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# Federal PROBATION

*a journal of correctional  
philosophy and practice*

Costs and Benefits of Implementing a Root Cause Analysis Framework into the Queensland Correctional Oversight System

*By Samay V. Zhouand, James M. Byrne*

The Impact of Location Monitoring Among U.S. Pretrial Defendants in the District of New Jersey

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Key Factors to Promote Successful Comprehensive Reentry Initiatives

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What Legally Prescribed Functions Tell Us: Role Differences Between Adult and Juvenile Probation Officers

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Juvenile Focus

*By Alvin W. Cohn*

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# THIS ISSUE IN BRIEF

## **Costs and Benefits of Implementing a Root Cause Analysis Framework into the Queensland Correctional Oversight System** 3

Root Cause Analysis (RCA) is a system of investigation designed to identify fundamental factors, or root causes, responsible for errors in performance within a system or process. The authors examine the potential costs and benefits of the RCA approach in the human services sector from a correctional perspective, based on experience gained in implementing RCA in the Queensland (Australia) correctional oversight system.

*Samay V. Zhouand, James M. Byrne*

## **The Impact of Location Monitoring Among U.S. Pretrial Defendants in the District of New Jersey** 8

The authors assess the effectiveness of location monitoring (LM) for federal defendants who were supervised in the community during their time on pretrial supervision. Using quasi-experimental methods, they found that location monitoring significantly reduces the likelihood of rearrest among this sample of defendants. The protective impact of location monitoring was more pronounced among defendants designated as high risk.

*Kevin T. Wolff, Christine A. Dozier, Jonathan P. Muller, Margaret Mowry, Barbara Hutchinson*

## **National Variations in Fieldwork Goals, Training, and Activities** 15

In this study the authors investigate how community supervision fieldwork varies across state and local agencies that use it, surveying data from 301 state and local community supervision departments. Findings suggest that the how, when, and why of fieldwork varies notably across regions and agency operational orientations.

*Walter L. Campbell, Holly Swan, Sarah Kuck Jalbert*

## **Key Factors to Promote Successful Comprehensive Reentry Initiatives** 22

Comprehensive reentry initiatives that seek to effect system and community-level change through engagement with multiple stakeholders face considerable implementation challenges. The authors examined the common goals of comprehensive reentry initiatives and identified 25 critical implementation indicators necessary for successful high-quality, multi-faceted, reentry initiatives.

*Jeff Mellow, Kevin Barnes-Ceeney*

## **What Legally Prescribed Functions Tell Us: Role Differences Between Adult and Juvenile Probation Officers** 32

The authors' current study, which is built on prior attempts to explore legally prescribed probation functions across 50 states and the District of Columbia, examines the statutorily prescribed duties of adult and juvenile probation officers in the last ten years. Analysis of role shifts and the commonalities and differences that exist in the statutes are also explored.

*Moana Hafoka, Youngki Woo, Ming-Li Hsieh, Jacqueline van Wormer, Mary K. Stohr, Craig Hemmens*

## DEPARTMENTS

<b>Juvenile Focus</b>	48
<b>Your Bookshelf on Review</b>	52
<b>Contributors to This Issue</b>	54
<b>Index of 2017 Articles and Reviews</b>	55

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.

# Costs and Benefits of Implementing a Root Cause Analysis Framework into the Queensland Correctional Oversight System

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**ROOT CAUSE ANALYSIS (RCA)** is a system of investigation designed to identify fundamental factors, or root causes, responsible for errors in performance within a system or process. This approach analyzes the chain of events leading up to an error, and traces these back to the ultimate factor or factors that can be held responsible for the error in question. This style of analysis is often seen as superior to more conventional investigations, because it delves deeper to find the fundamental cause of an issue, rather than identifying simplistic factors as the problem. For example, initially it may seem that operator error is the cause of a lot of mistakes, but when further analysis is undertaken, it becomes apparent that it is actually aspects of the system in which the individual is embedded that have led to the operator error (Carroll et al., 2002). Treating the operator error through solutions such as re-training or disciplining the individual in question will not effectively remedy the problem because the underlying deficit in the system will still remain (Carroll et al., 2002). Once root causes are identified, solutions can be tailored that address the root cause, rather than merely addressing symptoms further up the chain of events, and this should decrease the chance of a similar error recurring. When done well, RCA should lead to increased system reliability and hence greater public confidence in a system's legitimacy.

While initially developed to analyze industrial incidents, RCA has been widely applied

in a variety of sectors, including manufacturing, computing, engineering, industrial, aeronautical, and medical sectors (Bagian et al., 2002; Carroll et al., 2002; Dunn & Moga, 2010; Leszak et al., 2000). Indeed, within many of these sectors RCA is often a mandatory requirement following serious, or "sentinel," events (Ritter, 2015). However, while it is widely applied in technical industries, it is not as commonly practiced in more "human services"-based sectors, such as child protection, legal services, or corrections (National Institute of Justice, 2014; Rzepnicki & Johnson, 2005; Ritter, 2015). These types of sectors generally have in place systems for dealing with errors, such as internal review boards or ethics committees. However, these systems often become mechanisms for assigning blame to specific individuals or groups, which can have the effect of driving errors underground and act as an impediment to system improvement (National Institute of Justice, 2014). When errors occur in a complex system, they are rarely only the result of one individual's mistake. Rather, multiple small errors tend to combine and be exacerbated by some underlying system weakness (National Institute of Justice, 2014). Blaming an individual prevents questions from being asked about what in the individual's environment led them to make the decisions they did. Consequently, any structural systems failings are not identified, allowing similar mistakes to occur in the future (National Institute of

Justice, 2014; Taitz et al., 2010). When it works effectively, RCA operates in a non-blaming fashion seeking to identify failures so they can be remedied, rather than identifying individuals so they can be punished (National Institute of Justice, 2014).

While it is not currently widely applied, there is an increasing interest in applying a RCA framework to assess problems that occur in human services sectors. For example, it has recently been used to assess shortcomings in the child protection system (Rzepnicki & Johnson, 2005) and is currently being trialed in the U.S. to examine issues such as wrongful convictions and self-harm among prisoners in corrections institutions (Ritter, 2015). Over the last 18 months, RCA has also been introduced as a technique to be used within the Queensland (Australia) correctional oversight system. The role of the Queensland correctional oversight system is to monitor Queensland correctional centers through a series of regular inspections to ensure that they are adhering to a set of healthy prison standards; investigate serious incidents, such as escapes, deaths in custody, riots, and serious assaults, to identify why these have occurred and what can be done to prevent these from occurring in the future; and conduct thematic reviews of system-wide recurring issues.

Previously, this oversight was conducted by visiting correctional centers, undertaking interviews with key stakeholders, and

producing a report containing an outline of events and recommendations for improvement based on the experience and opinion of the investigating staff. Root cause analysis was introduced in an effort to make the investigation process more structured, rigorous, and evidence-based. As far as the authors are aware, there is very little literature available that discusses RCA in a correctional context, and therefore it is our aim in this article to evaluate the costs and benefits of the RCA approach from a correctional perspective, based on the experience gained in implementing this in the Queensland correctional oversight system.<sup>1</sup>

### Root Cause Analysis: Application to the Study of Prison Violence in the Queensland Prison System

The Office of the Chief Inspector has conducted multiple investigations, reviews, and inspections using a RCA approach. In 2014, the authors conducted a requested review of the nature and extent of prison violence in Queensland's adult corrections system, using the RCA research framework. To complete the investigation, it was necessary to examine official data sources on the extent of various forms of prison assault in Queensland. We also reviewed the available national-level data on prison assault to get a sense of how Queensland compared to other Australian states in the number and rate of prison assault. While global comparisons of prison assault rates are difficult, we included data on the extent of the assault problem in other countries, including the United States and the United Kingdom. We supplemented our review of these official data sources with qualitative interview data collected in person and in recorded teleconferences. Finally, we used the recent evidence-based review of the available research on prison violence cause, prevention, and control conducted by Byrne and Hummer (2008), and updated for this investigation by Byrne and the staff of the Global Centre for Evidence-based Corrections and Sentencing (GCECS) at Griffith University.

A detailed description of our RCA-based

<sup>1</sup> The authors of this article conducted a review of the prison violence problem in the Queensland Corrections system—using the root cause analysis framework—between January and June, 2014. Samay Zhouand is the Chief Inspector (Office of the Chief Inspector) of QCS; James Byrne (Professor, Griffith University, at the time of the review) was appointed Inspector of Prisons in Queensland for the purpose of conducting the review.

### CHART 1

Step 1	Reviewed the available incident and assault data from each of Queensland's prisons; and compared assault rates with other Australian states and territories, and with other global regions.
Step 2	Reviewed the available research on the cause, prevention, and control of prison assault globally.
Step 3	Reviewed the available internal research on the cause, prevention, and control of prison violence.
Step 4	Conducted in-depth interviews with prison managers from each prison, along with a small number of central office managers involved with assault issues.
Step 5	Conducted in-depth interviews with training staff of QCS.
Step 6	Conducted extensive focus group interviews with staff and prisoners in six prisons.
Step 7	Conducted selected interviews with central office staff responsible for coding and/or reviewing accuracy of assault data.

review procedures in relation to the examination of prison assaults is provided in Chart 1.

One key feature of this report is that it was based on a combination of data sources. It included four separate assessments of the nature and extent of Queensland's prison assault problem: (1) *prisoners'* perceptions of the root causes of the problem, and their recommendations for change; (2) *staff* perceptions of the root causes of the problem, and their recommendations for change; (3) *managers'* perceptions of the root causes of the problem, and their recommendations for change; and (4) the expert opinion of the *inspectors* conducting this review, based on their review and analyses of the available data, the information gleaned from in-person and phone interviews with prisoners, staff, and managers across QCS, and their assessment of the available research on prison assault cause, prevention, and control, not only in Australia, but globally. For each of the groups we interviewed (prisoners, staff, managers), we presented both their views of root cause and recommendations for change in our final report. This provided a unique opportunity to give each of these groups a "voice," and it allowed us to present assessments of both the root causes of problems and recommended solutions from multiple (and often varying) perspectives.

In addition to the groups identified above, we interviewed central office staff involved in the monitoring and review of assault data reported by individual facilities, along with training staff and managers responsible for the implementation of the Staff Assault Reduction Strategy (SARS) developed in 2013 by Queensland Corrective Services in response to a reported staff assault problem across Queensland's prison system. Finally, we interviewed central office managers involved in initiatives that appeared to be related to the

prison assault investigation, such as the smoking ban that was being rolled out during the last stages of our review.

In the interest of transparency, the full, unedited transcripts of each of our interviews with inmates, staff, managers, and training and central office personnel were included in separate appendices of the report, along with the evidence-based review of the available research used in this investigation, and a comprehensive bibliography including all available research on prison violence conducted globally over the past two decades, with links to each of the research studies referenced in the report. Any questions that readers may have raised about our review procedures, findings, and recommendations were answered by reviewing the detailed appendices accompanying the IG report.

### Benefits of Using a RCA Framework in the Queensland Correctional Oversight System

By design, RCA seeks to analyze adverse events in a structured and systematic fashion, using a variety of analysis tools such as timelines, cause-effect charts, "five whys," fault trees, and fishbone diagrams.<sup>2</sup> These tools offer different methods for identifying, mapping, and understanding latent or root cause factors. This is one of the key advantages of RCA. Because RCA requires investigators to use structured methodologies, the investigation can be focused on the underlying causes of events, rather than allowing them to stop at a point before true root causes have been identified. These methods also encourage

<sup>2</sup> For a full description of these RCA tools, see Okes (2006). These tools also have their critics. For an overview of the research on this strategy, see Percarpio, K., Watts, B., and B. Weeks (2008). The current body of evaluation research, while limited in scope and quality, supports the use of RCA.

the analysis of data in a disciplined, systematic, and evidence-based fashion, and help highlight the interactions between system components.

Since the introduction of RCA into the Queensland Correctional Oversight System by the Office of the Chief Inspector, the chief inspectorate has observed that the more disciplined nature of the investigation has increased the rigor and depth to which investigators analyze the facts available to them, particularly for investigations of serious incidents. While previously investigators made a raft of findings relating to the symptoms of the issue in question, since the introduction of RCA, investigators have identified a smaller number of key factors that represent the underlying cause of symptoms being observed. This can be seen in Table 1, which shows that the average number of findings made per investigation while using traditional analysis was nearly 11, but that this decreased to between 3 and 6 once RCA was adopted. In addition, the RCA methods used explicitly categorize root causes into problems with the environment, management, or processes, and so better highlight where solutions need to be targeted. Anecdotally, it has been observed that the disciplined and structured nature of investigations employing RCA has led to increased confidence in the legitimacy of the investigations being conducted. (See Table 1.)

Other authors have also observed that the introduction of RCA into workplaces has resulted in a shift towards more disciplined thinking (Carroll et al., 2002). The focus of RCA on identifying underlying root causes, rather than seeking out individuals to blame has also been observed by the Office of the Chief Inspector to lead to a shift in culture towards more trust and openness, which has improved the sharing of information (Carroll et al., 2002). It is important to note, particularly in a correctional context, that while RCA seeks to foster a culture of non-blame, this must not lead to any dilution in individual accountability in instances where gross or criminal negligence is apparent.

### Costs of Using a RCA Framework in the Queensland Correctional Oversight System

While in theory RCA analysis is a robust methodology that should deliver sound recommendations to help improve systems and processes, in practice there are a number of challenges associated with using the methodology that can reduce its effectiveness. In

the medical sector, in particular, a number of authors have noted limitations associated with poor implementation of RCA techniques (Wu et al., 2008; Nicolini et al., 2011; Percarpio et al., 2008; Karl & Karl, 2012; Taitz et al., 2010).

One of the keys to a high-quality RCA is the rigor with which the RCA methodologies are applied. In practice, a lack of expertise by investigators, insufficient time and resources to conduct rigorous analysis, a failure to investigate far enough to find the true root cause, difficulties associated with interpersonal relationships leading to poor sharing of information, hierarchical tensions, and pre-existing agendas have all been observed to adversely influence the quality of RCA analysis (Percarpio et al., 2008; Dunn & Moga, 2010; Nicolini et al., 2011). One study noted that there was still a tendency within some medical jurisdictions to use RCA to identify individuals who failed, rather than how the system allowed those individuals to fail, and to carry out RCA in a secretive environment due to concerns around litigation (Karl & Karl, 2012). Such an approach prevents the RCA process from operating optimally and leads to sub-optimal findings and recommendations (Karl & Karl, 2012).

The importance of senior management's support of the RCA process has also been identified as key by a number of authors (Nicolini et al., 2011; Ritter, 2015; Carroll et al., 2002). In a trial of a RCA in the criminal justice context in the U.S., it was observed that many officials operate within an inherently political context. While RCA can identify and correct system failures, it can also invite public scrutiny and criticism, making support by upper management essential for staff to feel protected and for the process to operate effectively (Ritter, 2015). People naturally select and interpret data to support prior opinions and please powerful audiences. Managers, therefore, have considerable power to influence whether the RCA process results in truthful reporting and rigorous analysis, or

leads to superficial analysis and palliative answers. Pursuing facts and digging out causes is difficult, time consuming, and potentially politically hazardous unless managers provide sufficient resources and psychological safety (Carroll et al., 2002). In a corrections environment, the use of RCA is a major paradigm shift from how investigations have typically been conducted. Instilling a culture of non-blame and achieving true transparency take work and cannot be achieved overnight (Browning et al., 2015), and this process is also ongoing in the Queensland correctional oversight system.

A further limitation of the RCA process occurs where root causes are identified that may be beyond the capacity of individual sectors to fix (Taitz et al., 2010; Wu et al., 2008; Ritter, 2015). Where this occurs, there can be a tendency to develop weak recommendations, such as staff education or re-training, which have little effect on removing the underlying hazard (Wu et al., 2008; Taitz et al., 2010). Many authors have highlighted that RCA needs not only to ask what the root causes of events are, but to examine whether subsequent recommendations have been successful at reducing risk (Wu et al., 2008; Nicolini et al., 2011; Percarpio et al., 2008; Taitz et al., 2010).

In the Queensland correctional oversight system, the time required to conduct RCA has certainly been a disadvantage associated with the methodology, and acted as a strain on available resources. A lack of investigator expertise can also be an impediment to good analysis, and there is a need to be rigorous in not allowing analysis based on conjecture and personal opinion to creep into the process. One way that Queensland has addressed the latter risk has been to treat each finding in the chain of causation as a hypothesis and, subsequently, test or cross-check the rationale and evidence of each finding through a secondary process. The structured manner in which this is done can be seen in Table 2. Because of the high-risk nature of decisions

**TABLE 1**  
Average number of findings per investigation made using traditional and RCA methods, 2012-2015

Year	Analysis method	Average No. Findings/Investigation
2012	Traditional	10.9
2013	Traditional	10.9
2014	RCA	3.4
2015	RCA	6

Source: Office of the Chief Inspector, Queensland Corrective Services

**TABLE 2**  
Structure used to cross check the evidence for investigation hypotheses.

Hypothesis	Rationale	Information Required	Sources/ Process	Findings	Evaluation (confirmed-disconfirmed-insufficient information)

(Watanabe, 2009)

made within a correctional context, it is also necessary to ensure that as well as highlighting solutions that will address the root cause, overlying symptoms are also addressed where the occurrence of these presents a safety risk. For example, the remediation of a root cause, such as organizational culture, might take significant time to address, meaning that more immediate symptoms, such as dynamic security failings, would still need to be addressed by a correctional institution. (See Table 2.)

It should also be noted that when presenting any RCA to decision makers, the analysis should be accompanied by supporting contextual information to help fully illuminate the issues at play. It is up to decision makers to decide whether to remediate the shortcomings identified by a RCA, and it was apparent in Queensland that additional information was essential to allow decision makers to

make informed decisions about whether to implement the suggested remediation. This contextual information included, but was not limited to:

- Listing the symptoms of the root causes next to the relevant root cause so that the decision makers were aware of the implications if the root causes were unaddressed.
- Stipulating whether the root cause was an issue shared by the whole system or a local issue, so that the decision makers were aware of the extent of the problem.
- Listing and rating the adequacy of existing controls of the root cause so that decision makers could make an informed decision about whether similar events or situations would recur.
- Providing a risk rating of the root causes using existing organizational risk assessment matrixes, so that decision makers

were aware of the magnitude and likelihood of the relevant risks.

An example of the type of table used to supply managers with this information in a Queensland correctional context can be seen in Table 3 and in Figure 1 below.

### Conclusions and Ways Forward

While not without its disadvantages, overall, the introduction of RCA has improved the quality of analysis and recommendations developed in response to significant events within the Queensland correctional oversight system. The increased rigor and discipline associated with analyses and the development of a few clearly defined recommendations directed towards the treatment of root causes, rather than a raft of broad ones aimed at addressing the symptoms of system failures, are seen as particular advantages associated with the technique. In this regard, RCA is also better at avoiding a series of ad hoc recommendations that add layers of complexity to systems. However, ensuring that investigators receive sufficient resources to conduct adequate analyses, that they have sufficient expertise to analyze issues, and that there is a continued move towards a non-blaming/ learning-based focus in investigations (except in instances of deliberate misconduct, or gross or criminal conduct or negligence) are recognized as challenges to the RCA process.

To further improve the RCA process within a correctional context, a number of changes could be made. Publishing RCA reports, either publicly or internally, could have significant advantages for the RCA process.<sup>3</sup> This approach is taken within both the airline and some health sectors, where the results of investigations into

**FIGURE 1**  
Risk Rating System for a Root Cause Analysis of the Problem under Review

Priority	Description
High	Represents a major risk that if not resolved will have a significant adverse impact. Where practicable, requires immediate remedial action.
Medium	Represents a moderate risk that if not resolved has the potential to have a significant adverse impact. Where practicable, requires remedial action in the short to medium term (i.e., within 3-6 months).
Low	Represents a minor risk that if left unresolved may have an adverse impact on outcomes. Requires remedial action in the longer term (i.e., within 6-12 months)

<sup>3</sup> The final report presented to Queensland Corrective Services (QCS) has not been released publicly as of September, 2017. In Queensland, the office of the Chief Inspector is located internally within QCS; in other parts of Australia the office is operated as an independent agency. While certainly important, a discussion of the advantages and disadvantages of internal vs. external reviews by the Chief Inspector is beyond the scope of this article.

**TABLE 3**  
Summary of root causes used to supply managers with contextual information.

Root causes	Local or System Issue	Symptoms	Existing controls to deal with root causes – Post incident	Adequacy of existing controls	Risk rating	Recommendations/ Remedial examples	Criteria for determining whether to mitigate root cause
Methods	System						
Management Systems	Local/ System						
Environment	System						

sentinel events are made publicly available to inform other practitioners in the area of what has been learned (Ritter, 2015). Making key learnings internally available—not only to individual centers, but to the corrections system as a whole—can only improve the ability of the relevant system to evolve and learn from its mistakes. If results were publicly available, the benefits of learnings made in one institution would also be available to corrections systems nationally and internationally, although we acknowledge the significant privacy, operational security, and political difficulties associated with such an approach.

Greater incorporation of operational staff in investigation teams could also have positive outcomes for the RCA process. Including such staff could improve the quality of recommendations made due to the incorporation of those with on-the-ground knowledge of the development of solutions. Greater incorporation of operational staff could also help increase the correctional staff's trust in the investigation team, improving the flow of information and the quality of recommendations made.

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# The Impact of Location Monitoring Among U.S. Pretrial Defendants in the District of New Jersey

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**ONE OF THE** primary goals of the U.S. Pretrial Services System is to supervise federal defendants during their pretrial period in the community while also ensuring that these individuals do not pose a risk to the public. More specifically, under the Bail Reform Act of 1984, the court is tasked with setting the least restrictive conditions of release to reasonably ensure community safety and the defendant's appearance in court as required. The functions and powers relating to the role of pretrial services in this process are outlined in Title 18 U.S.C. § 3154, which provides for (a) the investigation of federal defendants for bail-setting purposes, (b) the preparation of reports that provide risk-related information and recommendations to the court, and (c) the monitoring and enforcement of release conditions imposed by the court.

Accordingly, authorities may wish to control or to monitor the location of an individual without resorting to the use of pretrial detention as a means to mitigate risk the defendant may pose prior to trial. One of the release conditions commonly used by pretrial services is location monitoring (also known as electronic monitoring). The Federal Location Monitoring Program (LMP) provides officers

with the technology and capability to better monitor a defendant's compliance with conditions of release, such as restrictions on residence, travel, curfew, and contacts, to name a few. Additionally, certain offenses such as those charged under the Adam Walsh Child Protection and Safety Act of 2006 also require the imposition of restrictive conditions of release, including electronic monitoring.<sup>1</sup>

In 2009, as a result of continued technological advancements and increasing policy requirements promulgated by the Administrative Office of the U.S. Courts, the District of New Jersey (the district) reorganized the supervision of location monitoring cases. A thoroughly trained specialized unit was developed with one supervisor solely responsible for the oversight of the location monitoring program. The focus of supervision work transitioned into more of a community-based supervision approach. This strategy improved the ability of officers

to build rapport with defendants and family members, develop collateral contacts with employers and treatment providers, and better ensure that the importance of community safety was at the forefront of supervision. Additional support included the addition of a full-time administrative person assigned to the unit, smaller caseloads (not to exceed 30 defendants per officer), increased use of GPS, and informative training sessions provided for magistrate judges. Finally, the district adopted a 24/7 warrant response plan that ultimately streamlined the process of responding to noncompliance, including requesting arrest warrants from the court during non-traditional hours on nights and weekends.

