjen, C., Mitchell, S., & Washburne, N. (1981). Some legal, ethical, and practical issues. *Journal of Offender Counseling, Services & Rehabilitation*, 6(1-2), 21-39.
- Henderson, D. (1998). Drug abuse and incarcerated women. *Journal of Substance Abuse Treatment*, 15(6), 579-587.
- Howell, E. & Chasnoff, I. (2004). Perinatal Substance Abuse Treatment: Findings From Focus Groups With Clients and Providers. *Journal of Substance Abuse Treatment*, 17(1), 139-148
- Inciardi, J. A., Martin, S. S., Butzin, C. A., Hooper, R. M., & Harrison, L. D. (1997). An effective model of prison-based treatment for drug-involved offenders. *Journal of Drug Issues*, 27(2), 261-278.
- Jordan, J., Kaplan, A., Miller, J.B., Stiver, I., & Surrey, J. (1991). *Women's growth in connection: Writings from the Stone Center*: New York: Guilford Press.
- Langan, N., & Pelissier, B. (2001). Gender differences among prisoners in drug treatment. *Journal of Substance Abuse*, 13(3), 291-301.
- Messina N., Wish, E., Nemes, S. (2000). Predictors of treatment outcomes in men and women admitted to a therapeutic community. *American Journal of Drug & Alcohol Abuse*, 26, 207-27.
- Messina, N., Burdon, W., & Prendergast, M. (2003). Assessing the needs of women in institutional therapeutic communities. *Journal of Offender Rehabilitation*, 37(2), 89-106.

Messina, N., & Grella, C.E. (2006). Childhood trauma and women's health outcomes population. *American Journal of Public Health*, 96(10), 1842-1848.

Miller, J. B. (1976). *Toward a new psychology of women*. Boston: Beacon Press.

Peters, R. H., Strozier, A. L., Murrin, M. R., & Kearns, W. D. (1997). Treatment of substance-abusing jail inmates: Examination of gender differences. *Journal of Substance-Abuse Treatment*, 14, 339-349.

Platt, J., Buhninger, G., Kaplan, C., Brown, B., & Taube, D. (1988). The prospects and limitations of compulsory treatment for drug addiction [Special issue]. *Journal of Drug Issues*, 18(4),505-525.

Prendergast, M., Wellisch, J. & Falkin, G. (1995). Assessments of and services for substance-abusing women offenders in community and correctional settings. *Prison Journal*, 75, 240-256.

Salmon, R.W., & Salmon, R.J. (1983). The role of coercion in rehabilitation of drug abusers. *The International Journal of the Addictions*, 18(1), 9-21.

Stevens, S. J., & Glider, P. J. (1994). Therapeutic communities: Substance abuse treatment for women. In: F. M. Tims, G. DeLeon, & N. Jainchill (Eds.), *Therapeutic community: Advances in research and application* (NIDA Research Monograph, 144, pp. 162-180). Rockville, MD: National Institute on Drug Abuse.

Wellisch, J., Prendergast, M., Anglin, M. (1996). Needs assessment and services for drug-abusing women offenders: Results from a national survey of community based treatment programs. *Women and Criminal Justice*, 8(1), 27-60.

Wexler, H., Falkin, G., & Lipton, D. (1990). Outcome evaluation of a prison therapeutic community for substance abuse treatment. *Criminal Justice & Behavior*, 17(1), 71-92.

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A Pilot Survey Linking Personality, Leadership Style, and Leadership Success among Probation Directors in the U.S.

Arbuckle, J. L. & Wothke, W. (2006). *Amos 7.0 User's Guide*. Chicago: SPSS Inc.

Bass, B. M. (1985). *Leadership and Performance beyond Expectations*. New York: Free Press.

Bass, B. M. (1990). *Bass and Stogdhill's handbook of leadership: Theory, research, and managerial applications* (3rd Ed.). New York: Free Press.

Bass, B. M. & Avolio, B. J. (2004). *MLQ Multifactor Leadership Questionnaire*. Redwood City, CA, Mind Garden.

Beto, D. R. (2007, Winter). Correctional leadership: A return to the basics. *Executive Exchange*, 8-14.