There are many misconceptions about what LM technology can and cannot do. The technology does not allow officers to intercept bad behavior before it happens. It does, however, provide officers with a wealth of information about patterns of behavior that can be used to address the participant's accountability and improve supervision. Selection of the appropriate technology is critical to the success of pretrial supervision. Radio frequency (RF) is a form of electronic monitoring that alerts an officer when a defendant: 1) leaves a specific

<sup>1</sup> With the exception of the mandatory conditions stated in the Adam Walsh Act, all other conditions imposed on defendants released under 18 U.S.C. § 3142(c)(1)(B) should be the least restrictive conditions to reasonably assure appearance at court and the safety of the community.

location (usually the residence); 2) deviates from a pre-approved schedule; or 3) tampers with the electronic monitoring equipment. The equipment reports only when a defendant enters or leaves the equipment's range, not where the defendant has gone or how far he or she has traveled. Global position system (GPS) monitoring, on the other hand, is an active tracking device that allows continuous monitoring of a defendant's movements. If enhanced supervision is needed, and the whereabouts of the defendant upon leaving the residence needs to be monitored, the use of GPS technology may be the preferred supervision tool.

In the district, the majority of defendants are released on RF technology, which is sufficient to address the identified risks. The overwhelming majority of defendants on house arrest are allowed to leave their home for the purposes of employment, meetings with attorneys, religious services, and medical treatment. While GPS provides more information to officers, it also provides more liberty to defendants needing mobility, such as truck drivers, parents with obligations, and individuals working overnight shifts. GPS technology is often used to allow such flexibility, as well as address noncompliance and enforce more stringent movement restrictions.

The use of location monitoring is extremely cost effective compared to the alternative of pretrial detention, costing on average \$11 per day compared to \$87 for detention.<sup>2</sup> According to USAOC data for the 12-month period ending March 2017, the federal pretrial system imposes location monitoring on over 5,000 defendants annually. While there are significant costs associated with the LMP, little research regarding the effectiveness of this release condition has been conducted to date.

The bulk of empirical work on the effectiveness of location monitoring (LM) has focused on post-conviction outcomes. For example, SPEC Associates (2002) found a significant negative effect of LM on the likelihood of a parole violation. Two additional studies (Bonta et al., 2000; Finn & Muirhead-Steves, 2002) address technical violations in their examinations of LM. Bonta et al. (2000) found no effect of location monitoring on technical violations post-release after accounting for an offender's risk score. Finn and Muirhead-Steves (2002) report that 76 percent of their sample of parolees placed on LM had no violations,

but did not provide comparable figures for parolees not on LM for comparison. Padgett et al. (2006) found that location monitoring significantly reduced the likelihood of technical violations, reoffending, and absconding among a large sample of serious offenders while they were on home confinement.

Much less is known regarding the effect of LM on pretrial outcomes. Cadigan (1991) provides a description of the outcomes for a small sample of defendants placed on location monitoring compared to the nation as a whole. Results of this early study suggest that LM defendants evidenced a failure rate that was higher than the national rate. The author, however, rightfully points out that those in the group placed on location monitoring were at greater risk to fail than those who were not, and were charged more frequently with serious offenses than the comparison group. Similarly, Coopriider and Kerby (1990) found significantly higher rates of technical violation for pretrial release defendants on LM than for those released into the community without the supervision condition. However, neither of these studies adequately accounts for the differences present between the groups being compared. Finally, VanNostrand and Keebler (2009) included LM as a condition of interest in their analysis of pretrial outcomes. Using logistic regression analyses, the authors found there was no statistically significant difference in pretrial failure among defendants classified as moderate or higher risk (PTRAs levels 3, 4 & 5); however, they did find that low-risk defendants (levels 1 & 2) were more likely to fail if they were released with a condition of location monitoring compared to those that did not have the condition.

Given the limited research devoted to the use of LM on the pretrial population, little is known about its effectiveness. Compared to unsupervised release, LM might suppress crime during the supervision period, but when it is applied to defendants who would otherwise be detained, LM might expose communities to increased risk. Additionally, much of the empirical work focused on the impact of LM supervision was produced several years ago. As technologies and their applications have evolved, it is important that evaluation of its effects remain current, using the most recent data available. Furthermore, no really stringent statistical tests, such as the matching analysis employed here, have been used to assess the potential impact of LM supervision among pretrial defendants, thus creating a need for additional research

devoted to assessing the impact of LM on pretrial outcomes.

## Current Study

The purpose of the current study is to assess the effectiveness of location monitoring on a sample of defendants from the U.S. Pretrial Services Agency in the District of New Jersey. We use a quasi-experimental design, propensity score matching (PSM), to statistically match defendants placed on LM to a group of defendants who were not subject to LM on a host of characteristics that have been shown to be associated with pretrial failure.

As we elaborate below, the use of PSM enables us to discern whether intrinsic differences exist between defendants placed on LM and those who were not, and to make better "apples to apples" comparisons between defendants that differ only in their "exposure" to the LM condition while on pretrial supervision. Said another way, PSM accounts for potential confounding influences on the relationship between LM and pretrial failure and allows us to more directly estimate the effect of location monitoring (including the individual effects of the different technologies used in the District of New Jersey) on pretrial outcomes.

After first matching the full sample of LM clients to a group of defendants who were not subject to a monitoring condition, we split this group according to the type of location monitoring equipment used. By disaggregating based on the technology used (GPS or RF), we are able to further assess the potential impact of location monitoring on the behavior of pretrial defendants. Specifically, we repeat the matching analysis a total of four more times, analyzing (1) a group of GPS-only defendants, (2) a group of RF-only defendants, and (3 and 4) two groups that were placed on some combination of the two groups designated by the technology they spent the majority of their time on while under pretrial supervision. Finally, as prior research has suggested that the impact of LM supervision may vary based on risk level, we split the sample into high- and low-risk subsamples in order to assess whether LM may affect these groups differently.

## Data and Measures

The current analysis evaluates whether being placed on a location monitoring (LM) program during time on pretrial supervision had an effect on three pretrial outcomes (failure to appear, rearrest, and technical violations). Data used in the current study was drawn from the Probation/Pretrial Services

<sup>2</sup> Memo dated July 13, 2017 from the Administrative Office of the U.S. Courts.

Automated Case Tracking System (PACTS). PACTS is a case management platform used in all 94 federal districts to record all federal defendant and offender case activity. Data drawn from the PACTS system was used to evaluate the effects of LM on all pretrial defendants in the District of New Jersey during the period of 2012-2016. The sample consisted of 2,356 defendants who completed a total of 2,515 periods on supervision, with an average time under supervision of 11.3 months.<sup>3</sup> Of the full sample of defendants, a total of 339 (14.4 percent) spend some period of their supervision under an LM condition. Of these clients on LM, 246 were monitored using only RF technology, while 60 were subject to GPS monitoring, and the remainder on some combination of the two (designated as majority GPS or majority RF in subsequent analyses).

### *Outcome Variables*

For the current study a total of three pretrial outcomes were examined: whether defendants failed to appear for their assigned court dates (coded 0/1), were arrested for new criminal activity (0/1), or received a technical violation during their time in the community pending case disposition (a count of technical violations during the supervision period). Importantly, because LM represents a more restrictive supervision condition, we also examine a count of technical violations in which violations associated with LM itself were removed from the total (since defendants who are not placed on LM are not subject to the same violations).

### *Independent (i.e., "Treatment") Variable*

The key explanatory variable is a dichotomous measure (yes/no) indicating whether or not an individual was subject to location monitoring during his or her time on pretrial supervision. An LM condition was determined by consulting client invoices for LM services received from the provider. For the analysis of the full sample, we included individuals subject to voice verification (via phone), as well as radio frequency (RF) and global positioning satellite (GPS) monitoring. In subsequent analyses we

examined the four groups described above individually (RF only, GPS only, majority RF, and majority GPS). Finally we split the sample into two groups based on risk.

### *Matching Variables*

A critical condition in isolating a potential link between LM and pretrial outcomes is to account for common causes. We include a host of individual-level characteristics in our analysis that may be associated with an LM condition while on pretrial supervision and that, as suggested by prior research, are significant predictors of failure. Table 1 provides descriptive statistics (for both the entire population and the sample of defendants who were subject to LM monitoring) for each of the variables used in the matching specification described below. Next, we elaborate on the measurement of a number of these variables.

In addition to demographic characteristics (age, sex, and race), we include indicators of alleged offense type (e.g., violent offense, property offense, sex offense, drug offense). We control for immigration and citizenship status as well as for a host of other conditions that might be placed on a client during his or her time on supervision (i.e., alcohol abstinence, drug testing and treatment, travel/passport restrictions, sex offender or mental health treatment, and computer restrictions). Both offense type and co-occurring conditions are captured using a series of dummy (yes/no) variables. Also included is a measure of the length of time on pretrial supervision, measured in months. Finally, the matching specification described below included a measure of risk, as determined by the Pretrial Risk Assessment (PTRA) used in the U.S. Pretrial Services system. The PTRA contains 11 scored items and provides a risk category that has been shown to be a valid predictor of failure-to-appear, new criminal arrest, and technical violations that lead to revocation while on pretrial release (Cadigan, Johnson, & Lowenkamp, 2012). In the current study we used the risk category provided by the PTRA, scored 1-5, with larger values indicating higher levels of risk. Of the defendants placed on LM supervision (n=339), 45.7 percent were classified as low-risk (PTRA levels 1 or 2), while the remaining 54.3 percent were classified as moderate or high risk (levels 3-5). It is these two groups that we examine independently in order to assess the effectiveness of LM supervision for defendants with differing risk levels.

## **Analytic Method**

The current analysis employed a propensity score matching (PSM) technique in which we estimate "treatment" effects of location monitoring on multiple measures of "failure" during pretrial supervision. This quasi-experimental approach estimates average treatment effects on the treated (see Guo & Fraser, 2010). This propensity score matching technique is useful for simulating independent assignment of a designated treatment and estimating more directly an independent variable's effects than is typically accomplished with standard regression procedures (Apel & Sweeten, 2010; Rosenbaum & Rubin, 1983). For the purposes of our analyses, "treated" defendants are those that were placed on location monitoring during their time under supervision. We used PSM techniques to match this group of defendants on LM to defendants that were not subject to the monitoring condition, yet were comparable on other observed conditions. Based on this approach, two defendants with similar estimated treatment likelihood scores (probability that they would be placed in an LM program) would be comparable. Therefore, differences between those individuals on a given outcome (in this case, failures to appear, rearrest, or technical violations) could then be more confidently attributed to a given treatment, which in this case is defined as an LM condition while on pretrial release.

The utility of the PSM approach adopted here is based on the assumption that no imbalance in potential confounders exists after matching (Guo & Fraser, 2010; Winship & Morgan, 1999). The accuracy of the matching relies on the quality and comprehensiveness of the designated matching variables. Said another way, any unobserved traits that influence the likelihood of a defendant receiving the treatment will undermine the matching and the accuracy of estimated effects. To address this concern, we include a range of theoretically relevant matching variables that might influence the likelihood of being placed on LM while on pretrial supervision and are also related to our outcomes of interest.

## **Results**

The first step of any matching analysis is to assess the extent of imbalance between clients who were placed on LM and those who were not. We compared these two groups on the set of 28 characteristics described above. As shown in Table 1, there was evidence of significant covariate imbalance between the two groups on most of the measures considered.

<sup>3</sup> The analysis described below includes only a single term of supervision for each defendant. In this case we selected the first period of release for each client. Results of ancillary analyses suggest this decision does not have an impact on the results presented. Specifically, we repeated this analysis using supervisions as the unit of analysis, as well as the longest period of supervision for each of the unique clients. Results in each case were substantively identical to those presented.

**TABLE 1**  
**Descriptive Statistics for Analysis of the Use of Location Monitoring on Pretrial Supervision**

Entire Population of Defendants from the District of New Jersey (n=2,356)				Defendants Subject to Location Monitoring During Pretrial Period (n=339)			
<b>Failure to Appear</b>		<b>Offense Category</b>		<b>Failure to Appear</b>		<b>Offense Category</b>	
No	97.9%	Violent Offense	4.2%	No	96.5%	Violent Offense	5.9%
Yes	2.1%	Sex Offense	2.2%	Yes	3.5%	Sex Offense	10.3%
<b>Rearrested</b>		Drug Offense		<b>Rearrested</b>		Drug Offense	
No	96.1%	Firearm Offense	6.9%	No	93.5%	Firearm Offense	13.8%
Yes	3.9%	Property Offense	7.0%	Yes	6.5%	Property Offense	1.5%
<b>Total Technical Violations</b>		Financial Offense		<b>Total Technical Violations</b>		Financial Offense	
Average	0.16	Immigration Offense	2.3%	Average	0.47	Immigration Offense	2.1%
Standard Deviation	0.67	Other Offense	17.6%	Standard Deviation	1.14	Other Offense	7.1%
<b>Non-LM Technical Violations</b>		<b>PTRA Risk Category</b>		<b>Non-LM Technical Violations</b>		<b>PTRA Risk Category</b>	
Average	0.13	Category 1	49.3%	Average	0.26	Category 1	24.2%
Standard Deviation	0.55	Category 2	25.8%	Standard Deviation	0.71	Category 2	21.3%
<b>Location Monitoring</b>		Category 3		<b>Sex</b>		Category 3	
No	85.6%	Category 4	6.8%	Male	89.7%	Category 4	20.3%
Yes	14.4%	Category 5	2.0%	Female	12.3%	Category 5	8.2%
<b>Sex</b>		<b>Conditions of Supervision</b>		<b>Age at Intake</b>		<b>Conditions of Supervision</b>	
Male	77.8%	Alcohol Abstinence	7.2%	Average	37.6	Alcohol Abstinence	12.7%
Female	22.2%	Association Restrictions	4.4%	Standard Deviation	11.7	Association Restrictions	11.8%
<b>Age at Intake</b>		Drug Treatment		<b>Length of Supervision (months)</b>		Drug Treatment	
Average	40.4	Mental Health Treatment	30.0%	Average	15.2	Mental Health Treatment	36.3%
Standard Deviation	14.1	No Contact Order	15.1%	Standard Deviation	11.1	No Contact Order	35.1%
<b>Length of Supervision (months)</b>		No New Passport		<b>Race</b>		No New Passport	
Average	11.2	Report Contact with Law Enforcement	12.0%	Non-Hispanic White	26.8%	Report Contact with Law Enforcement	23.3%
Standard Deviation	7.6	Residential Requirements/Restriction	24.4%	Non-Hispanic Black	41.0%	Residential Requirements/Restriction	62.8%
<b>Race</b>		Substance Abuse Testing		Hispanic		Substance Abuse Testing	
Non-Hispanic White	44.7%	Third-Party Custody	18.8%	Other	5.6%	Third-Party Custody	56.0%
Non-Hispanic Black	26.6%	Weapons Restrictions	19.4%	<b>Citizenship</b>		Weapons Restrictions	
Hispanic	20.4%	Travel Restrictions	62.3%	U.S. Citizen	73.7%	Travel Restrictions	
Other	7.9%			Non-Citizen	26.3%		
<b>Citizenship</b>							
U.S. Citizen	75.4%						
Non-Citizen	24.6%						

In fact, the LM group differed significantly from the control group on all but four of the measures included in the matching specification. For example, nearly 90 percent of the LM group were male, compared to roughly 76 percent of the control group ( $t = 5.74, p < .000$ ). The group subject to LM was more likely to be Black or Hispanic than the group who were not placed in the monitoring program. LM clients also belonged to higher PTRR risk categories than the comparison group (mean of 2.67 vs. 1.73, respectively). Many differences exist between the treatment and control group regarding the co-occurring conditions of their supervision (i.e., drug treatment, travel

restrictions, or weapons restrictions). This highlights the need to account for preexisting differences among the groups before drawing conclusions regarding the relationship between LM and pretrial failure. We attempted to do so in the present analysis by applying PSM techniques to match the individuals on LM to a more suitable sample of defendants that were not placed on LM, but were comparable on all other observed characteristics, to more accurately assess the efficacy of LM as a pretrial supervision strategy.

The matching process unfolds in two steps. We first estimated propensity scores using a logistic regression analysis in which we

predicted the likelihood of a defendant being placed on LM during his or her period under pretrial supervision ( $n=339$ ). This model included all of the measures shown in Table 1 as matching dimensions. We then used the estimated likelihood scores from this analysis to match clients on LM (the treated group) to clients who were not placed on LM, applying one-to-one nearest neighbor matching without replacement, and a .10 caliper setting. Using these specifications, matches were found for all but 29 (8.5 percent) of the clients in the treatment group. The remaining 29 cases fell off support during the matching procedure because no suitable matches in the

**TABLE 2**  
**Pre- and Post-Matching Outcomes for Treatment and Control Groups**

Panel A: Unmatched Samples					
	LM Clients (n=339)	Non-LM Clients (n=2,018)			
	Mean	Mean	Difference	S.E.	t
FTA	.035	.019	.016	.008	1.96*
Rearrest	.065	.035	.030	.011	2.66**
Technical Violation	.472	.113	.359	.039	9.25**
Technical – LM Technicals	.265	.113	.152	.032	4.75**
Panel B: Matched Samples					
	LM Clients (n=310)	Non-LM Clients (n=310)			
	Mean	Mean	Difference	S.E.	t
FTA	.032	.032	0	.014	.000
Rearrest	.068	.106	-.038	.023	-1.71**
Technical Violation	.448	.326	.122	.030	1.53
Technical – LM Technicals	.277	.326	-.049	.065	-.75

Note: \* $p < .05$ , \*\* $p < .01$

pool of eligible “controls” (i.e., those defendants who were not placed on LM) could be found. In other words, for these unmatched cases there is no satisfactory counterfactual, at least in the sample of pretrial defendants used in the current analysis.<sup>4</sup>

The results suggest that the matching procedure employed yielded treatment and control groups that show strong signs of balance on the covariates considered. For all variables, the standardized bias statistic (SBS) values in the matched samples fall below the conventional cutoffs (Rosenbaum & Rubin, 1985). We observed no significant differences across the samples on any of the characteristics considered once the groups had been matched. Using these matched groups (310 defendants who were subject to LM prior to adjudication and 310 who were not), it is possible to more accurately assess the relationship between LM and pretrial failure.

Table 2 shows the results most pertinent to our research question by comparing the outcomes (failure to appear, rearrest, and technical violations) both before (Panel

A) and after (Panel B) matching on the observed covariates. Looking at Panel A (before matching), LM clients fare significantly worse than the control group across all four of the outcomes considered. Defendants who were subject to LM were more likely to fail to appear at their assigned court date or be arrested for a new offense while on supervision. Clients on LM supervision also had significantly more technical violations on average than the comparison group (.472 and .113, respectively). Even after removing any technical violations associated with location monitoring itself, the LM group had significantly more technical violations than the matched control group (.265 vs. .113).

Once the groups were matched, however, the comparison of the two groups tells a very different story. Of the 310 LM clients successfully matched to individuals of the control group, 3.2 percent failed to appear for their court date. This was identical to the proportion of the control group that failed to appear. This indicates that once the differences observed between the groups were accounted for, pretrial defendants on LM were no more likely to fail to appear than those who were not placed on LM. In terms of rearrest, once matched, defendants subject to LM were significantly less likely to be arrested for a new criminal act while on supervision (6.8 percent compared 10.6 percent). While the LM group averaged more technical violations, this difference was not statistically significant. Further, once those violations associated with LM itself were removed, the treatment group

(LM) actually averaged slightly fewer technical violations than the matched control group, although this difference was not statistically significant. This analysis provides evidence that defendants on supervision subject to LM did not exhibit higher rates of failure than individuals who were not subject to the same conditions of release. In fact, defendants placed on LM were significantly less likely to be arrested for a new crime while in the community on pretrial supervision than those who were not subject to the monitoring.

In order to assess whether the positive impact of location monitoring is present across the various types of LM technology used, the analysis was repeated four additional times with the goal of examining specific subgroups of the LM population.<sup>5</sup> Specifically, we repeat the matching analysis analyzing a group of GPS-only defendants, a group of RF-only defendants, and two groups who were placed on some combination of the two groups designated by the technology they spent the majority of their time on while under pretrial supervision. This allowed us to investigate whether the potential benefits (in terms of reducing pretrial failure) were seen across each of the major LM technologies employed by the District of New Jersey. Notably, however, the group of defendants who were subject to voice verification was so small ( $n=8$ ) that a separate analysis was not feasible.

Results of this secondary analysis suggest prior to matching that the 246 defendants who were monitored using RF technology were significantly more likely to be rearrested and have technical violations (even after those associated with LM were removed) than the population of clients who were not subject to RF location monitoring. Once matched, however, to a subset of clients who resemble those monitored using RF, the group of LM clients was significantly less likely to be arrested and were not significantly different in terms of FTAs or technical violations.

A slightly different story emerged among the clients monitored using GPS technology. In comparison to the full population, GPS-monitored defendants had significantly more technical violations, and this was also true once LM violations were removed. They were not, however, more likely to be rearrested than defendants not subject to GPS monitoring. Once matched, clients monitored using GPS technology still, on average, had more

<sup>4</sup> A closer look at the cases that fell off support revealed that the defendants who were not successfully matched were more likely to be higher risk than those that were. This group was also less likely to have been charged with a financial crime, more likely to have been charged with a firearms offense, and more likely to have residential restrictions or third-party custody as a condition of their release. Importantly, however, these 29 individuals did not significantly differ on the pretrial outcomes, and thus their exclusion is unlikely to have impacted the results presented here.

<sup>5</sup> Separate propensity scores were estimated for each subsample and balance was reassessed (results not shown in tabular form).

technical violations, but this difference was insignificant once technical violations associated with location monitoring were removed.

As some clients were monitored using a combination of RF and GPS technology throughout the course of their supervision, we repeated this analysis twice more. For this ancillary analysis, defendants were placed in a group based on which technology they were monitored using during the majority of their time on supervision. For example, if a defendant was monitored using RF for 150 days, but then was placed on GPS monitoring for a total of 165 days because of travel associated with a new job, the defendant would be classified as a majority GPS client. While imperfect, this allowed us to include the full sample of LM clients in an analysis, rather than excluding those who were monitored using some combination of technologies.

Results for these two groups, which are slightly larger than the LM- or GPS-only groups, are remarkably similar to those presented above. Once matched, the groups on LM were less likely than their counterparts to be rearrested, while being relatively similar on the other outcomes. The only exception to this was that the majority-GPS clients had significantly more technical violations than the matched group even after removing those technical violations specifically associated with location monitoring.

Finally, we repeated the matching analyses using two subgroups of the full sample based on risk-level (drawn from the PTRAs). Among the matched samples of moderate or high-risk defendants (PTRAs levels 3-5), LM supervision was associated with significantly lower rates of rearrest. There were no significant differences between the two groups in regards to failure to appear or technical violations. For the low-risk sample, defendants on LM were more likely to receive a technical violation, and these differences remained significant even after matching. However, once technical violations associated with LM were removed, the differences between the two matched groups were not statistically significant. Results of these ancillary analyses suggest that LM may be most effective among higher risk defendants. This is consistent with prior work conducted by VanNostrand and colleagues. Among lower risk defendants, LM supervision was associated with more technical violations; however, many of those appear to be associated with LM itself. Once those violations were removed, the differences were no longer statistically significant.

## Discussion and Future Work

We were interested in whether federal defendants placed on LM in the District of New Jersey were more likely than other defendants to fail while in the community on pretrial supervision. The current study assessed rates of failure using three different measures of defendant behavior, failure to appear, rearrest, and technical violations. The results of our investigation were illuminating, and informative to policy. We found that there were substantial differences between defendants who received “treatment” (i.e., were placed on LM during their supervision) and defendants who did not. Defendants subject to LM differed significantly across many individual and case-specific characteristics typically associated with pretrial failure, including being classified as higher risk on the PTRAs, a validated risk assessment. The PSM procedure, applied successfully, eliminated a substantial proportion of the observed differences between the treatment and control groups, allowing us to make more accurate comparisons of the two groups on subsequent behavior. Results of this approach suggest that defendants given an LM condition were significantly less likely to be rearrested than individuals with very similar characteristics but who were not placed on LM. Further, the two groups did not differ substantially on the other outcomes examined. Clients on LM were no more likely to fail to appear, and had relatively fewer technical violations than the control group (though not significantly).

Results were similar when we disaggregated based on the type of LM technology used. Both defendants placed on RF and those on GPS were significantly less likely to be rearrested than their matched counterparts. However, clients monitored using GPS technology were more likely to be issued technical violations, even once matching was complete. Results based on subsamples of defendants of differing risk highlight that LM technology may be most effective among moderate- to high-risk clients. This is consistent with federal supervision policy for LMP, which indicates that appropriate use of LM should account for the risk posed by the defendant. The use of LM and the type of technology should depend on the movement of the defendant in public and the purpose of his or her location at various areas of the community. Importantly, the least intrusive type of technology to address the level of risk should always be considered. Finally, supervising officers should routinely assess the need for monitoring and ensure

that the most appropriate technology is being used. The effective use of LM technology will avoid the risk of under-supervising high-risk participants and over-supervising low-risk defendants while accomplishing the goals of supervision (*Guide to Judiciary Policy*, Volume 8, Part B, Chapter 3, 355.30).

The results of this study are not without limitation. First, the technical violations measure employed does not differentiate between violations that led to revocation and those that did not. A stronger approach would be to examine violations that resulted in the revocation of pretrial release and in confinement. Second, it is possible that location monitoring is more effective for particular subsets of the pretrial supervision population. Differentiating by alleged offense category represents one potential avenue to explore in future work.

While definitive conclusions about the effectiveness of location monitoring to address risk of flight and/or danger concerns are not warranted based on the available data, a few observations can be made. First, results suggest that location monitoring during the course of pretrial supervision may reduce the likelihood of rearrest among defendants with similar risk characteristics. As location monitoring during pretrial release preserves resources by not incarcerating individuals who may otherwise pose a risk to the community, it represents an attractive option for many jurisdictions. It is also important to highlight that, following a 2017 Administrative Office District Review, the District of New Jersey was commended for the execution and oversight of their location monitoring program. Within this review of the district’s location monitoring program, the Administrative Office uncovered zero findings (operational issues that, if significant, could impact community safety), suggesting that the program was being operated with a high degree of fidelity to the guidelines put forward. The findings of the present analysis appear to suggest that the district’s focus on allocating appropriate resources to the supervision of location monitoring cases and providing training and mentoring of officers has been successful in terms of reducing pretrial failure among defendants being monitored. Results of this analysis also suggest that although further study is needed, location monitoring offers promise as an effective alternative to pretrial detention in federal pretrial cases. Finally, our study highlights a potentially fruitful approach to examine the impact of pretrial release decisions more generally, and thus future research might benefit

from applying similar techniques on larger samples that span multiple jurisdictions.

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# National Variations in Fieldwork Goals, Training, and Activities<sup>1</sup>

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**PROBATION AND PAROLE** agencies are tasked with maintaining public safety while intervening with offenders to address significant cognitive, substance use, and social needs—all with ever diminishing resources. Fieldwork (i.e., home visits and field contacts), long a cornerstone of corrective intervention in probation and parole (Lindner & Bonn, 1996; Ohlin, 1956), uses many of those limited resources. In addition, concerns about safety and other aspects of fieldwork can be primary sources of stress for line officers who do fieldwork, as well as for their supervisors and family members (Finn & Kuck, 2003). Yet the effectiveness of fieldwork in achieving community supervision's primary public safety mission is unknown. This research gap may be because fieldwork is part of a constellation of supervision practices that are applied according to client risk of recidivism and need for intervention, and studying fieldwork in isolation as a single component of this package of practices is difficult to do with rigor. However, this gap also means policymakers face great uncertainty when they try to weigh the benefits of fieldwork against the costs, such as officer stress, safety, and use of limited staffing resources.

Fieldwork in probation and parole was a core rehabilitative tool as early as the mid-19th century (Petersilia, 2003; Peterson, 1973). The ideal model of community supervision has oscillated between orientations of correction and surveillance/control since then (Patten, La Rue, Caudill, Thomas, & Messer, 2016; Ahlin, Antunes, & Tubman-Carbone, 2013; Skeem & Manchak, 2008), but the use of fieldwork has largely remained constant, perhaps because of its practical purposes: to check on living situations, ensure compliance with supervision conditions, verify employment, and make contact with family members or other social supports (Alarid, 2015). However, the application of fieldwork varies across agencies, and the catch-all term likely includes widely divergent policies and practices that reflect differing goals and expected outcomes for fieldwork.

Practitioners have little evidence of whether or how field contacts or home visits improve outcomes—let alone whether evidence-based supervision strategies can improve outcomes when delivered in conjunction with this fieldwork. Despite this lack of evidence, many risk-needs assessments and case management guidelines recommend frequent home and field contacts for the highest risk clients under community supervision. This recommendation may be in part because fieldwork does not have a standard definition as a stand-alone practice and is frequently not aligned with other aspects of risk-need-responsivity supervision. Also, fieldwork could be used for surveillance purposes for higher risk clients.

The way community supervision operates in a jurisdiction is likely to influence how fieldwork is conducted and helps shape an agency's implicit or explicit goals for fieldwork. For example, the extent of officers' ability to respond to observed supervision violations or criminogenic conditions during a field contact may vary according to state laws or district-level policy. Officers may also conduct fieldwork differently depending upon their agency's orientation (i.e., correction vs. surveillance): An officer in an agency that maintains a surveillance orientation toward fieldwork might be armed and might conduct visits with a police escort, or in teams. An agency's goals for fieldwork may be purely to ensure compliance with conditions of probation or parole (surveillance), or they could encourage establishing prosocial connections with family or community members of the client (correction).

The type and amount of training for officers who conduct fieldwork may also vary by agency orientation and influence how officers approach fieldwork. Studies of state and regional variation have shown that state-level policies and other factors that vary by region (e.g., urbanicity, organizational structure, community context) may have an impact on the way justice systems operate (Fearn, 2005; Kerbs, Jones, & Jolley, 2009; Lynch, 2009, 2011; Tiedt & Sabol, 2015; Ulmer & Kramer, 1996).

With the potential for such wide variation in the goals and practices of fieldwork, effective evaluation must begin with a clearer understanding of what fieldwork means to the

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agencies that incorporate it as part of supervision. To better understand the variations in fieldwork policies and practices across the country, and to establish a framework for evaluating the effectiveness of fieldwork, our study team conducted a survey of state and local agencies that supervise offenders in the community. This article describes the results of the survey and examines how fieldwork motivations, training, and activities might be informed by an agency's operational orientation, structure, and mission, and how these vary by region of the country.

## Data and Methodology

The survey, developed in partnership with the American Probation and Parole Association (APPA), was disseminated electronically, using Fluid Surveys, to administrators from departments of community corrections, parole authorities, and parallel probation agencies across the United States. Agency administrators and their contact information were identified using APPA's membership database. The survey questions covered the following topics: agency and respondent demographic information; agencies' supervision fieldwork contact standard policies; officer training related to fieldwork; peace officer status of community supervision officers; policies and practices for use of firearms, non-lethal weaponry, and other equipment; and whether community supervision officers conduct fieldwork on teams and with escorts from law enforcement agencies.

The study team received 301 responses to the survey that represent 181 local- and 120 state-level agencies; all 50 states are represented in the sample. Agencies that supervise offenders are organized differently in each state. In some states, policies may vary by region or district, whereas others are centralized at the state level. To get a complete picture of the variation within each state and across regional agencies within a state, we have included responses from state-level agencies as well as from regional or district executives. We have made efforts to present data that represent the breadth of policies within each jurisdiction rather than restrict responses to only the highest level respondent.

## Statistical Analyses

Descriptive statistics (i.e., frequencies and percentages) were calculated to summarize the survey results. In addition to univariate statistics, measures of bivariate correlation were also used to examine the relationship

between fieldwork motivations, training, and activities, and differences in fieldwork motivations, training, and activities by agency orientation and region of the country. Specifically, bivariate logistic regressions with robust standard error estimation were employed to analyze these relationships and odds ratios are reported. To assess differences across groups, Pearson's chi-squared tests were used to determine the statistical significance. Fischer's exact tests were used in cases of small cell sizes. All statistical analyses were conducted using the statistical programming software Stata (ICv14.2).

## Findings

Our findings are presented under the following thematic topics: characteristics of the agencies conducting fieldwork; the locations where fieldwork is conducted; the motivations or reasons for conducting fieldwork; training provided by the agency to prepare officers for fieldwork; the activities conducted during fieldwork; the philosophical orientation of agencies (i.e., correction or surveillance); and regional variation in fieldwork motivations, training, and activities.

### *Agency Characteristics*

Of the 301 agencies represented in the sample, 16 indicated that they do not conduct fieldwork. No significant differences were found between these agencies and those that do conduct fieldwork, with the exception that agencies that supervise parolees were more likely to report conducting fieldwork ( $p < 0.01$ ). The remaining analyses presented in this article are conducted using only the subsample of agencies that indicated they do conduct fieldwork ( $n = 285$ ).

Table 1 describes the sample of agencies that conduct fieldwork. The sample includes ample representation of both state and local agencies spread across all four United States Census Bureau statistical regions. Most of these agencies employ officers who are sworn officers as opposed to commissioned peace officers or a combination of both, and within these agencies, line officers are most often conducting field visits. Nearly all of these agencies supervise clients on probation, approximately half supervise clients on parole or under pre-trial supervision, and only a quarter supervise clients under community corrections supervision. Finally, most of these agencies conduct fieldwork in groups, a little less than a quarter conduct them alone, and very few conduct them with law enforcement escorts.

### *Visit Locations*

Table 2 presents the locations at which fieldwork occurs. Most agencies indicate that fieldwork occurs at a client's home or place of employment, and over three-quarters of agencies indicate that fieldwork may also occur at shelters or other group residences, jail or prison, or behavioral health treatment programs in the community. Fewer, but still a substantial portion of agencies, also indicate that fieldwork occurs at schools, another's residence, or in a public location.

### *Fieldwork Motivations, Training, and Activities*

Agencies were asked to respond to a series of questions regarding the events or circumstances that determine, or motivate, the use of fieldwork, the training used to prepare staff for fieldwork, and the activities which most often occur during fieldwork. Findings are presented in this order.

Figure 1 displays the factors that agencies indicated were very important in motivating fieldwork. Some factors are important motivators for the majority of agencies, whereas others seem to be motivators for only a few agencies. A majority of agencies reported that fieldwork is motivated by client risk level (84.4 percent), intensive supervision standards (81.1 percent), judicially mandated conditions (75.2 percent), residential verification (65.4 percent), and regular supervision standards (64.6 percent). Less than half of all agencies indicated that a client's conviction offense (42.6 percent), checking client well-being (38.9 percent), a technical violation (28.8 percent), and checking on the well-being of the client's family (26.1 percent) are motivators for determining the use of fieldwork.

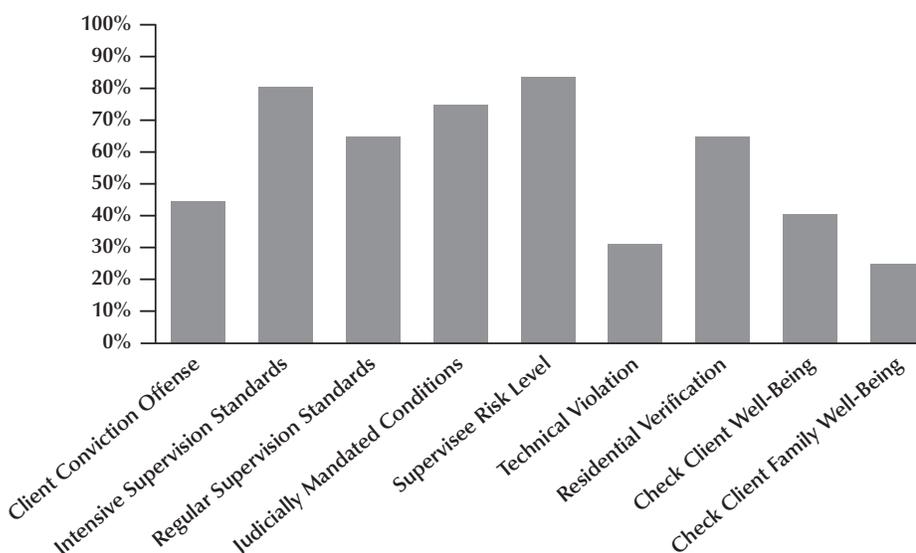
Figure 2 (page 18) shows the percentage of agencies that offer various types of training to prepare staff for conducting fieldwork. The most frequently offered trainings are awareness of one's surroundings (92.1 percent) and de-escalation techniques (86.2 percent). Training in search policy and procedures (80.6 percent), self-defense (77.5 percent), policy and procedures for responding to supervision violations (75.5 percent), procedures for securing backup (74.3 percent), indicators of criminal activity (72.7 percent), and seizure policy and procedure (72.3 percent) are also common. Trainings in recognizing mental illness (62.9 percent), crisis management techniques (60.5 percent), and firearms (56.5 percent) are less common, though still reported by more than half of all agencies.

**TABLE 1**  
**Agency Characteristics**

	Percent (n)
<i>Level of Government (n=285)</i>	
State	40.0% (114)
Local	60.0% (171)
<i>Region (n=285)</i>	
Northeast	16.1% (46)
Midwest	34.4% (98)
South	21.4% (61)
West	28.1% (80)
<i>Officer Type (n=199)</i>	
Sworn	75.4% (150)
Commissioned	12.1% (24)
Both	12.6% (25)
<i>Officers who Conduct Fieldwork (n=277)</i>	
Line Officers Only	61.4% (170)
Other Staff Only	2.9% (8)
Both Line Officers and Other Staff	35.7% (99)
<i>Clients Agency Supervises (n=285)<sup>1</sup></i>	
Probation	92.6% (264)
Pretrial	49.1% (140)
Parole/Post-Release Supervision	43.2% (123)
Community Corrections (In-Custody)	27.7% (79)
Other	17.2% (49)
<i>How Agency Conducts Fieldwork (n=226)</i>	
Always/Usually Alone	22.6% (51)
Always/Usually in Teams	72.6% (164)
Always/Usually with a Law Enforcement Escort	4.9% (11)

<sup>1</sup>Values are not mutually exclusive.

**FIGURE 1**  
**Field Work Motivations**



Note: Percentages indicate the agencies that find each motivation “Very Important” in determining a field visit.

**TABLE 2**  
**Location of Visits (n=277)<sup>1</sup>**

Location	Percent (n)
Client’s Home or Residence	98.6% (273)
Client’s Place of Employment	92.8% (257)
Shelter or Group Residence Where Client Lives	85.6% (237)
Jail or Prison	83.39% (231)
Behavioral Health Treatment Program	75.5% (212)
Client’s School	71.8% (199)
Other Person’s Home or Residence	64.6% (179)
Public/Neutral Location	56.7% (157)
Community Correction Center/Transitional or Pre-Release Center	49.8% (138)
Other	9.0% (25)

<sup>1</sup>Values are not mutually exclusive.

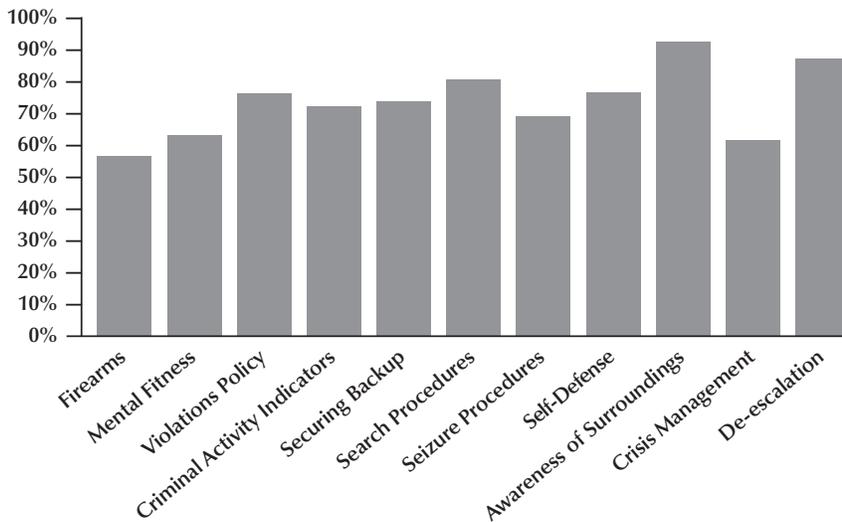
As shown in Figure 3 (next page), checks for compliance with supervision conditions (93.0 percent), reporting supervision violations (87.4 percent), and assessing living conditions (83.3 percent) are the most frequently reported activities conducted during fieldwork, followed by engaging a client’s family or other prosocial supports (76.2 percent) and the use of responsive supervision techniques (64.1 percent), such as motivational interviewing or cognitive behavior therapy. Very few agencies indicated that they always or usually administer drug tests during fieldwork (18.1 percent).

*The Relationship between Motivations, Training, and Activities*

In addition to descriptive analyses, we explored the motivations behind the use of fieldwork, and whether the trainings provided to prepare staff for fieldwork are correlated with the activities that take place during fieldwork.

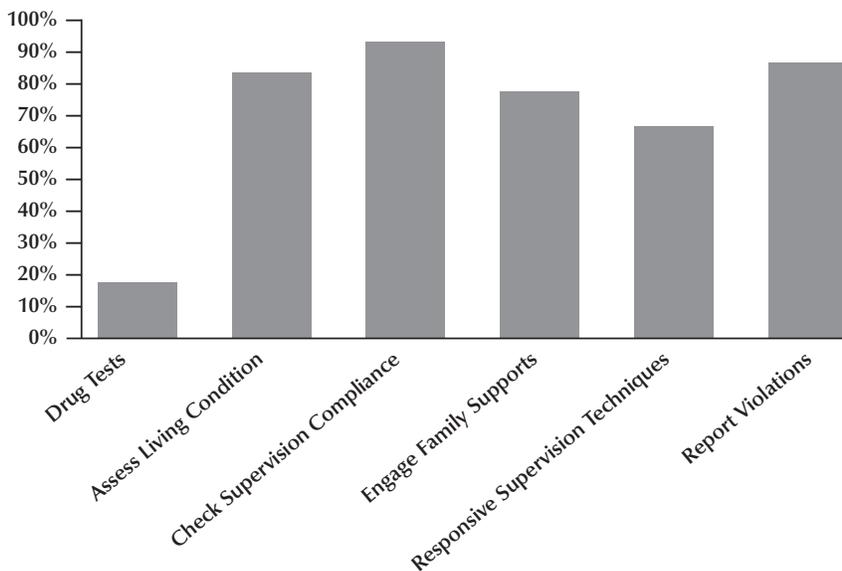
Client risk level and supervision contact standards appear to be correlated with the most fieldwork activities. Table 3 (page 19) presents the odds ratios for bivariate logit models, with each motivator predicting each activity. Client risk level significantly increased the odds of checking for compliance with supervision conditions (376 percent increased odds,  $p < .01$ ); reporting supervision violations (286 percent,  $p < .01$ ); assessing living conditions (403 percent,  $p < .001$ ); engaging family members and other prosocial supports (177 percent,  $p < .01$ ); and using responsive supervision tactics (198 percent,  $p < .001$ ). Supervision standards were

**FIGURE 2**  
**Field Work Training**



Note: Percentages indicate the agencies that offer each training type.

**FIGURE 3**  
**Actions Conducted During Field Work**



Note: Percentages indicate the agencies that either "Always" or "Usually" conduct each action.

not significantly correlated with compliance checks, but as with client risk level, supervision standards were significantly correlated with increased odds of reporting supervision violations (118 percent,  $p < .05$ ); assessing living conditions (1.24 percent,  $p < .05$ ); engaging family members and other prosocial supports (1.02 percent,  $p < .05$ ); and the use of responsive supervision tactics (97 percent,  $p < .05$ ). Residential verification as a motivator for fieldwork also significantly increased the odds of assessing a client's living conditions (1.19 percent,  $p < .05$ ) and engaging family

members and other prosocial supports (84 percent,  $p < .05$ ). Conducting fieldwork in order to check on a client's family's well-being significantly increased the odds of engaging family members and other prosocial supports (283 percent,  $p < .01$ ).

Significant correlations between fieldwork training and activities were also found. Table 4 (next page) presents the odds ratios for bivariate logit models that test whether each training type is a predictor of each activity. All types of training included on the survey, except for firearms and de-escalation

training, significantly increased the odds of using responsive supervision techniques during fieldwork. Approximately half of all trainings were associated with increased odds of checking compliance with supervision standards or assessing living conditions. Specifically, violation policy training, training on indicators of criminal activity, and training in securing backup were associated with both activities; trainings on firearms, search, seizure, and crisis management were associated with increased odds of assessing living conditions; and trainings in mental illness recognition, awareness of surroundings, and de-escalation were associated with increased odds of checking compliance with supervision conditions. Trainings in firearms, securing backup, search, and seizure were also significantly associated with increased odds of engaging family or other prosocial supports. The only training associated with increased odds of reporting supervision violations was policies and procedures for responding to supervision violations.