Beto, D. R., Corbett, R. P., & DiIulio, J. J. (2000). Getting serious about probation and the crime problem. *Corrections Management Quarterly*, 4, 1-8.

Bono, J. E., & Judge, T. A. (2004). Personality and transformational and transactional leadership: A meta-analysis. *Journal of Applied Psychology*, 86, 901-910.

Bureau of Justice Statistics. (2008). *Probation and Parole in the United States, 2008*. Washington, D. C.: Office of Justice Programs of U.S. Department of Justice.

- Burn, J. M. (1978). *Leadership*. New York, Harper & Row.
- Carless, S. A. (1998). Assessing the discriminate validity of transformational leadership behavior as measured by the MLQ. *Journal of Occupational and Organizational Psychology*, 71, 353-358.
- Conger, J. A., & Kanungo, R. N. (1987). Toward a behavioral theory of charismatic leadership in organizational settings. *Academy of Management Review*, 12, 637-647.
- Costa, P. T. & McCrae, R. R. (1992). *Revised NEO Personality Inventory (NEO PI-R) and NEO Five-Factor Inventory (NEO FFI): Professional Manual*. Lutz, FL: Psychological Assessment Resources, Inc.
- Davis, J. A. (1971). *Elementary survey analysis*. Englewood Cliffs, NJ: Prentice-Hall Methods of Social Science.
- DiIulio, J. J. (1987). *Governing Prisons: A Comparative Study in Correctional Management*. New York: The Free Press.
- Dubinsky, A. J., Yammarino, F. J., Jolson, M. A., & Spangler, W. D. (1995). Transformational Leadership: An Initial Investigation in Sales Management. *Journal of Personal Selling and Sales Management*, 15, 17-32.
- Dumdum, U. R., Lowe, K. B., & Avolio, B. J. (2002). A meta-analysis of transformational and transactional leadership correlates of effectiveness and satisfaction: An update and extension. In B. J. Avolio & F. J. Yammarino (Eds.). *Transformational and charismatic leadership: The road ahead* (pp. 35-66). Amsterdam: JAI.
- Hair, J. F., Black, W. C., Babin, B. J., Anderson, R. L., & Tatham, R. L. (2006). *Multivariate data analysis* (6th Ed.). Upper Saddle River, NJ: Prentice-Hall Inc.
- Hardyman, P. L. (1992). Management styles in probation: Policy implications derived from systems theory. In C. A. Hartjen & E. E. Rhine (Eds.), *Correctional Theory and Practice* (pp. 61-81). Chicago: Nelson-Hall.
- Hogan, R., Curphy, G. J., & Hogan, J. (1994). What we know about leadership: Effectiveness and personality. *American Psychology*, 49, 469-477.
- House, R. J. & Aditya, R. N. (1997). The social scientific study of leadership: Quo vadis? *Journal of Management*, 23, 409-473.
- Howell, J. M., & Avolio, B. J. (1993). Transformational leadership, transactional leadership, locus of control, and support for innovation: Key predictors consolidated business-unit performance. *Journal of Applied Psychology*, 78, 891-902.
- Judge, T. A. & Bono, J. E. (2000). Five-factor model of personality and transformational leadership. *Journal of Applied Psychology*, 85, 751-765.
- Judge, T. A., Bono, J. E., Ilies, R., & Gerhardt, M. W. (2002). Personality and leadership: A qualitative and quantitative review. *Journal of Applied Psychology*, 87, 765-780.
- Judge, T. A. & Piccolo, R. F. (2004). Transformational and transactional leadership: A meta-analytic test of their relative validity. *Journal of Applied Psychology*, 89, 755-768.
- Kenny, D. A. & Zaccaro, S. J. (1983). An estimate of variance due to traits in leadership. *Journal of Applied Psychology*, 68, 678-685.
- Kirkpatrick, S. A. & Locke, E. A. (1991). Leadership: Do traits matter? *Academy of Management Executive*, 5, 48-60.
- Kotter, J. P. (1996). *Leading change*. Boston, MA: Harvard Business School Press.