Conducting drug tests was unique among the activities surveyed: No trainings were found to be significantly correlated with conducting drug tests as part of fieldwork and the only motivating factor associated with conducting drug tests (residential verification) significantly reduced the odds of engaging in that activity.

*Agency Orientation*

The survey included questions about an agency's use of firearms and less-than-lethal weaponry, other equipment, uniforms, agency vehicles, and contact standards. Combinations of responses to these questions can give us some indication as to whether the responding agency adopts an orientation toward community supervision that is more aligned with surveillance or corrections. We examined the possible combinations of responses to whether an agency always or usually brings firearms, body armor, less-than-lethal weapons, and/or radios when conducting fieldwork and found that about one-quarter of agencies indicated bringing all four types of equipment to fieldwork (illustrating a more surveillance-oriented approach to fieldwork) and just over one-quarter of agencies (26.6 percent) indicated not bringing any equipment (illustrating a more corrections-oriented approach to fieldwork). Of the former group of agencies (surveillance-oriented), 82.0 percent have contact standards for fieldwork, as opposed to only 58.5 percent of the latter

**TABLE 3**  
**Association between Motivations and Activities**

<i>Motivations</i>	<i>Activities</i> <i>Odds Ratio (Standard Error)</i>					
	<i>Drug Tests</i>	<i>Assess Living Conditions</i>	<i>Check Supervision Compliance</i>	<i>Engage Family/ Supports</i>	<i>Responsive Supervision Techniques</i>	<i>Report Violations</i>
Client Conviction Offense	1.35 (0.44)	1.36 (0.48)	0.96 (0.50)	1.18(0.36)	1.42 (0.38)	1.50 (0.59)
Intensive Supervision Standards	0.62 (0.25)	2.24* (0.91)	2.13 (1.21)	1.44 (0.55)	1.97* (0.66)	1.73 (0.78)
Regular Supervision Standards	0.79 (0.26)	1.75 (0.60)	2.20 (1.11)	2.02* (0.62)	1.19 (0.32)	2.18*(0.82)
Judicially Mandated Conditions	0.97 (0.37)	1.20 (0.45)	1.20 (0.66)	1.56 (0.52)	0.99 (0.31)	1.08(0.48)
Supervisee Risk Level	0.76 (0.32)	5.03*** (1.90)	4.76** (2.39)	2.77** (0.99)	2.98**(1.04)	3.86**(1.58)
Technical Violation	0.68 (0.26)	1.90 (0.80)	2.13 (1.38)	1.38 (0.48)	1.51 (0.45)	0.94(0.40)
Residential Verification	0.45* (0.14)	2.19* (0.75)	1.77 (0.89)	1.84* (0.56)	1.63 (0.44)	1.82 (0.70)
Check Client Well-Being	0.83 (0.28)	1.47 (0.55)	1.72 (0.94)	1.79 (0.60)	1.33 (0.36)	1.07 (0.42)
Check Client Family Well-Being	0.70 (0.29)	1.94 (0.92)	5.33 (5.58)	3.83** (1.91)	1.53 (0.50)	0.64 (0.27)

\* $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$

**TABLE 4**  
**Association between Training and Activities**

<i>Training</i>	<i>Activities</i> <i>Odds Ratio (Standard Error)</i>					
	<i>Drug Tests</i>	<i>Assess Living Conditions</i>	<i>Check Supervision Compliance</i>	<i>Engage Family/ Supports</i>	<i>Responsive Supervision Techniques</i>	<i>Report Violations</i>
Firearms	1.17 (0.38)	2.38* (0.85)	1.32 (0.73)	2.02* (0.62)	1.60 (0.43)	2.14 (0.5)
Mental Illness	0.76 (0.25)	1.99 (0.70)	3.26* (1.88)	1.23 (0.38)	2.11** (0.58)	1.82 (0.71)
Violation Policy	1.07 (0.41)	2.90** (1.06)	4.57** (2.57)	1.64 (0.55)	2.70** (0.82)	3.19** (1.28)
Criminal Activity Indicators	0.86 (0.31)	2.74** (0.99)	5.37** (3.11)	1.54 (0.50)	1.91* (0.56)	1.94 (0.78)
Securing Backup	0.68 (0.24)	4.51*** (1.64)	4.26* (2.39)	3.15*** (1.01)	2.20** (0.65)	1.81 (0.74)
Search Procedures	1.46 (0.65)	3.30** (1.26)	2.46 (1.43)	2.23* (0.78)	2.20* (0.71)	2.95 (0.85)
Seizure Procedures	1.31 (0.50)	3.92*** (1.42)	2.05 (1.15)	2.21* (0.71)	2.59** (0.75)	1.61 (0.66)
Self-defense	0.55 (0.20)	1.67 (0.64)	1.40 (0.86)	1.34 (0.47)	2.30** (0.71)	1.05 (0.49)
Awareness of Surroundings	0.66 (0.36)	2.60 (1.36)	8.30** (5.14)	2.19 (1.10)	2.57* (1.21)	1.99 (1.19)
Crisis Management	0.77 (0.25)	3.31** (1.20)	2.13 (1.19)	1.72 (0.53)	1.79* (0.49)	1.89 (0.74)
De-escalation	0.36* (0.15)	1.79 (0.80)	3.87* (2.29)	1.56 (0.64)	2.04 (0.75)	1.67 (0.83)

\* $p < .05$ , \*\* $p < .01$ , \*\*\* $p < .001$

group (corrections-oriented) ( $p < 0.01$ ). Also among the surveillance-oriented group of agencies, 87.3 percent report always using agency vehicles and 64.1 percent report always wearing uniforms. Conversely, among the corrections-oriented group of agencies, 28.9 percent report always using agency vehicles ( $p < 0.001$ ) and only 15.2 percent report always wearing uniforms ( $p < 0.001$ ).

With respect to training, agencies that indicate a more surveillance-oriented approach to fieldwork are also more likely to engage in all types of training, except for de-escalation training. This finding is especially stark for firearms training (96.9 percent among surveillance-oriented agencies compared to 13.6 percent

among corrections-oriented agencies,  $p < 0.001$ ); training in securing backup (89.1 percent compared to 53.0 percent,  $p < 0.001$ ); training in search policies and procedures (95.3 percent compared to 56.1 percent,  $p < 0.001$ ); training in seizure policies and procedures (93.8 percent compared to 43.9 percent,  $p < 0.001$ ); and self-defense training (93.8 percent compared to 50.0 percent,  $p < 0.001$ ).

Surveillance-oriented agencies are also more likely than corrections-oriented agencies to indicate that residential verification (77.1% compared to 53.2 percent,  $p < 0.01$ ) and client risk level are very important motivators for conducting fieldwork (95.3 percent compared to 74.2 percent,  $p < 0.01$ ), implying more of a

focus on surveillance as opposed to client rehabilitation in these agencies. Finally, we found that surveillance-oriented agencies were significantly more likely than corrections-oriented agencies to conduct all activities included on the survey during fieldwork, except for drug tests and compliance checks.

#### *Regional Variation*

In addition to analyzing variations in fieldwork motivations, training, and activities by agency orientation, we also explored whether there are differences in each of these by region of the country.

While the motivations for fieldwork are fairly consistent across regions, the need for

residential verification as a motivator was more commonly reported by agencies in the Northeast and the West (73.8 percent and 75.0 percent, respectively) than in the South (62.5 percent) and Midwest (54.7 percent) ( $p < 0.05$ ). Further, intensive supervision standards ( $p < 0.01$ ), regular supervision standards ( $p < 0.001$ ), and client risk-level ( $p < 0.001$ ) were all consistently reported as being very important motivators in the Northeast, South, and West, but far less likely to be reported as very important in the Midwest.

The most substantial regional variation exists around training (see Table 5). All training types are reported as being more frequently offered by agencies in the West. In addition, agencies in the South are significantly more likely than other regions to provide training in responding to violations of policy, indicators of criminal activity, and awareness of surroundings. The Midwest is more likely than other regions to provide crisis management and mental illness recognition training, and less likely to offer most other types of training. The Northeast is more likely than other regions to provide training in securing backup, search procedures, and seizure procedures.

Activities conducted during fieldwork also vary somewhat by region. Drug tests are less frequently reported by agencies in the Northeast and the South ( $p < 0.05$ ); engaging with family and other prosocial supports and using responsive supervision techniques are more frequently reported by agencies in the West ( $p < 0.05$ ).

Finally, while conducting fieldwork with a law enforcement escort is rare, the Midwest is more likely than any other region to conduct fieldwork with an escort, the Northeast is more likely to conduct fieldwork in teams, and the South is most likely to conduct fieldwork alone ( $p < 0.01$ ).

## Conclusion

Overall, the results of the survey are generally consistent with our expectations based on what is known about community corrections in the United States: 1) the majority of agencies conducting community supervision incorporate fieldwork as part of supervision; 2) client risk level and agency standards and policies are primary drivers of fieldwork; 3) there is substantial variation in when, how, and why fieldwork occurs. Across the U.S., community supervision agencies vary widely in the range of clients with whom they conduct fieldwork, locations at which fieldwork is

**TABLE 5**  
**Training Usage by Region**

Training	Region Percent (n)			
	Northeast	Midwest	South	West
Firearms***	60.9% (28)	27.6% (27)	50.8% (31)	71.3% (57)
Mental Illness**	45.7% (21)	53.1% (52)	47.5% (29)	71.3% (57)
Violation Policy**	58.7% (27)	56.1% (55)	73.8% (45)	80.0% (64)
Criminal Activity Indicators***	50.0% (23)	53.1% (52)	72.1% (44)	81.3% (65)
Securing Backup**	67.4% (31)	53.1% (52)	65.6% (40)	81.3% (65)
Search Procedures***	71.7% (33)	65.3% (36)	59.0% (36)	88.8% (71)
Seizure Procedures***	63.0% (29)	56.1% (55)	52.5% (32)	83.8% (67)
Self-defense***	52.2% (24)	61.2% (60)	68.9% (42)	87.5% (70)
Awareness of Surroundings**	73.9% (34)	74.5% (73)	85.3% (52)	92.5% (74)
Crisis Management*	43.5% (20)	51.0% (50)	47.5% (29)	67.5% (54)
De-escalation*	71.7% (33)	69.4% (68)	77.1% (47)	87.5% (70)

\* $p < 0.05$ , \*\* $p < 0.01$ , \*\*\* $p < 0.001$

conducted, motivations for conducting fieldwork, training preparation for fieldwork, and activities that occur during fieldwork.

The results from the survey also reveal a few clear patterns that begin to fill the gap in knowledge around the nuances of and variations in fieldwork goals, training, and activities. The surveillance orientation of an agency seems to be accompanied by a greater emphasis on training, especially training with a law enforcement focus. This finding suggests different agency goals based on philosophical orientation, and although the type of fieldwork activities did not vary between agencies with a surveillance or corrections orientation, the frequency and manner in which they are conducted and their purpose varied, indicating the influence of agency orientation on the overall purpose of fieldwork. Our findings also suggest that the motivations and training for fieldwork vary notably by region, as do the activities conducted on visits. However, only a few motivating factors matter for determining what occurs on a field visit, even when they are strongly linked to the overall use of field visits. For example, judicially mandated conditions are linked to the use of visits in a majority of agencies, and yet they are not associated with any of the actions that occur on those visits.

These findings suggest that effective evaluation of fieldwork requires a nuanced understanding of the goals, training, and activities that make up fieldwork within any particular agency. While some aspects of fieldwork are somewhat consistent across the nation, with common motivations (e.g.,

risk levels) and activities (e.g., checking supervision compliance), our findings show that it is by no means a single, invariable concept. Before the research community can confidently test whether fieldwork is effective as part of community supervision, the variations in philosophy and practice need to be unpacked and explored in more detail. Understanding the fieldwork goals, training, and activities within any particular agency is essential for understanding what is being evaluated and how broadly the findings of that evaluation generalize. The findings from this survey provide a high-level overview of agency policies and practices across the country that can provide context for future research on the nuances and effectiveness of fieldwork.

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# Key Factors to Promote Successful Comprehensive Reentry Initiatives

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**COMMUNITY CORRECTIONS IS** in the early stages of its renaissance. Reawakened from the late 1970s through the 1990s of “nothing works” and zero tolerance for violators, and driven by political consensus that mass incarceration is a failed criminal justice response, community corrections is on a path of rediscovery and new learning. Since then, reentry has replaced revocation as the word du jour, backed up with a host of new innovations in supervising and rehabilitating offenders to reduce recidivism (e.g., validated, actuarial risk assessment tools; cognitive treatment programs; motivational interviewing). However, even with all of these new best practices and evidence-based advances in community corrections, there is a recognition that long-term successful reintegration will only take place when there is a coordinated and collaborative effort by all stakeholders working with justice-involved individuals in the community.

More and more, these collaborative efforts take the form of comprehensive or multi-faceted reentry initiatives that focus on strategic system-level change (e.g., National Institute of Corrections’ Transition from Prison to Community and Transition from Jail to Community; New York City Department of Probation’s Neighborhood Opportunity Network initiative; Community Oriented Correctional Health Services Model; Department of Justice’s Serious and Violent Offender Reentry Initiative; and San Francisco’s Juvenile Collaborative Reentry Unit).

Decision making about reentry policies, practices, and procedures is no longer the

sole domain of criminal justice agencies, but now includes participation from a wide range of stakeholders. These include public, private, non-profit service providers, and support networks such as families, faith communities, and the communities where they live. Comprehensive reentry initiatives (CRIs) are perceived to have real value in developing a network of community-based organizations, public agencies, businesses, and community residents focused on connecting justice-involved individuals to opportunities, resources, and services.

True, community correctional agencies have always been charged with being the boundary spanners: “individuals who can facilitate communication across agencies and professions to coordinate policies and services” (Conly, 1999: 7). What has changed is the movement from coordinated services to a more comprehensive collaboration of community partners. Policy makers, theorists, and correctional managers are harking back to the days when the “community” in community corrections meant more than physically supervising in the community, but instead enlisting “the saving graces of the community itself” (Simon, 1993: 33).

Nowhere is this intrinsic belief in the healing nature of community more evident than in the community justice ideal. First articulated in 1998 by Clear and Karp, community justice has been variously described as a movement (Clear & Karp, 1998), a paradigm (McCold & Wachtel, 1998), a system (Maloney & Holcomb, 2001), a mission (Bazemore and

Schiff, 2001) and a strategy and philosophy (Clear, Hamilton, & Cadora, 2011). Numerous practices have been included under the community justice mantle, including community policing, community courts, community benefit programs, and a variety of restorative and reparative initiatives. At the core of these community justice approaches is a reorientation from a sole focus on individual cases to the pursuit of community-level outcomes through greater community engagement and stronger institutional collaboration and partnership.

In this article we describe key features of CRIs, their goals, and critical implementation indicators identified from the literature and experience that must be considered to ensure the short- and long-term success of high-quality multifaceted reentry initiatives. The factors will provide a roadmap to policy makers, program and initiative developers, and practitioners when they consider the time, resources, and engagement levels to successfully implement a new reentry initiative.

## **Key Features of Comprehensive Reentry Initiatives**

When one hears the word “comprehensive” one thinks of “all-encompassing.” Comprehensive reentry initiatives recognize that success can only occur when the criminal justice system, stakeholders, and the community interconnect to supervise, intervene, advocate, and refer for all or nearly all of the needs of men and women returning to the community after a period of incarceration. This is the antithesis of how reentry often occurs today,

which is characterized by fragmentation at the state, county, city, and community level (Burke, 2008; Cho, 2004; Rossman, 2002). A reentry program differs greatly from a CRI. For example, a reentry program may help the formerly incarcerated find employment, housing, and other services, including case management, and have a strong referral process. What is lacking, however, is a true partnership between community corrections and stakeholders for the development of effective and sustainable interventions.

While reentry programs operate within community contexts, CRIs seek dynamic and reflexive relationships with community institutions and individuals. Such relationships may not only help formerly incarcerated people reintegrate into local communities, but also have the potential to transform the community milieu. Important meso-level changes could include increases in collective efficacy and reductions in community conflict and tensions. Given the complexity of CRIs, careful attention to critical implementation issues is essential for success. Poor implementation of CRIs may lead to superficial and tokenistic community events and programming that is unresponsive to diverse community contexts. A lack of commitment to the implementation mechanics of Comprehensive Reentry Initiatives may intensify community divisions, engender disillusionment, and lead to reduced community participation in the future. Though no two CRIs are alike, we argue that more often than not they should adopt the following six key system- and community-changing characteristics:

#### *Unified Vision and Goals*

A clear unified vision and common goals are fundamental system-changing characteristics. Vision guides the organization toward where it needs to go. However, the vision must resonate with staff expected to implement it. It must communicate “an image of the future that draw others in” (Kouzes & Pozner, 2009: 21), reflecting shared aspirations and ideals. The vision promoted by CRIs, whether written down or not, articulates a future in the near term where change comes about because everyone is working together for the good of clients, ensuring that their needs are met, while public safety is maintained. The vision makes clear that one agency cannot do it alone, and that facilitating mutually beneficial partnerships is instrumental to the success of the initiative. Certainly most, if not all, of the stakeholders, including line staff, service providers,

leaders of community institutions, and community members will need to buy into the CRI’s vision. Such buy-in includes an understanding of why the initiative is needed, as well as how the vision is compatible with their own organizational and personal values and goals. Including key stakeholders in the early vision development process can engender sustainable commitment while ensuring that the direction of the CRI is community-informed rather than merely situated in the community. Such a shared vision embraces system-level change, not just individual-level change.

A clear and shared vision must be underpinned by specific, mutually agreed-upon goals, meaning the broad aims of the intervention (Welsh & Harris, 2013) and the steps along the path toward the vision. The goals identified by CRIs, whether reducing recidivism, increasing community collaborations and partnerships, or enhancing public safety, set the scene for the identification of measurable outcomes, a key ingredient for determining the degree to which the vision is being achieved. Given that goals emerge from a heavily charged political and funding-driven context, key stakeholders must be given the opportunity to influence the identification of CRI goals.

#### *Inclusivity*

Inclusiveness is a central component of CRIs. The belief is that justice-involved individuals should participate in decisions that address their needs. In the human services field there is an increasing awareness of the need to involve beneficiaries in the case management process (Summers, 2016). Enlisting justice-involved individuals in the design of individualized case plans helps them to take ownership of goals, increasing the potential for success. Such an approach is compatible with motivational interviewing approaches that seek to foster autonomous motivation for behavior change (Markland, Ryan, Tobin, & Rollnick, 2005).

Although engaging justice-involved individuals in identifying their own supervision goals is important, inclusivity encompasses all stakeholders and beneficiaries, including family, community members, community partners, nontraditional networks and private sector, media, and faith-based organizations. The engagement of all stakeholders and beneficiaries promotes a shared understanding that collective action is needed to resolve complex social problems. Only through working together can we achieve our goals.

Identifying which community

organizations and community members to invite to have a seat at the CRI planning table is difficult but not insurmountable. Having an open-door approach risks the team rapidly becoming unwieldy and unmanageable. Making a list of governmental, non-governmental, and community-based organizations in your area can be a good starting point (Mellow, Christensen, Warwick, & Buck Willison, 2013). Often, private sector leaders such as local business partners could also be included. Conducting a stakeholder analysis, which captures the historical context, political affiliations, and inherent rivalries of potential stakeholders, may be useful. The “institutional footprints” (Roche, 1998: 173) that organizations have left on the local community should also be considered. Including established, well-respected non-profit agencies is important, as these organizations are in a position to elicit interest in the reentry initiative, foster collaborative relationships, and drive a change agenda. Of course, there is an argument that a focus on established and well-respected agencies panders to the existing status quo and is antithetical to an approach which advocates for systemic change. Established players, however, can increase the perceived legitimacy of the CRI. It is critical, therefore, to set up mechanisms to facilitate external as well as internal feedback, so that voices not represented by the established agencies are heard.

#### *Creating Feedback Loops*

Feedback loops are another important component of any CRI. At the heart of the notion of feedback loops is the belief that criminal justice staff and the community can solve their own problems with the help of accurate information. For our purpose, feedback loops are provided to the CRI stakeholders to identify resistance to change and opportunities for learning and to embolden the path to success. Feedback loops can help nurture an organizational “culture of curiosity” (Raynor & Vanstone, 2001: 189), where employees seek to understand what works, for whom, and in what context. Such an iterative environment is essential for the development of evidence-based practices (Raynor, Ugwudike, & Vanstone, 2014).

The goal is to initiate feedback loops to help all the stakeholders successfully implement the initiative and share their experiences with implementation for the benefit of all. Lewin’s (1951) classic elements of a feedback loop are threefold: unfreeze—change—refreeze, though we can also refer to

it as action—information—reaction (Goetz, 2012). Perhaps the best-known adoption of a feedback loop in the criminal justice field is the widespread use of CompStat in policing, where crime responses are driven by comparative data analysis. Providing stakeholders with information about their actions in real time, giving them a chance to improve their interventions, allows them to effect positive outcomes. Furthermore, feedback loops ensure that key stakeholders are provided with up-to-date information on the initiative's progress. In CRIs feedback loops should be maintained by the constant monitoring of all controllable activities, including critical inputs, activities, and outputs, as well as immediate outcomes such as changes in knowledge, attitudes, and perceptions of clients, stakeholders, and the community at large. All agency staff must play a role in recording details of activities. A designated person or group, depending on the size of the agency, should then collate activity information. Suitable conduits for activity data include middle managers and monitoring and evaluation teams. Careful documentation of activities, listening tours, ongoing check-ins, client surveys, and staff and community forums can all provide opportunities to nurture organizational feedback loops. This feedback helps ensure that the participants can comprehend and articulate the benefits of the initiative and allows real-time adjustment to implementation to ensure that the goals of the CRI remain attainable.

### *Collaboration and Trust Building*

There is often confusion between the terms collaboration and coordination. Collaboration is a "cooperative venture based on shared power and authority...[and] it assumes power based on knowledge or expertise as opposed to power based on role or function" (Kraus, 1980: 12). Coordination, on the other hand, which is more commonly seen in reentry programs, is a "sequenced plan of action agreed to by all parties, delineating who will do what, when and for what duration" (Mellow et al., 2013). CRIs recognize that reintegration is a collective responsibility which requires a collaborative working relationship with public, private, non-profit service providers and the community when supporting people reentering the community.

Understanding that community problems, including recidivism, cannot be solved by policymakers or practitioners alone, CRI's goal is a participatory decision-making process where the community is mobilized to identify and

address its needs, and targeted interventions are driven by the needs of the community. As Petersilia (2003) notes, collaboration with the community enhances mechanisms of informal social control, such as the enforcing of norms in public spaces, that are an important predictor of disproportionate levels of crime experienced by different neighborhoods (Drakulich & Crutchfield, 2013). Each stakeholder brings an institutional knowledge, culture, and expertise to bear on the collective problem faced.

CRIs often formalize collaborative approaches through key stakeholder councils or committees. Such groups legitimize the initiative within the community through their involvement and support. Because all the stakeholders need to work together for the success of the initiative, trust is critically important. According to Cummings and Bromiley (1996), trust has three components. First, there must be a belief that the collaborator is making good-faith efforts to behave in accordance with any explicit or implicit commitments. Second, there must be honesty in preceding negotiations concerning the commitments. Third, collaborators must avoid taking advantage of each other even when the opportunity arises.

Trust influences goal setting, risk taking, information exchange, decision-making, partnerships, and collaboration. In fact, trust permeates the entire initiative. For example, for community supervision, trust is a critical component as employees are trusting the client to desist from further offending and address criminogenic risks, and the community is trusting probation and parole officers to effectively supervise and monitor the client—just as the court entrusted a common drunkard to John Augustus's care back in 1841. Stakeholders in CRIs trust one another to do their jobs, and recognize that all the stakeholders are capable of solving complex problems.

### *Strategically Long-term*

System change takes time and does not end when the funding runs out. CRIs have more than a multi-year horizon: They are engaged in a new way of doing business over the long term.

Petersilia (1990) reminds us that the criminal justice field is "littered with promising interventions" that ultimately failed (p. 126). Political pressure to respond swiftly to serious criminal events can lead to crime-control knee-jerk reactions driven by "bumper-sticker simplicity" (Benekos & Merlo, 1995: 3).

Repeated changes in agency direction and approach engendered through chasing the newest panacea pilot program can lead to jaded and demotivated staff. The arrival of new leaders determined to make their mark in a new administrative cycle can foster a "hunkering down" mentality among agency staff. The inclusive and collaborative approach nurtured by CRIs will help protect the initiative from the buffeting winds of political whim, ensuring that the change is both long-lasting and long-reaching.

### *Promote Evidence-Based Practices*

Clawson, Bogue, and Joplin (2005) outline eight interdependent evidence-based principles for effective interventions. These are (1) Assess Actuarial Risks/Needs; (2) Enhance Intrinsic Motivation; (3) Target Interventions (paying attention to the risk principle, the needs principle, the responsivity principle, and dosage); (4) Skill Train with Directed Practice; (5) Increase Positive Reinforcement; (6) Engage Ongoing Support in Natural Communities; (7) Measure Relevant Processes/Practices; and (8) Provide Measurement Feedback. Drawing heavily upon the Risk-Needs-Responsivity model of effective correctional treatment (Andrews, Bonta, & Hoge, 1990), the authors suggest that the move toward evidence-based practices should follow a developmental order, whereby certain steps should precede others. Thus, risk should be assessed before any other step in the evidence-based process, and motivation to change should be enhanced before providing targeted interventions.

Many CRIs are using risk assessment instruments as part of the supervision planning process, and providing basic training to staff to more effectively work with formerly incarcerated people's motivation. In our experience, criminal justice practitioners often criticize risk assessment for being "deficit-focused," preferring to direct attention to the bolstering of strengths and protective factors in clients' lives. Certainly, such a position is understandable, as it may serve to "invigorate clinicians who must otherwise toil, in a pessimistic culture" (Andrews, Bonta, & Wormith, 2011: 749). However, the expanded risk-needs-responsivity (RNR) model subsumes elements of Ward and Brown's (2004) "Good Lives Model" to include an assessment of the risks and strengths of justice-involved individuals, offering some solace to practitioners desirous of a holistic approach to rehabilitation. Regardless of whether risks alone or risks and strengths together are assessed, it is critical

that CRIs develop organizational capacity to measure and analyze processes and practices to assist in developing the initiative. An evidence-based organization is one that “uses data to drive decisions and develop innovative approaches to delivering services” (Ameen, Loeffler-Cobia, Clawson, & Guevara, 2010: 5). Using data to drive decision-making requires that pertinent data be regularly collected and analyzed in a rigorous and meaningful way.

## Core Components of CRI Implementation

Wandersman (2009) identifies four key components needed when tackling any social problem: (1) Valid Theory, (2) System/Resource Support, (3) Successful Policy, Programmatic, or Initiative Implementation, and (4) Valid Evaluation Designs. For the purpose of this discussion, let us assume that CRIs being implemented are theoretically valid and have the institutional backing and resources to support the initiative. Even when this is the case, most CRIs either fail or have only modest accomplishments. In our experience, CRIs often lack understanding of the critical indicators needed for their effective implementation, and are beset by weak evaluation designs. Compared to the excitement of developing a clear vision and eliciting the support of stakeholders, a focus on the intricacies of implementation and evaluation can be boring, and therefore it is unsurprising that this issue often receives limited attention. However, effective implementation and evaluation is critical to the long-term success of CRIs.

Implementation is defined as a “specified set of activities designed to put into practice an activity or program of known dimensions” (Fixsen et al., 2005: 5). Implementation experts posit that successful implementation requires the convergence of multi-level organizational conditions, specifically the interaction of influence factors (i.e., political, economic, and social forces) with organizational components (e.g., staff selection, administrative systems and support, organizational culture), and core implementation components (e.g., training, coaching, feedback, and performance measurement) (Berman & Fox, 2010; Fixsen, Naoom, Blase & Friedman, 2005; Vera, 2013). These researchers would suggest that differing levels of core and organizational components and influencing factors will determine if a CRI can complete all six stages of implementation (Fixsen et al., 2005). The six stages of implementation are:

1. Exploration and Adoption: Identifying the need for change, learning about possible interventions that may provide solutions, learning about what it takes to implement the innovation effectively, developing stakeholders and champions, assessing and creating readiness for change, and deciding to proceed (or not). (National Implementation Research Network (NIRN), 2016)
2. Installation: Establishing the resources needed to use an innovation and the resources required to implement the innovation as intended. (NIRN, 2016)
3. Initial Implementation: Practitioners and staff are attempting to use newly learned skills (e.g., the evidence-based program) in the context of a provider organization that is just learning how to change to accommodate and support the new ways of work. (NIRN, 2016)
4. Full Operation: The new ways of providing services are now the standard ways of work where practitioners and staff routinely provide high-quality services and the implementation supports are part of the way the provider organization carries out its work. (NIRN, 2016)
5. Innovation: Testing innovations or improvements once the initiative has been fully implemented.
6. Sustainability: Employs formal and informal mechanisms to ensure the changes in policy, procedures, and outcomes achieved by the initiative are retained over time. (TJC, 2013)

Clearly, successful CRI implementation will require careful attention. A critical step in this is to ensure that implementation tasks are purposeful and described in enough detail so that anyone engaged in the implementation process can identify the specific activities and their usefulness. Although many CRIs may value an organic approach to the development of the initiative, believing that such a model may be more responsive to local contexts and mirror the development of supportive relationships in the real world, unchecked organic development may lead to considerable vision drift. Clarity of purpose is a key precursor to measurability, and this requires a structured implementation process. Indeed, we would argue that over the long term structured implementation is more responsive to local contexts than an organic approach, as it is more likely to avoid mission-hijacking by the loudest voices amongst the stakeholders. Implementation outcomes must also be

monitored as the initiative is rolled out, allowing necessary fixes to ensure that the initiative stays on course.

## The Literature on Implementation

To better understand the key components needed for CRI implementation, we conducted an exploratory review of the following six documents:

1. Bechtel, K A. (2011). The importance of implementation in corrections. *Corrections Today*, 73: 105-106.
2. Cissner, A. B., & Farole Jr., D. J. (2009). *Avoiding failures of implementation: Lessons from process evaluations*. Washington, DC: Bureau of Justice Assistance.
3. Crime and Justice Institute (CJI) at Community Resources for Justice. (2009). *Implementing evidence-based policy and practice in community corrections*, 2nd ed. Washington, DC: National Institute of Corrections.
4. Hsia, H. M., & Beyer, M. (2000, March). System change through state challenge activities: Activities and products. OJJDP Juvenile Justice Bulletin.
5. Transition from Jail to Community (TJC). (2013). Transition from Jail to Community implementation roadmap. In Jeff Mellow, Gary Christensen, Kevin Warwick and Janeen Buck Willison, *Transition from Jail to Community online learning toolkit*. Washington: National Institute of Corrections.
6. Vera Institute of Justice. (2013). The potential of community corrections: To improve communities and reduce incarceration. New York, NY: Vera Institute of Justice.

The documents were chosen for their criminal justice implementation focus, with four focusing specifically on correctional initiatives. We began the process of identifying implementation indicators by listing the implementation tasks outlined in the documents. In all, we identified 86 implementation tasks, as shown in Table 1 on the next three pages.

**TABLE 1**  
**CRI implementation stages, themes, and tasks identified in the documents**

Implementation Factors	Author(s)
<i>Exploration and Adoption Stage</i>	
1. Identify skilled leaders and political champions	
▶ Find political champions	Cissner, A.B., & Farole, D.J. (2009)
▶ Identify or create executive leadership body to oversee and guide the initiative	TJC (2013)
▶ Skilled bold leaders	Vera Institute of Justice (2013)
2. Designate a change agent	
▶ Designate a project director	Cissner, A.B., & Farole, D.J. (2009)
▶ Formalize the initiative	TJC (2013)
3. Identify the targeted population and their needs	
▶ Identify the targeted population and their needs	Bechtel, K.A. (2011)
▶ Apply screening instrument to all jail entrants	TJC (2013)
▶ Apply risk/needs assessment instrument(s) to selected jail entrants	TJC (2013)
4. Identify what community resources and evidence-based programs are already available	
▶ Determine what community resources are already available	Bechtel, K.A. (2011)
▶ Identify evidence-based program characteristics to serve this population	Bechtel, K.A. (2011)
▶ Define scope and content of jail transition interventions currently in place	TJC (2013)
▶ Available programming that meets evidence-based standards	Vera Institute of Justice (2013)
5. Assess inter-, intra-agency, and community willingness for collaboration	
▶ Assessing community willingness for collaboration	Bechtel, K.A. (2011)
▶ Compatibility between implementation characteristics and the culture to support new interventions and the implementation process	Bechtel, K.A. (2011)
▶ Both top-down and bottom-up commitment	Hsia, H. M., & Beyer, M. (2000)
▶ Culture Change	Vera Institute of Justice (2013)
6. Identify quantifiable goals and objectives	
▶ Have a shared vision, identify program goals	Cissner, A.B., & Farole, D.J. (2009)
▶ Identify quantifiable objectives	Cissner, A.B., & Farole, D.J. (2009)
▶ Limit new projects to mission-related initiatives	Crime and Justice Institute (2009)
▶ "Big picture perspective"	Hsia, H. M., & Beyer, M. (2000)
<i>Installation Stage</i>	
1. Hire, train, and facilitate buy-in from staff	
▶ Hiring and training of staff	Bechtel, K.A. (2011)
▶ Think about how to facilitate buy-in from line staff	Cissner, A.B., & Farole, D.J. (2009)
▶ Focus on employee development, including awareness of research, skill development, and management of individual and organizational change processes, within the context of a complete training or human resource development program	Crime and Justice Institute (2009)
▶ Training for staff	Vera Institute of Justice (2013)
2. Establish and/or reform policies and procedures	
▶ Establishing policy and procedures	Bechtel, K.A. (2011)
▶ Formalize the program model	Cissner, A.B., & Farole, D.J. (2009)
▶ Reformation of policies and procedures	Hsia, H. M., & Beyer, M. (2000)
▶ Foster system culture that supports the change TJC implementation requires	TJC (2013)
▶ Create structure to plan and implement the jail transition strategy	TJC (2013)
3. Address initial and ongoing commitment of resources	
▶ Addressing initial and ongoing funding resources	Bechtel, K.A. (2011)
▶ Commitment of resources, particularly financial when at all possible	Hsia, H. M., & Beyer, M. (2000)

**TABLE 1 (cont.)**  
**CRI implementation stages, themes, and tasks identified in the documents**

Implementation Factors	Author(s)
<i>Installation Stage</i>	
4. Develop a communication framework, data sharing and referral process	
▶ Community preparation and referral process	Bechtel, K.A. (2011)
▶ Providing a communication framework	Bechtel, K.A. (2011)
▶ Develop information and data-sharing mechanisms	TJC (2013)
▶ Formalize initiative partnerships and processes	TJC (2013)
▶ Engage in public education and outreach around the jail transition effort	TJC (2013)
5. Collect data that focus on process and outcome measures	
▶ Establishment of data collection efforts that focus on process and outcome measures	Bechtel, K.A. (2011)
▶ Plan to collect data	Cissner, A.B., & Farole, D.J. (2009)
▶ Focus on data	Crime and Justice Institute (2009)
▶ Create initiative case flow model including all partners	TJC (2013)
▶ Create baseline data snapshot of the pre-initiative state of jail transition, to inform planning and against which to measure initiative progress	TJC (2013)
▶ Identify process measures and data sources	TJC (2013)
▶ Identify outcome measures and data sources	TJC (2013)
6. Collaborate with stakeholders and the community	
▶ Be strategic about when and how to engage stakeholders in the planning process	Cissner, A.B., & Farole, D.J. (2009)
▶ All relevant stakeholders must have a voice at the table	Crime and Justice Institute (2009)
▶ Interagency collaboration to coordinate planning and implement changes to impact systemic problems between various agencies;	Hsia, H. M., & Beyer, M. (2000)
▶ Solidify joint ownership of effort by broad stakeholder community	TJC (2013)
▶ Collaboration with key stakeholders	Vera Institute of Justice (2013)
<i>Initial Implementation Stage</i>	
1. Develop a structured format to increase implementation fidelity	
▶ Address change and focus on fidelity to minimize programmatic drift	Bechtel, K.A. (2011)
▶ Increase staff understanding and support	Bechtel, K.A. (2011)
▶ Promote adherence to the model	Bechtel, K.A. (2011)
▶ Develop a structured format for implementing the program model	Bechtel, K.A. (2011)
▶ The need for structure for collaboration	Crime and Justice Institute (2009)
▶ Identify and address data gaps	TJC (2013)
▶ Complete Triage Matrix	TJC (2013)
2. Collect and examine data to evaluate implementation	
▶ Identify process measures and examine data to evaluate implementation	Bechtel, K.A. (2011)
▶ Assess program of implementation processes using quantifiable data	Crime and Justice Institute (2009)
▶ Routinely measure employee practices (attitude, knowledge, and skills) that are considered related to outcomes	Crime and Justice Institute (2009)
▶ Regular data collection and ongoing meaningful use of such information	Hsia, H. M., & Beyer, M. (2000)
▶ Utilize data for the identification and analysis of jail transition problems and issues	TJC (2013)
3. Have realistic expectations	
▶ Be realistic	Cissner, A.B., & Farole, D.J. (2009)
▶ Beware the temptation to overestimate caseload volume	Cissner, A.B., & Farole, D.J. (2009)
▶ Adapt the program in response to early implementation experience	Cissner, A.B., & Farole, D.J. (2009)
▶ Realistic Expectations	Vera Institute of Justice (2013)

*continued next page*

**TABLE 1 (cont.)**  
**CRI implementation stages, themes, and tasks identified in the documents**

Implementation Factors	Author(s)
<i>Full Operation Stage</i>	
1. All areas of the program model are in place	Bechtel, K.A. (2011)
2. Fully trained staff	Bechtel, K.A. (2011)
3. Caseload sizes being met	Bechtel, K.A. (2011)
4. All groups and activities being conducted	
▶ All groups and activities being conducted	Bechtel, K.A. (2011)
▶ Deliver in-jail interventions to selected inmates	TJC (2013)
▶ Provide resource packets to all jail inmates upon release	TJC (2013)
▶ Deliver community interventions to selected releases	TJC (2013)
▶ Provide case management to selected jail entrants	TJC (2013)
▶ Provide mentors to selected jail entrants	TJC (2013)
5. Demonstration of a community referral process and collaboration with external partners	
▶ Demonstration of a community referral process and collaboration with external partners	Bechtel, K.A. (2011)
▶ Produce transition case plans for selected jail entrants	TJC (2013)
▶ Utilize high levels of data-driven advocacy and brokerage to enable appropriate community justice/correctional services	Crime and Justice Institute (2009)
6. Well-developed and practiced supervision	
▶ Well-developed and practiced supervision	Bechtel, K.A. (2011)
▶ Acknowledge and accommodate professional overrides with adequate accountability	Crime and Justice Institute (2009)
7. Internal quality assurance mechanisms including data reporting practices	
▶ Provide employee timely, relevant, and accurate feedback regarding performance related to outcomes	Crime and Justice Institute (2009)
▶ Internal quality assurance mechanisms including data reporting practices	Bechtel, K.A. (2011)
<i>Innovation Stage</i>	
1. Adaptable	
▶ Identifying if there are similar program models or targeted populations served with a differing modality, dosage, content, or structure that has been shown to have an effective impact	Bechtel, K.A. (2011)
▶ Be adaptive to changes in the environment, in the collaboration itself, and in the problem domain	Crime and Justice Institute (2009)
<i>Sustainability Stage</i>	
1. The program is introduced to both internal and external factors that could potentially elicit change or drift from the model	Bechtel, K.A. (2011)
2. Create sustainability plans	
▶ The collaboration identifies any of its vulnerabilities and/or adapts to them	Crime and Justice Institute (2009)
▶ Develop plan for ongoing self-evaluation of the initiative	TJC (2013)
▶ Create sustainability plan	TJC (2013)

Next, the 86 tasks were grouped together into 25 encompassing themes. For example, four documents discussed the task of interagency and stakeholder collaboration (Cissner & Farole, 2009; Hsia & Beyer, 2000; Transition from Jail to Community, 2013; and Vera Institute of Social Justice, 2013), which developed into the encompassing theme: “Collaborate with stakeholders and the community.” It should be noted that the language used to describe similar tasks varied from document to document, making it difficult at times to find appropriate thematic language inclusive enough to encompass all the task meanings. In addition, as noted in Appendix A, some of the implementation tasks were only identified in one document. When this occurred, the task was also used as the encompassing theme. The 25 themes were then classified under one of Fixsen et al.’s (2005) six implementation stages. The documents we reviewed identified more themes in the stages of Exploration/Adoption, Installation, Initial Implementation, and Full Operation than in the stages of Innovation and Sustainability (See Tables 2 and 3). Although our intent was not to use frequency counts of tasks or themes to make inferences about their importance,

this does suggest that these authors have given less thought to how to sustain an initiative over time.

### Discussion

This document review indicates the multiple tasks that must be implemented in any initiative. Our own experience indicates that CRIs do best successfully implementing key Exploration and Adoption factors. For example, developing the position of Director of a CRI, identifying a shared vision, and having a bold leader are precursors to any CRI. Initiative Installation, the second implementation stage, is also implemented with some success. Considerable efforts are often taken to strengthen organizational and employee capacities to ensure that the CRI becomes embedded in daily practices. Strategies adopted often include involving stakeholders in informational sessions, developing a criminal justice committee, and forming Improvement Teams. Training is often provided in principles of restorative justice, evidence-based work, and motivational interviewing. Additionally, collaboration with stakeholders often begins with the development of stakeholder groups and establishing a

strategic plan to guide the initiative.

Initial Implementation, the third stage, is often more difficult. The challenges include stakeholders working collaboratively, the development of a structured format to increase implementation fidelity, and collecting and examining data to evaluate implementation. In particular, data systems are often poorly designed and not integrated across justice and human service systems. The lack of structure often associated with CRIs is related to two contrasting schools of thought on how an initiative should grow and be harnessed: organic or structured (i.e., planned) change. Some practitioners believe that a more organic approach will increase buy-in of CRIs and promote new and innovative ideas coming from the stakeholders and the local communities. We advocate a more structured approach that includes developing a structured format for implementation and collecting data to evaluate CRI success. Though it seems simplistic, a consensus is needed on a number of issues, including, but not limited to, the number of stakeholder meetings that should be held per year, how recommendations will be implemented, how to identify which participants will complete various tasks, and developing key performance measurements.

Often implementation issues are subsumed under the catch-all term “process evaluation.” The purpose of process evaluation, as Kralstein (2011) reminds us, is “to document and explain the goals, key program elements and operations of a project” (1). Such attention to process fidelity can help us determine whether a program was implemented as it was intended (Stufflebeam, 1971) and can assist us when we seek to interpret impact assessments (Maxfield & Babbie, 2016). Although process evaluations and impact assessments should be conducted simultaneously (Maxfield & Babbie, 2016), often process evaluations are conducted in isolation from impact assessments and with limited attention to the actual mechanics of program implementation or research rigor. Often an organization may contract with external researchers to conduct a “process evaluation” because it is considered too soon after initial program rollout to consider impact and outcomes, but necessary to demonstrate that a research and evaluation component is valued, if not required, by external funders. Although external evaluators can be helpful in providing a broader “critical eye” on initiative development, process evaluation can and should be conducted by organizational staff, and should become part of everyday

**TABLE 2**  
Fixsen’s six implementation stages by implementation tasks identified in the documents

	Exploration & Adoption	Installation	Initial Implementation	Full Operation	Innovation	Sustainability	Total
Bechtel (2011)	5	6	5	7	1	1	25
Cissner & Farole (2009)	4	4	3	0	0	0	11
CJI (2009)	1	3	3	3	1	1	12
Hsia & Beyer (2000)	2	3	1	0	0	0	6
TJC (2013)	5	10	3	6	0	2	26
Vera (2013)	3	2	1	0	0	0	6
Totals	20	28	16	16	2	4	86

**TABLE 3**  
Fixsen’s six implementation stages by implementation tasks and themes identified in the documents

	Exploration & Adoption	Installation	Initial Implementation	Full Operation	Innovation	Sustainability	Total
Tasks	20	28	16	16	2	4	86
Themes	6	6	3	7	1	2	25

working practice. This way the process evaluation can drive program implementation, rather than becoming an unsatisfactory proxy for an outcome evaluation.

All too often, external process evaluations are completed through research that involves interviews with key stakeholders, focus groups with selected beneficiaries, observations of flagship activities, and a cursory review of agency materials. Although interviews, focus groups, observations, and material reviews can elicit useful information about the general direction and culture of the organizations considered, such work misses the opportunity to truly examine and learn from, at times, dirty implementation mechanics. For CRIs, which have multiple moving parts, the need for a rigorous and methodical evaluation of process is critical.

A rigorous process evaluation involves analysis of all stages of implementation. It includes documentation of inputs, activities, and outputs. Were resources available to deliver the intended activities? What activities were delivered to whom and in what dosage? Which stakeholders were represented, and what community agencies were visited? How many training sessions were delivered and what was learned? What steps have been taken to ensure retention of the training received? Certainly, interviews and focus groups can help us understand process, but they are particular approaches to uncovering information, and they are certainly not the process evaluation itself. Careful consideration should be given to who is interviewed and observed. Evaluators may wish to seek "maximum variation" in sampling to ensure heterogeneity of experiences, while allowing the uncovering of shared patterns that cut across all cases (Patton, 2002). Maintaining a sampling table where the differing work roles, hierarchical position, gender, length of service, and level of support for the initiative of participants are documented can help avoid sampling "drift" (Arcury & Quandt, 1999: 132). When analyzing the interview data, it is essential for all coders to adopt a rigorous coding strategy to ensure that identified themes emerge from the data rather than being imposed by the evaluator. Cherry-picked evidence of success does little to foster a culture of iterative implementation improvement.