- Lowe, K. B., Kroeck, K. G., & Sivasubramaniam, N. (1996). Effectiveness correlates of transformational and transactional leadership: A meta-analytic review of the MLQ literature. *Leadership Quarterly*, 7, 385-425.
- Maxfield, M., & Babbie, E. (2005). *Research methods for criminal justice and criminology* (4th Ed.). Belmont, CA: Thomson/Wadsworth Publishing.
- Medley, F. & Larochelle, D. R. (1995). Transformational leadership and job satisfaction, *Nursing Management*, 26, 64-69.
- Petersilia, J. (1997). Probation in the United States. In M. Tonry (Ed.), *Crime and Justice: A Review of Research* (pp. 149-200). Chicago, IL: University of Chicago Press.
- Reinventing Probation Council (2000). *Transforming Probation through Leadership: The "Broken Windows" Model*. New York: The Manhattan Institute.
- Silversthorne, C. (2001). Leadership effectiveness and personality: A cross-cultural evaluation. *Personality and individual differences*, 30, 303-309.
- Smith, M. A., & Canger, J. M. (2004). Effects of supervisor "Big Five" personality on subordinate attitudes. *Journal of Business and Psychology*, 18, 465-81.0.
- Wofford, J. C., Whittington, J. L., & Goodwin, V. L. (2001). Follower motive patterns as situational moderators for transformational leadership effectiveness. *Journal of Managerial Issues*, 9, 196-211.
- Yammarino, F. & Dubinsky, A. (1994). Transformational leadership theory: Using levels of analysis to determine boundary conditions. *Personal Psychology*, 47, 787-811.

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Alcohol: Still the Forgotten Legal Drug

- CASA (January 1998). Charles E. Culpeper Foundation/The Robert Wood Johnson Foundation. *Behind Bars: Substance Abuse and America's Prison Population*. With forward by Joseph A. Califano, Jr., Chairman, The National Center on Addiction and Substance Abuse at Columbia University (CASA), 8, 45.
- Califano, J.A. (2007) *High Society: How Substance Abuse Ravages America and What to Do About It*. New York, New York. Public Affairs (Perseus Books Group).
- Ewing, J.A. (1984). Detecting alcoholism, the CAGE Questionnaire, *Journal of the American Medical Association*, 252, 1905-1907.
- Gergits, J. (2008). Letter from Administrative Office of the United States Courts (AO) Assistant General Counsel to David L. Martin, Chief Pretrial Services Officer, United States District Court for the District of Arizona (dated 2/19/2008), on *Inouye v. Kemna*, 504 F.3d 705 (9th Cir. 2007).
- Gorski, Terrence T. (1994). *Relapse Prevention Therapy with Chemically Dependent Criminal Offenders: A Guide for Counselors, Therapists, and Criminal Justice Professionals*. Independence, Mo.: Herald House, 17.
- Greenfield, L.A. (1998). Alcohol and crime: An analysis of national data on the prevalence of alcohol involvement in crime. Prepared for the Assistant Attorney General's *National Symposium on Alcohol Abuse and Crime*, April 5-7, 1998, Washington, DC, 20, 5, 27.
- Hasin, Deborah S., Stinson, Frederick S., Ogburn, MS, and Grant, Bridget F. (2007). Prevalence, correlates, disability, and comorbidity of DSM-IV alcohol abuse and dependence in the United

States, *Arch Gen Psychiatry*, 64(7):830-842.

NIDA (September, 2007). *Principles of Drug Abuse Treatment for Criminal Justice Populations: A Research Based Guide*. National Institutes of Health, U.S. Department of Health and Human Services.

Read, E.M. (1987). The alcoholic, the probation officer, and AA: A viable team approach to supervision. *Federal Probation*, 51 (1).

Read, E.M. (1988). Identifying the alcoholic: A practical guide for the probation officer. *Federal Probation*, 52 (3).

Read, E.M. (1990). Twelve steps to sobriety: Probation officers working the program. *Federal Probation*, 54 (4).

Read, E.M. (1996). *Partners in Change: The 12-Step Referral Handbook for Probation, Parole, and Community Corrections*. Center City, MN; Lanham, MD; Hazelden and American Correctional Association.

Texas Christian University (1999). NIJ Grant 1999-MU-MU-K008, *Assessment of a Drug Screening Instrument*. See Institute of Behavioral Research, TCU Drug Screen II.

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