Finally, due to funding and evaluation processes, more often than not the last three implementation stages (Full operation, Innovation, and Sustainability) are not adequately addressed. A fully operational

initiative normally takes a minimum of two to four years. By that time, all areas of the initiative are in place, the staff is fully trained, all groups and activities are being conducted, the CRI has implemented benchmarking across agencies and stakeholders, performance measurements are used, and internal quality assurance mechanisms are in place, including data reporting practices. A major concern from this point is sustainability. Both internal and external factors can potentially elicit change or fidelity drift. For example, often key champions of the initiative leave the agency or organization for another job or are promoted internally and are no longer actively involved in the initiative.

CRIs are brave endeavors. There is a need for criminal justice agencies working with formerly incarcerated individuals to move away from a silo culture and engage in meaningful ways with the local communities where the majority of the reentry populations lives. CRIs across the country have made considerable inroads into building service provider capacities, increasing opportunities for the reentry population, and securing a place at the table with key community leaders and organizations. As CRIs become more prevalent, there is a need to focus on the institutionalization of these initiatives. Such careful and detailed work includes developing information and data-sharing mechanisms, formalizing partnerships and processes, and collecting clear, standardized data on key process and outcome measures.

Standardization of procedures does not necessarily mean that innovative, localized responses to community needs cannot flourish. Standardization can ensure that the innovative responses are appropriately captured and assessed, ensuring that lessons are both learned and acted upon. Such a reflexive learning approach can lead to CRIs with stronger, sustainable, and meaningful impacts.

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# What Legally Prescribed Functions Tell Us: Role Differences Between Adult and Juvenile Probation Officers

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**IN THE CRIMINAL** justice system, approximately 80 percent of 4,650,900 adults (Kaeble & Bonczar, 2017) and 60 percent of 974,900 juveniles (Hockenberry & Puzzanchera, 2017) processed through the court system are placed on probation. Indeed, probation has been acknowledged as the most common form of community corrections for both adults and juveniles. The field of probation, and more specifically the adult or juvenile probation officers themselves, have grappled with numerous paradigm shifts and challenges, dealing with appropriate resource allocation, development of new treatment resources, offender supervision effectiveness, effects of caseload size and service quality, and potential risk and dangerousness management and the related community protection needs (Lutze, 2014).

Initially, the work of John Augustus (1841) built the function of probation officers as rehabilitation-oriented in order to actively assist offenders' needs and improve the successful reintegration of offenders (Latessa & Smith, 2015). This treatment-focused model remained the primary mode of operation until the mid-1970s, when it was succeeded by the "nothing works" era (Martinson, 1974). States responded in the early 1980s with sentencing reform, significantly limiting judicial discretion, increasing penalties, and creating longer prison and probation terms. Throughout the 1980s and even into the 1990s, the ideology of "get tough" emphasized values of community protection strategies over therapeutic philosophy. An array of responses linked with intensive supervision and monitoring, incapacitation, deterrence, and retribution characterized criminal justice institutions of this era (Steiner, Roberts, & Hemmens, 2003). Studies, however, indicated that the effectiveness of the law enforcement-oriented model in corrections did not meet the expectation for reductions in recidivism

(Gendreau, Goggin, Cullen, & Andrews, 2000; Hyatt & Barnes, 2017).

In the twenty-first century, the need to reconcile these two competing goals of probation work by integrating treatment and surveillance as a "balanced" approach has been argued by researchers (Lutze, 2014; Miller, 2015; Whetzel, Paparozzi, Alexander, & Lowenkamp, 2011). This contemporary goal attempts to balance evidence-based program implementation, risk assessment and management, and law enforcement. When properly implemented, the synthetic case management model has helped probation officers perform positively in terms of quality and effectiveness of supervision improvement, community safety enhancement, dangerousness and harm reduction, and skill development. This model focuses on risk to the community and future recidivism by actively addressing an offender's criminogenic need areas in order to bring about significant behavior change, while ensuring community safety (Whetzel et al., 2011; Lutze, 2014; Miller, 2015).

Although the balanced approach has been

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acknowledged as a promising model, current probation goals seem at times to be at odds with it, instead leaning either toward the social worker or peace officer role (Hsieh, Hafoka, Woo, van Wormer, Stohr, & Hemmens, 2015; Hsieh, Woo, Hafoka, van Wormer, Stohr, & Hemmens, 2016). Institutional constraints and correctional policies vary across agencies and jurisdictions. It has been argued that “statutes potentially guide probation officer performance” and should considerably impact the subsequent roles of “officer-offender interactions” in everyday practices, although review of correctional research on implementation of reforms highlights continual internal agency struggle (Hsieh et al., 2015, p. 20; Rudes, Lerch, Viglione, & Taxman, 2013).

Therefore, the current study is built upon prior attempts to explore legally prescribed probation functions across 50 states and the District of Columbia. Statutory analysis as noted by Hemmens’ study (2015) sheds light on a divergence between the “legal reality” of the law and the “practical reality” of probation practice to provide perspectives on recalibrating tasks, functions, and policies for criminal justice institutions. This study examines the statutorily prescribed duties of adult and juvenile probation officers in the past 10 years and also analyzes role shift(s) and the commonalities and differences that exist in statutes.

## Roles of Adult and Juvenile Probation Officers

Roughly four million individuals in the United States are on probation, accounting for about two-thirds of the American correctional population (Kaeble & Glaze, 2015). Such a large population under probation supervision has prompted research on probation work and its challenges (Simon, 1993; Lynch, 2000; Lutze, 2014), including mental health issues and practices (Epperson, Canada, Thompson, & Lurigio, 2014; Holloway, Downs, & Aalsma, 2013). Researchers have argued that understanding probation officers’ complex roles and functions would better inform policy makers and administrators to improve rational decision-making in probation work, in turn providing more effective treatment for inmates (Skeem & Manchak, 2008; Whetzel et al., 2011; Miller, 2014; Ricks & Eno Loudon, 2015; DeMichele & Payne, 2007; Hsieh et al., 2015). To identify trends and shifts over the past decade in probation work, Steiner, Purkiss, Kifer, Roberts, and Hemmens (2004) suggested that research should compare adult and juvenile probation officer roles collectively

to explore important functions and mandates prescribed by law that might be further used to guide everyday probation practices.

### *Adult Probation Officers*

The debate in the last decade over practitioner philosophies of law enforcement versus offender rehabilitation has given rise to the “synthetic”-oriented officer (Miller, 2014; Ward & Kupchik, 2009). Several decades ago, Klockars (1972) described the effectiveness of reconciled roles of surveillance and therapeutic models of supervision. Although Klockars designated four categories of probation officer roles (law enforcer, therapeutic agent, time server, synthetic officer), two have been discussed extensively in prior research: law enforcement and rehabilitative (Steiner et al., 2003). While the terminology used to describe probation officer philosophy varies in the research, the two major categories of law enforcement style and rehabilitative/social worker style appear consistently (Glaser, 1964; Klockars, 1972; Skeem & Manchak, 2008; Ricks & Eno Loudon, 2015).

### *The Rehabilitative Role*

Probation officers who subscribe to a rehabilitative role emphasize the offender’s need to be successful in completing probation and work to provide treatment and support services for the offenders (Lutze, 2014). Supporters of rehabilitation contend that offender behavioral changes and public safety are best achieved through rehabilitation, and in recent decades evidence-based practices informed by valid risk and need assessment tools have been considered by many the best means to assist in rehabilitation.

The initial roles of probation focused on rehabilitation, employment, and housing (Hsieh et al., 2015). The goal was to restore offenders to the community (Seiter & West, 2003). Probation officers were to help offenders solve social and psychological problems (Dressler, 1969). These roles were also in line with many probation officer inclinations. Studies reveal that probation officers were more in favor and supportive of rehabilitative than law enforcement roles (Sluder, Shearer & Potts, 1991; Whitehead & Lindquist, 1992). Although support for rehabilitative orientations were preeminent, orientations shifted towards a law enforcement role after rehabilitative efforts were challenged on their effectiveness to successfully treat offenders (Hsieh et al., 2015). As a result, the 1980s and 1990s saw a move towards more punitive

criminal justice policies, which mirrored the reduction of rehabilitative programs in communities and institutional correctional environments (Miller, 2015).

### *The Law Enforcement Role*

The law enforcement role is oriented towards surveillance, control, and enforcing compliance (Miller, 2014; Seiter & West, 2003). Probation officers, in their role of “punitive officer,” use threats and punishments to enforce conformity, emphasize control, and ensure public safety (Ohlin, Piven, & Pappenfort, 1956). This orientation has been the “go-to” orientation and has been dominant in the probation field in recent decades (Taxman, 2008). The “get tough” approach on crime was associated with retribution, incapacitation, deterrence, and intensive surveillance and aided the shift from a rehabilitative model to a law enforcement model as the mainstream approach for criminal justice agencies (Hsieh et al., 2015).

This shift to a law enforcement and surveillance style can be seen in the probation caseload increase in the early 1990s. During this period, caseloads reached as high as 500 per officer in Los Angeles, which drastically limited the opportunities for adult probation officers to provide counseling or become acquainted with the probationer. Consequently, probation officers had little choice but to concentrate on surveillance and supervision (Seiter & West, 2003).

In a statutory analysis, Burton, Latessa, and Barker (1992) determined that the focus of probation officer responsibilities were law enforcement tasks in the early 1990s. They examined the statutes of 43 states that legally prescribed probation officers to supervise probationers, finding support for the shift towards the retributive style and indications that state legislatures pursued law enforcement-oriented statutes designed to control probationers. About ten years later, Purkiss and associates (2003) reported that state statutes still reflected the punitive ideology in the probation system and that these statutes prescribed more law enforcement-oriented functions than those ten years previously.

Although probation officers were more likely to be mandated to perform law enforcement tasks than rehabilitative tasks, a recent statutory analysis revealed that more rehabilitative tasks are reappearing, informed now by a growing understanding of “what works” in reducing recidivism and offering hope for a more balanced approach (Hsieh et al., 2015).

Regardless of these positive findings, probation officers are still expected to perform law enforcement duties, and many have been resistant to the role changes (Taxman, 2008).

### *Synthetic Role*

The law enforcement versus rehabilitation debate has created a struggle for probation officers uncertain about which to employ in their work. Like other employees, probation officers are also prone to adopt roles that fit managerial preferences, and these might conflict with role expectations by policymakers or the courts or current evidence-based practice. As community corrections officers, they are “jacks of all trades” (Studt, 1973) and sometimes may be required to juggle the tasks of surveillance, treatment, and enforcement of probation conditions. Probation officers have some discretion in carrying out these responsibilities; nevertheless, bureaucratically imposed constraints can still limit this discretion (Steiner et al., 2004).

Conflict between probation officer roles and philosophies was also found to negatively affect service delivery to probationers (Whetzel et al., 2011). In addition, Whitehead & Lindquist (1986) reported that 63 percent of respondents identified role conflict between law enforcement and social casework as contributors to burnout. Without assessing probation officer orientations, evidence-based programs can be invalidated by role conflicts.

Probation officer roles can also be dependent on other agencies and therefore require cooperation, collaboration, and accessibility across the system. Lutze (2014) suggests that probation officers are “boundary spanners” or synthetic officers, who can take on the dual goals of rehabilitation and law enforcement (Miller, 2014). By combining the orientations, synthetic officers have greater power to assist offenders in completing probation without reoffending and potentially create positive relationships with probationers (Skeem & Manchek, 2008). Ellsworth (1990) found that probation officers support the dual goals of rehabilitation and law enforcement. Given that 57 percent of states include mixed law enforcement, rehabilitation, and risk assessment tasks for probation officers (Hsieh et al., 2015), the synthetic role adopted by probation officers seems to have achieved high momentum (Bryant, Coker, Estlea, Himmel, & Knapp, 1978; Singer, 1991).

## **Juvenile Probation Officers**

Juvenile probation officers have an important

role in the juvenile justice system as they try to prevent juveniles from further immersion in the system and increase chances of exiting the system. Officer roles in the juvenile system are mixed, including addressing criminogenic needs of juvenile offenders, limiting reoffending, and fostering rehabilitation (Schwartz, Alexander, Lau, Holloway, & Aalsma (2017). State laws also further detail the powers and duties of juvenile probation officers. With these complex responsibilities and the task of protecting the privacy of juveniles while maintaining public safety, it is no surprise that Torbet called juvenile probation “the workhorse of the juvenile justice system” (1997, p. 3). Although the adult and juvenile probation officers share many conventional functions with respect to law enforcement, rehabilitation, and case management tasks (Hsieh et al., 2016), the calibration of missions and goals of juvenile probation officers appears to be guided by the *Desktop Guide to Good Juvenile Probation Practice* (Torbet, 1997; Griffin & Torbet, 2002). The Desktop Guide was aimed at increasing professionalism through setting down actual day-to-day duties and providing standards, missions, and goals for probation officers and administrators (Steiner et al., 2003; Hsieh et al., 2016).

Under the Desktop Guide, juvenile probation officers use two main approaches: a balanced approach and restorative justice. Under the first approach, the law enforcement orientation and the rehabilitative orientation are merged to create a balance between the two. Current research shows that juvenile probation officers are more likely to use a balanced approach and therefore tend to perform a wide range of functions (Miller, 2015; Schwartz et al., 2017). Under a balanced approach, juvenile probation officers use treatment and interventions informed by risk and needs assessments (Hsieh et al., 2016). An effective intervention focuses on who benefits from treatment services, the target, and the appropriate treatment (Andrews & Bonta, 2010). The accurate assessment of an offender and his or her appropriate disposition has a significant effect on recidivism rates for probationers (Ricks, Eno Loudon, & Kennealy, 2016). Under the balanced approach, probation officer decisions are informed by risk and need assessments. Restorative justice emphasizes repairing harm to victims and includes increased victim and community involvement, improved offender compliance, and greater satisfaction with case outcomes (Bergseth & Bouffard, 2013). The

ultimate goal is to eliminate the chances of a reoffense by the offender, and restorative justice addresses this by focusing on the underlying issues that may have triggered the offense (Smith, 2001).

In the 90s, Sluder and Reddington (1993) identified the different philosophies of juvenile and adult probation officers and found that the therapeutic orientation is primary for juvenile probation officers. In this study, juvenile probation officers also expressed more support for case-management strategies. However, Steiner and associates (2004) concluded from their more recent research that a law enforcement-oriented focus is predominant for juvenile probation officers, and thinks this kind of focus is motivated by society’s disenchantment with the criminal justice system.

Both adult and juvenile probation officers play an important function and occupy a central position for the largest population under supervision in the criminal justice system. However, research comparing adult and juvenile probation officer roles is sparse (Sluder & Reddington, 1993; Steiner et al., 2004). Therefore, this study aims to identify the current legally prescribed roles for adult and juvenile probation officers—whether related to a balanced approach, a restorative justice approach, or more singly law enforcement or rehabilitation—and fill the research gap in this regard.

## **Methods**

The focus of the current study is to compare state statutory definitions of adult and juvenile probation officer roles for all 50 states and the District of Columbia. To do so, we analyzed the state legal codes, a process referred to as a statutory analysis (Hsieh et al., 2015). The statutory analysis has been widely used to examine the functions and roles of probation officers (see Burton et al., 1992; Fritsch & Hemmens, 1995; Hemmens, Maahs, Scarborough, & Collins, 2001; Hsieh et al., 2015; 2016; Purkiss et al., 2003; Roncace, Giacomazzi, Hemmens, & Fliege, 2005; Steiner et al., 2003, 2004; Steiner & Hemmens, 2003; Stoddard, Steiner, Rohrbach, Hemmens & Bennett, 2015; Turner, Hemmens, & Matz, 2014). A statutory analysis is a conventional approach that consists of the process of collection, review, analysis, and classification of the state statutes (Hemmens, 2015).

We applied a three-step process to investigate the legally prescribed functions and roles of adult and juvenile probation officers. First, all legally mandated duties and tasks for

adult and juvenile probation officers in 2015 were collected through the legal database LexisNexis. Second, findings were divided into two categories, legal codes of adult and juvenile probation officers. Third, these findings were classified by each state and then sorted into an Excel database for analysis. In the process of searching and examining the state statutes, we encountered several issues, including the use of diverse terms and labels for probation officers among states, the use of different legal terminology and descriptions in legal codes for the same roles and functions among states, and the necessity of clarifying and interpreting ambiguous definitions of statutes (Burton et al., 1992; Hsieh et al., 2015, 2016; Purkiss et al., 2003; Steiner et al., 2003, 2004). To maintain consistency of the data collection process and interpretation of the prescribed legal codes, two trained data analysts were responsible for collecting the state statutes, reading legal codes, and classifying statutes into different task orientations.

## Measures

While traditional probation functions were typically divided into two categories, rehabilitation and law enforcement, the current trends in probation roles are focused on the management of cases and the merging of rehabilitation and law enforcement tasks together. In this context, probation officers are regarded as “synthetic officers” (Miller, 2015) or “boundary spanners” (Lutze, 2014), indicating that probation functions are somewhere between social workers and peace officers in managing diverse cases. Therefore, the prescribed tasks in the current study were combined into three main dimensions: rehabilitation, law enforcement, and case management.

*Law Enforcement-Oriented Tasks.* These tasks reflect a conservative crime control style that emphasizes control, enforcement, reducing potential threats to the community, and work with courts as a peace officer (Hsieh et al., 2015). Prescribed tasks would consist of arrest and taking into custody, assisting courts in transferring cases and law enforcement agencies, collecting restitution/fines and fees, developing probation conditions and juveniles’ rights, enforcing court orders and criminal laws, keeping records, issuing revocations and reporting violations, conducting interviews and investigations, making referrals, offender scrutiny, home, school, and work visitation, surveillance, supervision, serving warrants/papers, making sentence recommendations, performing assignments required by courts,

and taking charge of children.

*Rehabilitation-Oriented Tasks.* These tasks are a positive approach that were originally derived from late nineteenth and early twentieth century probation practices. This time period in the field of corrections is called the “progressive era” (Rothman, 2012), during which rehabilitation appeared as a dominant philosophy of corrections (Cullen & Jonson, 2012). The rehabilitation movement was affected by positivism, with positivists arguing that instead of punishment, offenders should get thorough treatment and rehabilitation based on the assumption that criminal behavior is caused by factors such as social environments, psychological development, or biological make-up. Thus rehabilitation-oriented tasks fit under a social work style that is intended to provide social support and assistance to address offender needs and risks and help them better adjust to the community upon release. Prescribed tasks include aiding in diverse rehabilitation approaches, counseling, developing community service programs, employment training and location, risks and needs assessment, and writing presentence investigation (PSI)/social history reports.

*Case Manager-Oriented Tasks.* Along with the rehabilitation-oriented tasks, these tasks are also a positive approach that emphasize individualized treatment and rehabilitation. The core of the rehabilitation ideal is individualization and careful case planning (Rothman, 2012). The concept of individualization rests on the assumption that for any given offender, the criminogenic causes are likely to be varied and multifaceted. Therefore, individualized or case-by-case intervention is necessary for successful rehabilitation and offender reintegration (Rothman, 2012). In this regard, the case manager model involves arranging and recommending placement, individual case adjustment and management, working with the offender to set goals and address criminal thinking, acting as liaison between court and agencies, maintaining contact with court, and screening complaints.

## Analytic Plan

To facilitate the comparison of the prescribed legal codes of adult and juvenile probation roles, several roles and functions were merged based on the intent of the legal codes, as some legal codes for juvenile probation do not exist in the legal codes for adult probation and vice versa. For example, the role “collect restitution” is combined with “collect fines and fees” in the role of juvenile probation and

“develop/discuss probation conditions” in the function of adult probation is merged with “explain juvenile’s rights” in the role of juvenile probation.<sup>5</sup> As such, a role of “serve warrants” for adult probation is combined with a function of “serve papers” in juvenile probation. Additionally, “evaluate juvenile’s risk” is merged with “needs/responsivity assessment,” because the prescribed legal codes for adult probation refers these two separate roles of juvenile probation to a single role “risks/needs assessment.” Moreover, the role of “restorative justice” is merged with “repair victim-offender community relationship,” and “provide services” as a function of juvenile probation is combined with “welfare/social worker” and “assist in rehabilitation” in the function of adult probation. Accordingly, the results of the current study may not be exactly the same as prior studies of the roles of adult and juvenile probation officers, but the concepts should be roughly comparable.

## Results

The current study aims to examine how the roles of adult probation officers differ from the functions of juvenile probation officer as of 2015. The results of statutory analysis show that the total number of the legally prescribed tasks of adult and juvenile probation officers is 32 (see Table 1, pages 39–44), but juvenile probation officers have slightly more roles than adult probation officers, 25 to 28, respectively (see Table 2, page 45). Compared to 2002, three new tasks for juvenile probation officers were identified in 2015, including intake officer, risk-need-responsivity (RNR) assessment, and restorative justice/repair victim-offender-community (VOC) relationship.

Table 1 presents the results of legally prescribed functions of adult and juvenile probation officers in 2015. As shown in Table 1, the number of prescribed functions varies by states, from 1 to 17, and the role of adult

<sup>5</sup> Probation conditions are likely to affect juvenile legal rights. For example, the Idaho Code (§20-533) stated that “County probation officers shall enforce probation conditions and supervise juvenile offenders while on probation. As authorized by court order, probation officers may establish additional reasonable conditions of probation with which the juvenile offender must comply. The juvenile offender may move for a hearing before the court to contest any conditions imposed by the probation officer. If the probation officer establishes additional conditions of probation, the probation officer shall advise the juvenile offender at the time such additional conditions are imposed of the juvenile offender’s right to move the court for a hearing to contest those conditions” (p. 1).

probation officers generally differs from tasks for juvenile probation officers within and between states.

In some states, including Kansas, New Jersey, New Mexico, and Pennsylvania, the number of prescribed duties between adult and juvenile probation officers differs substantially. For example, while adult probation officers in Kansas and New Jersey are required to practice 14 tasks and 11 tasks, juvenile probation officers in Kansas and New Jersey are required to practice 3 tasks and 1 task only. In the case of New Mexico and Pennsylvania, on the other hand, adult probation officers are only required to practice 3 tasks and 5 tasks respectively, whereas juvenile probation officers are required to practice far more duties—12 and 11 tasks, respectively.

While some states require the minimum possible role in both adult and juvenile probation officers, other states demand multiple roles of probation officers. For instance, both adult and juvenile probation officers in the District of Columbia, Maryland, and Utah are required to practice fewer than 5 mandated tasks. However, both adult and juvenile probation officers in a number of other states, such as Arizona, Colorado, Kentucky, Montana, New York, North Carolina, and South Carolina, are mandated to practice more than 10 tasks. In particular, the state of Arizona requires 16 mandated tasks for adult probation officers and 17 prescribed duties for juvenile probation officers. Tasks for probation officers in Arizona include not only law enforcement-oriented functions (e.g., supervision, case investigation, and restitution collection), but rehabilitation-oriented duties (e.g., risks/needs assessment and writing social history reports), and case manager-oriented functions (e.g., case adjustment and sentence recommendations). A number of other states (i.e., Alabama, Florida, Hawaii, Illinois, Louisiana, Maine, Minnesota, Mississippi, Missouri, Nebraska, Nevada, New Hampshire, Texas, and Washington) require an equal or similar number of mandated tasks for their adult and juvenile probation officers.

Table 2 (see page 45) presents the changes in legally prescribed functions of adult and juvenile probation officers by task orientation from 2002–2015. There were several notable changes in legally prescribed functions of both types of probation officers. First, while law-enforcement-oriented functions of adult and juvenile probation officers were stable during the period, rehabilitation-oriented and case manager-oriented functions have

slightly changed for both probation officers. Compared to 2002, for example, the role of administering risk and needs assessment is a common task for adult probation officers in 25 states and for juvenile probation officers in 16 states in 2015. Additionally, restorative justice/repair victim-offender-community relationship as a rehabilitation-oriented task for juvenile probation officers increased in 12 states. Since 2002, however, counsel/aid offender and family as a rehabilitation-oriented task of adult probation officers was found to have decreased.

Regarding case manager-oriented functions, we found that the role of divert/adjust cases/case management is a regular task for adult probation officers in 14 states. However, the role of screen complaints was removed from statutes in 12 states as mandatory tasks of their juvenile probation officers. Furthermore, arrange/recommend placement and liaison between court and agencies slightly increased since 2002, whereas divert/adjust cases/case management and maintain contact with court as tasks of juvenile probation officers marginally decreased during the same period.

Despite the stability of law enforcement-oriented functions of both adult and juvenile probation officers by task orientation from 2002–2015, it is worth noting that while most states focus more on enhancing law enforcement-oriented functions of adult probation officers, there was not much change in law enforcement-oriented functions of juvenile probation officers. Overall, the current trend in statutory requirements by task orientation from 2002–2015 illustrates that they still rely more heavily on law enforcement-oriented tasks than on the other two tasks, although many states have shifted their probation practice focus to rehabilitation-oriented and case manager-oriented functions. For adult probation officers, particularly, law enforcement-oriented tasks were even more enhanced in many states' statutes.

Table 3 (see pages 46–47) classifies the three task orientations by state. Compared to 2002, a number of states in 2015 have either maintained or enhanced law enforcement-oriented tasks for both adult and juvenile probation officers. Additionally, since 2002 many states have slightly increased rehabilitation-oriented functions for both probation officers, whereas few changes in case manager-oriented functions were found. Interestingly, while only 7 states do not reference rehabilitation-oriented tasks for adult probation officers, 15 states do not reference rehabilitation-oriented tasks

for juvenile probation officers in 2015. When compared to 2002, the results clearly show the increasing trend of rehabilitation-oriented tasks for adult probation officers, contrary to the movement in the role of juvenile officers. Given these results, we conclude that juvenile probation officers are still focusing on law enforcement-oriented tasks, although juvenile probation practices have shifted.

## Discussion and Conclusion

The current study examined legally prescribed adult and juvenile probation functions across 50 states and the District of Columbia in the past 10 years. This study found that although rehabilitation- and case manager-oriented tasks have been gradually increasing within contemporary probation work, law enforcement-oriented functions outweigh other tasks for both adult and juvenile probation officers. This finding is consistent with Steiner and Associates' (2004) study, which found no appreciable differences between adult and juvenile functions legally mandated to perform, although rehabilitation-oriented tasks had been less prescribed relatively as a primary role for adult and juvenile probation officers. Even though the scope of the current study did not focus on probation officers' working philosophy, the result might partially support Sluder and Reddington's (1993) conclusion that control-type strategies are most often adopted by probation officers to handle large caseloads effectively. Especially given inadequate resources and ever-increasing service and case management demands in community-based corrections, officers with large caseloads appear to employ surveillance and supervision strategies relatively more frequently than consulting, at least in part to deal with limited resources and time constraints (Seiter & West, 2003). Future research should further explore the relationship between legally prescribed functions and officers' individual work ideologies.

Another important legal change uncovered by the current study is a stable shift of case manager-oriented functions from conventional probation tasks. For example, the role of risk and needs assessment has been mandated for many states for adult and juvenile probation officers (50 percent and one-third, respectively). This result is parallel with recent studies that indicate the emergence of case manager-oriented tasks (Hsieh et al., 2015, 2016) as part of a new avenue of penology within probation over the last 20 years, characterized by risk and needs assessment,

individual case management plan, and recidivism prediction (Taxman, 2008). Much research has rightly focused on understanding operational dynamics of agencies, the philosophical shifts that probation officers must (once again) address, and implementation challenges (see Viglione, Rudes, & Taxman, 2015; Rudes et al., 2013; Bonta et al., 2008; Petersilia, 2002). It is common for statutory changes to lag behind the research findings for a variety of reasons, including political environments, lack of resources, labor (union) challenges to changes in workload, and staff unwillingness to move evidence into practice.

Perhaps it is fitting that the area where a strong level of statutory change was observed was within the juvenile justice system. This is a system that is inherently rehabilitation-focused, given the age of those supervised and the understanding that as a group they are more malleable (Sluder & Reddington, 1993); in fact, some states have even moved from a statutory definition of "probation officer" to "probation counselor" (see the State of Washington, for example).

While the current study found that juvenile probation officers are still focusing on law enforcement-oriented tasks (a maintenance effect was noted), juvenile probation practices have in fact witnessed a significant shift in operations. This is not just a move towards conventional rehabilitation-oriented functions: 24 percent of states, in fact, currently include restorative justice principles in their statutes. This finding might be considered as empirical evidence of juvenile probation's support of the "balanced and restorative justice" (BARJ) model described by the Desktop Guide (see Torbet, 1997; Griffin & Torbet, 2002) as the promising approach to protect the best interests of juvenile offenders. Even though the current study did not examine the direct relationship between the BARJ model and state statutes, our finding still supports the prior study that states continue to use RNR tools and VOC ideology to assist with case management and supervision in juvenile probation (Hsieh et al., 2016).

The distinct findings of the adult and juvenile statutory analysis highlight the importance of continued research to inform those in political and administrative positions of power about "what works" in community corrections, and how academia and research can assist with the "technology transfer" of findings into sustainable practice and statute. It is in the best interest of the client and community for states to move away from heavy entrenchment in

one model of supervision over the other, and to find and embrace the balanced case management model that has been correlated with healthier outcomes for clients.

The content-oriented statutory analysis employed in this study is not without its limitations. First, because this is a macro-level statutory research, the study was unable to reflect the actual day-to-day probation practice by task orientation (Hsieh et al., 2016) or the officers' working philosophy at micro level. Future research should further explore these issues. Second, as Steiner and Hemmens (2003) indicated, the operational definitions might be relying on researchers' interpretation because of the ambiguity of the law. To address this, the current study replicated the interrater agreement method used in prior study (Hsieh et al., 2016) to enhance interrater reliability and achieve intersubjective agreement in statutory analysis. In addition, given that the primary objective of the current study was to depict a trend of adult and juvenile probation practice nation-wide in general, the concern of interpretation of the law per se should be minimized (Hsieh et al., 2016).

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**TABLE 1**  
**Legally Prescribed Functions of Adult and Juvenile Probation Officers: 2015**

Prescribed Functions	DC		AL		AK		AZ		AR		CA		CO		CT		DE	
	AP	JP	AP	JP <sup>b</sup>	AP	JP <sup>b</sup>	AP	JP	AP	JP	AP	JP	AP <sup>b</sup>	JP <sup>b</sup>	AP <sup>b</sup>	JP <sup>b</sup>	AP	JP
Arrange/Recommend Placement																		
Arrest/Take into Custody			X	X	X	X	X				X	X	X	X			X	X
Assist/Advise Court				X			X		X									
Assist Law Enforcement Agencies			X												X		X	
Assist in Rehabilitation/Provide Services/Welfare and Social Worker					X		X		X						X	X	X	
Collect Restitution/Fines/Fees			X		X	X	X	X			X	X		X			X	
Counsel/Aid Offender							X	X	X		X		X		X			
Develop Community Service Programs							X											
Develop/Discuss Probation Conditions			X		X		X	X	X	X	X	X	X	X	X		X	
Divert/Adjust Cases/Case Management				X	X		X		X								X	
Enforce Criminal Laws							X								X		X	
Enforce Court Orders								X										X
Initiate Revocations/Report Violations					X		X		X		X		X	X	X	X	X	
Intake Interviews/Officers		X		X				X		X								
Investigate Cases	X	X	X	X		X	X	X	X	X	X	X	X	X	X	X		X
Keep Records					X		X	X	X	X	X		X	X			X	
Law Enforcement/Peace Officer					X	X	X	X			X	X	X	X		X	X	
Liaison Between Court and Agencies											X				X			
Locate Employment			X						X								X	
Maintain Contact with Court	X				X				X	X			X		X			
Make Recommendations	X	X		X				X			X	X	X		X			
Make Referrals				X				X			X	X			X			
Perform Other Duties				X	X	X	X	X	X				X	X				X
Restorative Justice/Repair VOC relationship								X					X					
Risks/Needs Assessment					X		X	X	X		X		X		X	X	X	
Screen Complaints		X																
Serve Warrants/Papers					X		X		X				X		X		X	
Supervision	X		X	X	X		X	X	X		X	X	X	X	X	X	X	X
Surveillance							X		X		X		X					
Take Charge of Child											X							
Visit Home/School/Work/Etc.			X					X	X									
Write P.S.I/Write Social History Reports			X		X		X	X	X	X	X		X		X			
<b>TOTALS</b>	<b>4</b>	<b>4</b>	<b>9</b>	<b>9</b>	<b>14</b>	<b>5</b>	<b>16</b>	<b>17</b>	<b>15</b>	<b>10</b>	<b>10</b>	<b>12</b>	<b>15</b>	<b>11</b>	<b>12</b>	<b>10</b>	<b>14</b>	<b>5</b>

**TABLE 1 (cont.)**  
**Legally Prescribed Functions of Adult and Juvenile Probation Officers: 2015**

Prescribed Functions	FL		GA		HI		ID		IL		IN		IA		KS		KY	
	AP	JP	AP <sup>b</sup>	JP <sup>b</sup>	AP <sup>b</sup>	JP	AP	JP <sup>b</sup>	AP <sup>b</sup>	JP <sup>b</sup>	AP <sup>b</sup>	JP <sup>b</sup>	AP <sup>a</sup>	JP <sup>a</sup>	AP <sup>a</sup>	JP	AP <sup>b</sup>	JP <sup>b</sup>
Arrange/Recommend Placement		X				X				X								
Arrest/Take into Custody	X			X		X	X		X	X			X		X	X		X
Assist/Advise Court											X							X
Assist Law Enforcement Agencies											X							
Assist in Rehabilitation/Provide Services/Welfare and Social Worker		X			X	X			X	X					X		X	X
Collect Restitution/Fines/Fees			X			X		X			X		X				X	
Counsel/Aid Offender								X		X			X		X			X
Develop Community Service Programs	X								X				X		X			
Develop/Discuss Probation Conditions	X				X	X		X	X	X	X		X					X
Divert/Adjust Cases/Case Management		X			X					X					X			
Enforce Criminal Laws									X									
Enforce Court Orders																		
Initiate Revocations/Report Violations				X	X	X												
Intake Interviews/Officers		X																X
Investigate Cases	X		X	X	X		X		X	X	X	X	X	X			X	X
Keep Records			X		X				X	X	X	X	X		X	X	X	
Law Enforcement/Peace Officer					X						X		X					
Liaison Between Court and Agencies													X					X
Locate Employment															X			
Maintain Contact with Court					X						X							X
Make Recommendations	X	X		X			X				X		X	X	X			X
Make Referrals		X		X		X	X		X									
Perform Other Duties		X	X	X	X				X	X	X				X			
Restorative Justice/Repair VOC relationship						X												
Risks/Needs Assessment	X	X	X	X	X				X						X		X	X
Screen Complaints		X									X							
Serve Warrants/Papers	X						X						X					
Supervision	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X
Surveillance	X								X						X		X	
Take Charge of Child				X														X
Visit Home/School/Work/Etc.						X					X				X		X	
Write P.S./Write Social History Reports			X	X							X				X		X	X
<b>TOTALS</b>	<b>9</b>	<b>10</b>	<b>7</b>	<b>10</b>	<b>11</b>	<b>10</b>	<b>3</b>	<b>7</b>	<b>11</b>	<b>10</b>	<b>12</b>	<b>6</b>	<b>10</b>	<b>4</b>	<b>14</b>	<b>3</b>	<b>11</b>	<b>11</b>

**TABLE 1 (cont.)**  
**Legally Prescribed Functions of Adult and Juvenile Probation Officers: 2015**

Prescribed Functions	LA		ME		MD		MA		MI		MN		MS		MO		MT	
	AP	JP	AP <sup>b</sup>	JP	AP <sup>b</sup>	JP	AP	JP	AP	JP	AP	JP	AP <sup>b</sup>	JP <sup>b</sup>	AP <sup>b</sup>	JP	AP <sup>a</sup>	JP <sup>a</sup>
Arrange/Recommend Placement								X					X					X
Arrest/Take into Custody	X	X	X	X			X		X		X	X	X		X		X	X
Assist/Advise Court							X				X	X	X		X			
Assist Law Enforcement Agencies											X				X			
Assist in Rehabilitation/Provide Services/Welfare and Social Worker	X		X	X							X	X	X	X	X		X	X
Collect Restitution/Fines/Fees			X				X		X	X								X
Counsel/Aid Offender				X		X							X				X	X
Develop Community Service Programs	X																	X
Develop/Discuss Probation Conditions				X			X						X		X		X	X
Divert/Adjust Cases/Case Management						X			X								X	X
Enforce Criminal Laws	X																	X
Enforce Court Orders																		X
Initiate Revocations/Report Violations	X		X						X	X			X				X	X
Intake Interviews/Office						X												
Investigate Cases	X	X		X	X	X	X	X	X		X	X	X	X	X	X	X	X
Keep Records				X			X		X		X		X		X		X	X
Law Enforcement/Peace Officer	X	X									X	X	X		X			
Liaison Between Court and Agencies											X							
Locate Employment																		
Maintain Contact with Court				X			X				X		X					
Make Recommendations		X					X		X		X				X	X	X	
Make Referrals									X								X	X
Perform Other Duties		X					X		X		X				X		X	
Restorative Justice/Repair VOC relationship		X											X					X
Risks/Needs Assessment		X	X								X	X	X		X		X	X
Screen Complaints																		
Serve Warrants/Papers	X	X					X		X		X	X	X		X			X
Supervision	X	X	X	X		X	X		X	X	X	X	X	X	X		X	X
Surveillance			X															
Take Charge of Child																X		
Visit Home/School/Work/Etc.															X			
Write P.S.I/Write Social History Reports		X			X		X	X	X	X	X	X	X	X	X	X		X
<b>TOTALS</b>	<b>9</b>	<b>10</b>	<b>7</b>	<b>8</b>	<b>2</b>	<b>5</b>	<b>9</b>	<b>5</b>	<b>10</b>	<b>4</b>	<b>11</b>	<b>10</b>	<b>11</b>	<b>10</b>	<b>9</b>	<b>10</b>	<b>12</b>	<b>17</b>

**TABLE 1 (cont.)**  
**Legally Prescribed Functions of Adult and Juvenile Probation Officers: 2015**

Prescribed Functions	NE		NV		NH		NJ		NM		NY		NC		ND		OH	
	AP <sup>b</sup>	JP <sup>b</sup>	AP <sup>b</sup>	JP <sup>b</sup>	AP	JP	AP	JP	AP <sup>b</sup>	JP <sup>b</sup>	AP <sup>b</sup>	JP	AP <sup>b</sup>	JP <sup>b</sup>	AP <sup>b</sup>	JP	AP	JP
Arrange/Recommend Placement				X						X		X						X
Arrest/Take into Custody	X	X	X	X	X	X	X	X	X	X	X	X	X	X		X	X	X
Assist/Advise Court							X			X		X						
Assist Law Enforcement Agencies											X				X		X	
Assist in Rehabilitation/Provide Services/Welfare and Social Worker			X						X				X					
Collect Restitution/Fines/Fees			X	X	X		X				X		X	X			X	
Counsel/Aid Offender	X	X		X		X					X	X	X	X		X		X
Develop Community Service Programs	X												X					
Develop/Discuss Probation Conditions	X		X		X		X		X		X		X	X				X
Divert/Adjust Cases/Case Management				X														X
Enforce Criminal Laws					X		X											X
Enforce Court Orders																		
Initiate Revocations/Report Violations		X				X				X								
Intake Interviews/Officers		X																
Investigate Cases		X	X	X		X	X		X		X		X			X	X	X
Keep Records	X		X				X				X	X	X	X			X	X
Law Enforcement/Peace Officer			X				X				X				X		X	
Liaison Between Court and Agencies																		
Locate Employment											X	X						
Maintain Contact with Court					X		X						X	X				
Make Recommendations	X			X	X	X				X	X	X	X			X		
Make Referrals		X								X						X		
Perform Other Duties	X					X					X			X		X	X	X
Restorative Justice/Repair VOC relationship		X				X						X						
Risks/Needs Assessment	X	X								X		X	X					
Screen Complaints				X						X				X		X		
Serve Warrants/Papers			X				X			X	X		X	X	X			X
Supervision	X	X	X	X	X	X	X		X	X	X	X	X	X	X	X	X	X
Surveillance			X		X								X					
Take Charge of Child						X		X								X		
Visit Home/School/Work/Etc.						X						X	X	X	X			
Write P.S.I/Write Social History Reports	X				X				X			X	X			X	X	
<b>TOTALS</b>	<b>10</b>	<b>9</b>	<b>10</b>	<b>9</b>	<b>9</b>	<b>10</b>	<b>11</b>	<b>1</b>	<b>5</b>	<b>11</b>	<b>12</b>	<b>12</b>	<b>17</b>	<b>11</b>	<b>5</b>	<b>10</b>	<b>11</b>	<b>9</b>

TABLE 1 (cont.)

## Legally Prescribed Functions of Adult and Juvenile Probation Officers: 2015

Prescribed Functions	OK		OR		PA		RI		SC		SD		TN		TX		UT	
	AP <sup>b</sup>	JP <sup>b</sup>	AP	JP	AP <sup>b</sup>	JP <sup>b</sup>	AP	JP	AP <sup>b</sup>	JP <sup>b</sup>	AP <sup>b</sup>	JP <sup>b</sup>	AP	JP	AP <sup>b</sup>	JP	AP <sup>b</sup>	JP <sup>b</sup>
Arrange/Recommend Placement		X						X						X				
Arrest/Take into Custody	X	X	X	X		X			X	X	X	X	X	X	X	X	X	X
Assist/Advise Court			X	X				X		X				X				
Assist Law Enforcement Agencies					X													
Assist in Rehabilitation/Provide Services/Welfare and Social Worker	X								X		X		X		X	X		
Collect Restitution/Fines/Fees			X	X												X		X
Counsel/Aid Offender			X			X		X		X						X		
Develop Community Service Programs																		
Develop/Discuss Probation Conditions			X			X			X									
Divert/Adjust Cases/Case Management							X	X		X								
Enforce Criminal Laws									X									
Enforce Court Orders																		
Initiate Revocations/Report Violations	X			X				X	X									
Intake Interviews/Officers						X				X						X		
Investigate Cases	X	X	X	X		X		X	X	X	X	X	X	X	X	X	X	X
Keep Records			X			X	X		X		X		X					X
Law Enforcement/Peace Officer	X	X	X	X	X						X		X	X				
Liaison Between Court and Agencies																		X
Locate Employment																		
Maintain Contact with Court	X		X															
Make Recommendations		X				X					X			X	X	X		X
Make Referrals						X		X		X				X				
Perform Other Duties			X			X			X				X	X				
Restorative Justice/Repair VOC relationship										X								
Risks/Needs Assessment	X					X	X	X	X							X		
Screen Complaints														X				
Serve Warrants/Papers	X	X							X				X					
Supervision	X	X	X		X	X	X	X	X	X	X	X	X	X	X	X	X	X
Surveillance									X		X				X		X	
Take Charge of Child				X						X				X				
Visit Home/School/Work/Etc.			X						X	X					X			
Write P.S.I/Write Social History Reports						X		X							X	X		
<b>TOTALS</b>	<b>9</b>	<b>7</b>	<b>12</b>	<b>7</b>	<b>3</b>	<b>12</b>	<b>4</b>	<b>10</b>	<b>13</b>	<b>11</b>	<b>6</b>	<b>3</b>	<b>8</b>	<b>11</b>	<b>9</b>	<b>9</b>	<b>5</b>	<b>5</b>

**TABLE 1 (cont.)**  
**Legally Prescribed Functions of Adult and Juvenile Probation Officers: 2015**

Prescribed Functions	VT		VA		WA		WV		WI		WY	
	AP	JP	AP	JP	AP	JP	AP	JP	AP	JP	AP <sup>b</sup>	JP
Arrange/Recommend Placement										X		
Arrest/Take into Custody		X	X	X	X	X	X	X		X		
Assist/Advise Court			X					X				
Assist Law Enforcement Agencies											X	
Assist in Rehabilitation/Provide Services/Welfare and Social Worker	X									X		
Collect Restitution/Fines/Fees	X					X	X		X			
Counsel/Aid Offender		X		X	X			X				X
Develop Community Service Programs	X											
Develop/Discuss Probation Conditions	X		X	X			X		X		X	X
Divert/Adjust Cases/Case Management	X					X			X		X	
Enforce Criminal Laws												
Enforce Court Orders						X						
Initiate Revocations/Report Violations		X			X							
Intake Interviews/Officers				X								
Investigate Cases	X	X	X	X	X		X	X	X	X	X	X
Keep Records		X	X	X			X		X	X	X	
Law Enforcement/Peace Officer				X		X					X	
Liaison Between Court and Agencies								X				
Locate Employment	X											
Maintain Contact with Court			X				X					X
Make Recommendations		X	X		X		X				X	
Make Referrals												
Perform Other Duties			X				X			X	X	
Restorative Justice/Repair VOC relationship		X								X		
Risks/Needs Assessment	X			X			X		X		X	
Screen Complaints				X						X		
Serve Warrants/Papers					X	X	X					
Supervision	X		X	X	X	X	X	X	X	X	X	X
Surveillance	X								X		X	
Take Charge of Child												
Visit Home/School/Work/Etc.	X	X		X							X	X
Write P.S.I/Write Social History Reports			X	X			X			X	X	X
<b>TOTALS</b>	<b>11</b>	<b>8</b>	<b>10</b>	<b>12</b>	<b>7</b>	<b>7</b>	<b>12</b>	<b>6</b>	<b>8</b>	<b>10</b>	<b>13</b>	<b>7</b>

Note: AP = adult probation; JP = juvenile probation; VOC: victim-offender-community.

<sup>a</sup> = 2013; <sup>b</sup> = 2014

**TABLE 2**  
**Legally Prescribed Functions of Adult and Juvenile Probation Officers By Task Orientation: 2002 to 2015**

Tasks	# Of States With Types of Functions			
	Adult Probation		Juvenile Probation	
	2002	2015	2002	2015
<b>Rehabilitation-Oriented Functions (7)</b>	<b>(5)</b>	<b>(6)</b>	<b>(5)</b>	<b>(6)</b>
Assist in Rehabilitation/Provide Services/Welfare/Social Worker	22	24	11	11
Counsel/Aid Offender and Family	19	9	26	27
Develop Community Service Programs	10	10	--	--
Locate Employment	6	6	3	1
Restorative Justice/Repair VOC relationship	--	--	--	12
Risks/Needs Assessment	--	25	4	16
Write P.S.I./Write Social History Reports	23	25	33	18
<b>Law Enforcement-Oriented Functions (20)</b>	<b>(17)</b>	<b>(17)</b>	<b>(17)</b>	<b>(17)</b>
Arrest/Take into Custody	24	33	24	35
Assist/Advise Court	2	6	13	14
Assist Law Enforcement Agencies	4	11	--	--
Collect Restitution/Fines/Fees	14	23	6	13
Develop/Discuss Probation Conditions	24	31	13	14
Enforce Court Orders	--	--	4	4
Enforce Criminal Laws	4	10	--	--
Keep Records	27	32	15	17
Initiate Revocations/Report Violations	1	12	10	16
Intact Interviews/officer	--	--	12	12
Investigate Cases	22	39	39	43
Law Enforcement/Peace Officer	15	22	11	13
Make Recommendations	10	21	20	23
Make Referrals	9	2	20	18
Perform Other Court Duties	13	20	25	20
Serve Warrants/Papers	15	23	5	9
Supervision	46	50	32	40
Surveillance	26	19	--	--
Take Charge of Children	--	--	7	10
Visit Home/School/Work/Etc.	11	13	5	9
<b>Case Manager-Oriented Functions (5)</b>	<b>(1)</b>	<b>(2)</b>	<b>(5)</b>	<b>(5)</b>
Arrange/Recommend Placement	--	--	12	14
Divert/Adjust Cases/Case Management	--	14	12	8
Liaison Between Court and Agencies	--	--	3	7
Maintain Contact With Court	15	17	7	5
Screen Complaints	--	--	22	10

Note. Results of legally subscribed functions for adult and juvenile probation in 2002 came from Purkiss and colleagues (2003) and Steiner and colleagues (2003) study, respectively.  
VOC: victim-offender-community.

**TABLE 3**  
**Trends in Adult and Juvenile Probation Officer Functions By States From 2002 to 2015**

State	# of Rehabilitation-Oriented Functions				# of Law Enforcement-Oriented Functions				# of Case Manager-Oriented Functions			
	AP		JP		AP		JP		AP		JP	
	2002	2015	2002	2015	2002	2015	2002	2015	2002	2015	2002	2015
D.C.	1	0	0	0	2	3	3	3	1	1	1	1
Alabama	2	2	1	0	8	7	6	8	1	0	0	1
Alaska	0	3	1	0	4	9	7	5	1	2	0	0
Arizona	1	4	2	4	8	11	10	13	1	1	1	0
Arkansas	0	5	3	2	2	8	6	7	1	2	1	1
California	1	2	2	1	5	8	5	10	0	0	1	1
Colorado	1	2	1	2	10	12	5	9	1	1	1	0
Connecticut	2	3	1	3	7	8	6	6	0	1	1	1
Delaware	3	3	0	0	11	10	1	5	0	1	0	0
Florida	0	2	1	2	2	7	7	5	0	0	2	3
Georgia	1	2	2	2	5	5	6	8	0	0	1	0
Hawaii	1	2	2	2	8	7	5	7	1	2	2	1
Idaho	1	0	1	1	1	3	2	6	0	0	0	0
Illinois	2	3	2	2	6	7	7	7	0	1	3	1
Indiana	1	1	2	0	11	10	5	5	0	1	2	1
Iowa	1	2	1	0	7	8	3	3	0	0	1	1
Kansas	1	6	1	0	8	7	3	3	0	1	1	0
Kentucky	0	3	1	4	8	7	6	6	0	1	2	1
Louisiana	1	2	1	3	7	7	7	7	0	0	2	0
Maine	1	2	3	2	7	5	4	5	0	0	1	1
Maryland	1	1	1	1	6	1	2	3	0	0	2	1
Massachusetts	1	0	1	1	5	9	2	2	0	0	1	2
Michigan	1	1	1	0	5	8	3	4	1	1	0	0
Minnesota	2	2	2	3	7	8	7	6	0	1	0	1
Mississippi	2	3	4	5	9	7	5	4	1	1	0	1
Missouri	1	2	3	2	7	7	11	8	0	0	2	0
Montana	1	3	2	5	8	8	9	10	1	1	1	2

**TABLE 3 (cont.)**  
**Trends in Adult and Juvenile Probation Officer Functions By States From 2002 to 2015**

State	# of Rehabilitation-Oriented Functions				# of Law Enforcement-Oriented Functions				# of Case Manager-Oriented Functions			
	AP		JP		AP		JP		AP		JP	
	2002	2015	2002	2015	2002	2015	2002	2015	2002	2015	2002	2015
Nebraska	1	3	1	3	6	6	5	6	1	0	0	0
Nevada	0	1	0	1	4	9	1	5	0	0	0	3
New Hampshire	2	1	2	2	9	7	8	8	1	1	1	0
New Jersey	0	0	0	0	7	10	2	1	0	1	2	0
New Mexico	0	2	2	1	1	3	6	8	0	0	2	2
New York	2	2	4	5	9	10	10	6	0	0	1	1
North Carolina	1	5	1	1	7	11	1	8	0	1	1	2
North Dakota	0	0	2	2	4	5	7	7	0	0	1	1
Ohio	0	1	3	1	8	9	5	7	0	1	1	1
Oklahoma	0	2	2	0	4	6	4	6	0	1	0	1
Oregon	1	1	1	0	7	10	5	7	0	1	0	0
Pennsylvania	0	0	2	3	1	3	6	9	0	0	1	0
Rhode Island	0	1	1	3	1	2	4	5	0	1	2	2
South Carolina	1	2	2	2	9	11	5	8	0	0	1	1
South Dakota	1	1	0	0	3	5	2	3	0	0	0	0
Tennessee	1	1	2	0	3	7	6	9	0	0	1	2
Texas	2	3	2	3	1	7	3	6	0	0	3	0
Utah	0	0	4	0	5	5	5	4	0	0	2	1
Vermont	1	4	2	2	3	6	5	6	0	1	0	0
Virginia	2	1	3	3	7	8	7	8	1	1	2	1
Washington	2	1	2	0	4	6	5	6	0	0	3	1
West Virginia	2	2	0	1	10	9	2	4	0	1	0	1
Wisconsin	0	1	3	3	3	6	9	5	1	1	2	2
Wyoming	1	2	2	2	7	10	2	4	1	1	1	1

# JUVENILE FOCUS

Alvin W. Cohn, D.Crim.  
*Administration of Justice Services, Inc.*

## Statistical Briefing Book

The Easy Access to FBI Arrest Statistics data analysis tool has been updated to include county-level arrest estimates through 2014.

- The National DMC Databook was updated to include data through 2014. The DMC Databook now includes national estimates of delinquency cases involving Hispanic youth.
- New FAQs describing racial and ethnic fairness in the juvenile justice system have been added to the special topics section.
- FAQs have been updated describing the number and characteristics of child maltreatment victims, trends in school crime victimization and violent crime victimization, temporal patterns of violence against youth, youth sexual assault victimization, and the organization of delinquency services. Developed by the National Center for Juvenile Justice, the research division of the National Council of Juvenile and Family Court Judges, the Statistical Briefing Book offers easy online access to statistics on a variety of juvenile justice topics.

## Felony Disenfranchisement

Although the majority of Americans disenfranchised due to a felony conviction are men, restoring their voting rights is a feminist issue, according to a recent article in *Bustle*. Over six million Americans are barred from voting due to a felony conviction, or 1 of every 40 adults. In 2004, it was estimated that nearly 800,000 women were prohibited from voting due to a felony conviction. That number has likely increased along with the prison population.

## Delinquency Cases Involving Hispanic Youth

OJJDP has introduced a Data Snapshot series on its Statistical Briefing Book to disseminate current research and statistical information about youth in the juvenile justice system.

Each one-page snapshot focuses on a specific topic and highlights policy-relevant findings. This Data Snapshot focuses on national estimates of delinquency cases involving Hispanic youth using data collected by OJJDP's National Juvenile Court Data Archive. Developed by the National Center for Juvenile Justice, the research division of the National Council of Juvenile and Family Court Judges, the Statistical Briefing Book offers easy online access to statistics on a variety of juvenile justice topics.

## Missing Children

OJP's Office of Juvenile Justice and Delinquency Prevention has awarded grants to more than 170 sites, jurisdictions, and task forces throughout the United States. The funds will help communities find missing children, provide tailored treatment and rehabilitative services, and increase public safety. Of the \$82.6 million awarded, more than \$34.4 million will support missing and exploited children programs and services; \$27.6 million will help combat and prevent internet crimes against children; more than \$19.5 million will fund services for victims of child abuse; and \$1.1 million will support communities' response to youth sexual misconduct. The amounts include a total of \$12.6 million for academic, non-profit, research and health organizations and corporations to conduct training and technical assistance with first responders and others who come into frequent contact with juvenile offenders, victims, patients, and their families.

## AIAN Inmates

Although AIAN (American Indian and Native American) inmates made up less than 2 percent of the total U.S. jail population in 2014, the number of AIAN jail inmates increased nearly 90 percent from 1999 to 2014. In comparison, the percentage of non-Hispanic

white jail inmates increased about 41 percent during the same period, and the percentage of non-Hispanic black jail inmates increased about 4 percent. The Hispanic jail inmates population increased 21 percent from 1999 to 2014. The AIAN jail incarceration rate increased between 2005 and 2013 (from 359 to 398 AIAN inmates per 100,000 AIAN U.S. residents), while the overall jail incarceration rate decreased during the same period (from 259 to 237 persons per 100,000 U.S. residents of all ages, races, and Hispanic origin at year-end 2013). AIAN incarceration rates varied depending on a jail's location. Jails in the Midwest (618 per 100,000 AIAN Midwest residents) and West (506) had the highest rates, and jails in the South (185) and Northeast (178) had the lowest rates at year end 2013.

## Crime Rates

According to FBI data, the overall national crime rate, including violent and property crime, dropped by 2.6 percent in 2015, decreasing for the fourteenth year in a row. Even despite recent increases, rates of murder and violent crime remain at historic low points, almost 50 percent below their early-1990s peaks. A preliminary analysis of 2017 crime rates in the nation's 30 largest cities projects that the overall crime rate and the violent crime rate will decline to the second-lowest levels since 1990.

For this analysis, researchers at the Brennan Center for Justice at NYU School of Law collected crime data directly from local police departments in America's 30 largest cities, and then used historical trends to estimate 2017 year-end crime numbers. Several key findings include:

- The overall crime rate in 2017 is projected to decrease slightly, by 1.8 percent. If this estimate holds, 2017 will have the second-lowest crime rate since 1990.
- The violent crime rate is projected to

decrease slightly, by 0.6 percent, essentially remaining stable. This result is driven primarily by stabilization in Chicago, and declines in Washington, D.C., two large cities that experienced increases in violence in recent years. The violent crime rate for this year is projected to be about 1 percent above 2014's violent crime rate, the lowest recorded since 1990.

- The 2017 murder rate is projected to be 2.5 percent lower than last year. This year's decline is driven primarily by decreases in Detroit (down 25.6 percent), Houston (down 20.5 percent), and New York (down 19.1 percent). Chicago's murder rate is also projected to fall, by 2.4 percent. The 2017 murder rate is expected to be on par with that of 2009, well at the bottom of the historic post-1990 decline, yet still higher than the lowest recorded rate in 2013.

## Jail Reform

Eight counties are implementing two-year plans for jail reform that will end their misuse and overuse, and thereby over-incarceration, as part of the MacArthur Foundation Safety and Justice Challenge. Ada County, Idaho; Cook County, Illinois; Los Angeles County, California; Mecklenburg County, North Carolina; Multnomah County, Oregon; Palm Beach County, Florida; Pennington County, South Dakota; and Shelby County, Tennessee will receive grants ranging from \$350,000 to \$2 million to improve their criminal justice systems. Jails see nearly 12 million admissions annually, 20 times the number of prison admissions, and about 70 percent of sentenced offenders and pretrial detainees are incarcerated for nonviolent traffic, property, and drug offenses.

## Black Men and Felony Convictions

In "Growth in the U.S. Ex-Felon and Ex-Prisoner Population, 1948 to 2010," Sarah Shannon and colleagues estimate that one-third of black men had a felony conviction in 2010—a significant increase over the past 30 years and far above the rate for white men. Published in *Demography*, the study develops national and state-level estimates for the frequency of both felony convictions and incarceration.

The researchers found that the percentage of black men with a felony conviction increased from 13 percent in 1980 to 33 percent in 2010 (compared to 5 percent and 13 percent for all adult men during these periods,

respectively). They also estimate that the percentage of black men who had experienced imprisonment increased from 6 percent in 1980 to 15 percent in 2010 (compared to 2 percent and 6 percent for all adult men during these periods, respectively). These estimates are "the first attempt to provide state-level demographic information about people with felony convictions in the United States, a population defined by incomplete citizenship and the temporary or permanent suspension of many rights and privileges."

## Indian Tribes and the Death Penalty

Nearly all American Indian tribes have rejected the option of pursuing the death penalty against their citizens for federal crimes committed on their land, reports the *Associated Press*. "Congress expanded the list of death-penalty eligible crimes in the mid-1990s, allowing tribes to decide if they wanted their citizens subject to the death penalty," explain reporters Felicia Fonseca and Russell Contreras. But since 1994 only one tribe, the Sac and Fox Nation of Oklahoma, has opted in for the death penalty. A tribe's decision to opt out of the federal death penalty is not made on a case-by-case basis but rather is an overarching policy. Tribes have opted out for reasons including cultural and religious views, past treatment of American Indians, and lack of fairness in the justice system. For example, as Tribal Council Speaker LoRenzo Bates explains: "Navajos see life as precious, good or bad, and so we don't pick and choose.... All life is precious."

Still, American Indians are not fully exempt from executions. Since 1976, 16 Native Americans have been executed for crimes committed off tribal land or in states where the federal government does not have jurisdiction over major crimes committed on reservations. In addition, tribes cannot opt out of the death penalty for certain federal crimes including carjacking or kidnapping resulting in death, or killing a federal officer on reservation land.

## Use-of-Force Disparities

The New York City Police Department increased its use of force against African Americans after black suspects killed police officers, while use of force against whites and Hispanics remained unchanged, according to Joscha Legewie's article in the *American Journal of Sociology*. In "Racial Profiling and Use of Force in Police Stops: How Local Events

Trigger Periods of Increased Discrimination," Legewie examines 3.9 million time- and geo-coded police stops of pedestrians in New York City between 2006 and 2012. He found that while use-of-force disparities increased after two NYPD police officers were fatally shot by black suspects, they did not change after three other officers were killed in two separate incidents by a Hispanic and a white suspect. Legewie concludes that "racial bias in policing and discrimination more broadly is not static but fluctuates, partly driven by significant events that provoke intergroup conflict and foreground racial stereotypes."

## American Indian and Alaska Native Jail Count

The number of American Indians and Alaska Natives (AIAN) held in local jails nearly doubled from between 1999 and 2014, according to a Bureau of Justice Statistics analysis covered by *The Crime Report*. During this period, the AIAN population in jails outside of Indian country increased by an average of 4.3 percent per year, compared to an increase of 1.4 percent per year for all other races combined. While the AIAN population in jails was half as likely as the non-AIAN population to be held for a drug offense (12 percent versus 24 percent), they were over twice as likely to be held for a DWI/DUI of alcohol or drugs (14 percent versus 6 percent). In total over 34,000 American Indian and Alaska Natives were held in jails within and outside of Indian country and in state and federal prisons in 2014.

## Childhood Trauma

The Justice Department launched Changing Minds, a national campaign that seeks to raise awareness, teach skills, and inspire public action to address children's exposure to violence and the resulting trauma. OJJDP developed Changing Minds in collaboration with Futures Without Violence, a national health and social justice nonprofit organization; the Ad Council; and Wunderman, the advertising agency.

Changing Minds aims to:

- Raise awareness about the prevalence, urgency, and impact of children's exposure to violence and the trauma that may result.
- Change perceptions of adults who interact with children from viewing them as "angry, bad, and withdrawn" to recognizing that they are children who "have been hurt and need our help."
- Engage and change practices in schools, homes, and communities.

- Motivate adults who interact with children in schools, communities, and health settings to be caring, concerned, and supportive figures in the lives of our children.

One of the biggest predictors of children's ability to be resilient in the face of trauma is having loving and caring adults in their lives. Studies show that adults who provide consistent emotional and physical support can buffer the "fight or flight" stress response in children.

The Changing Minds public awareness campaign was launched as part of the Defending Childhood Initiative.

## Child Abuse

New findings from NIJ-funded research conducted by Dr. Herrenkohl and colleagues help to address this gap in knowledge by identifying factors that explain the link between child maltreatment and adulthood criminal behavior. Participants were drawn from the Lehigh Longitudinal Study, one of the longest running national studies examining the long-term effects of child abuse and neglect. Beginning in the 1970s, the study has tracked approximately 450 children from preschool to adulthood. Reports of child abuse from Child Protective Services records and parental reports of abusive parenting were collected when the children were 18 months to 6 years of age and linked to self-reported criminal involvement three decades later. Antisocial behavior also was measured in the intervening years during middle childhood and adolescence. Results showed that childhood abuse increased the risk of adulthood crime by promoting antisocial behavior during childhood and adolescence, followed by the formation of relationships with antisocial romantic partners and peers in adulthood.

## Partner Violence

The National Institute of Justice (NIJ) has a long history of research in intimate partner violence and recognizes the importance of understanding the factors during adolescence that put individuals at risk for intimate partner violence as adults. To help identify those factors, NIJ funded the Oregon Social Learning Center to run secondary analyses on a longitudinal sample of 316 heterosexual young adults and their current romantic partners. The main goals were to examine the developmental and familial pathways to intimate partner violence involvement in young adulthood and identify partner influences on intimate partner violence. Since the 316

young adults also participated in the Linking the Interests of Families and Teachers (LIFT) study as children, another goal of the study was to see if this program showed long-term intervention effects on intimate partner violence in young adulthood.

The researchers found that young adults who had unskilled parents or parents who experienced intimate partner violence were at an increased risk of exhibiting antisocial behavior as a teenager. In turn, antisocial teens were at a heightened risk of experiencing intimate partner violence in their young adult relationships. This pattern was stronger for males than females. The researchers also found that aggressive children who engaged with delinquent peers in adolescence led to intimate partner violence victimization and perpetration in young adulthood. These findings on developmental and familial factors give us insight on the possible origins and maintenance of behaviors that lead to intimate partner violence in young adulthood.

## Sexual Exploitation

The annual number of persons prosecuted for commercial sexual exploitation of children (CSEC) cases filed in U.S. district court nearly doubled between 2004 and 2013, increasing from 1,405 to 2,776 cases, the Bureau of Justice Statistics announced.

- During the period, a CSEC crime was the most serious offense or lead charge for 37,105 suspects referred to U.S. attorneys for investigation. Suspects referred for the possession of child pornography (72 percent) accounted for the majority of all CSEC suspects, followed by those suspected of child sex trafficking (18 percent) and child pornography production (10 percent).
- Most suspects arrested for CSEC crimes were male (97 percent), were U.S. citizens (97 percent), were white (82 percent), had no prior felony convictions (79 percent) and were not married (70 percent). CSEC suspects had a median age of 39 years, and more than half (56 percent) had no more than a high school education.

## Latino and Native Youth Incarceration Disparities

Two new fact sheets from The Sentencing Project highlight the persistence of incarceration disparities among youth of color. Native youth are 300 percent more likely than white youth to be detained or committed to youth facilities, and Latino youth are 65 percent

more likely. For Latino youth, the disparity has declined slightly since 2001. For Native youth, it has grown. While the fact sheets only highlight incarceration disparities, differential treatment of youth of color—not differences in behaviors—drives the scale of the disparities. In 37 states, Latino youth are more likely to be in custody than white youth. From 2001 to 2015, Latino-to-white disparities grew in 20 states.

Such comparisons for Native youth are complicated by the small numbers of Native youth in several states. However, in almost all states (except New Mexico) where Native youth comprise more than a scant proportion of all youth, they are more likely than white youth to be incarcerated. In four states -- Minnesota, South Dakota, North Dakota, and Washington—Native youth are at least four times more likely to be incarcerated

## Joe Arpaio's Infamous "Tent City Jail"

The seven-acre "Tent City Jail" in Phoenix that helped make former Maricopa County Sheriff Joe Arpaio a household name has been quietly struck once and for all after housing inmates for nearly a quarter century. *The Arizona Republic* reports that prisoners from the infamous jail, made of Korean-War-era tents to alleviate overflow from more conventional facilities, were transferred late Saturday to the nearby Durango Jail.

Tent City was criticized by many for alleged cruel conditions, especially in the Phoenix summers. Others, including Arpaio, saw it as an expression of uncompromising "get-tough" approach to crime.

The jail, opened in 1993, "was a spectacle that attracted much national attention for Mr. Arpaio's unusual practices: Most inmates were issued pink underwear to wear underneath their jumpsuits, pornographic magazines were banned and the Food Channel was broadcast in the cafeteria while the inmates ate two meatless meals a day. Inmates also endured extremely hot conditions, something human rights groups criticized as cruel," according to the *New York Times*.

## Violent Victimization

This report presents estimates of violent victimization (rape or sexual assault, robbery, aggravated assault, and simple assault) by the race and Hispanic origin of victims and offenders during the 4-year period from 2012 through 2015. It examines victim, offender, and incident characteristics, including—

- crime type
- victim-offender relationship
- reporting to police.

Findings are based on data from BJS's National Crime Victimization Survey, which collects information on nonfatal crimes, reported and not reported to the police, against persons age 12 or older.

# YOUR BOOKSHELF ON REVIEW

## A New Model for Understanding the History of Criminal Justice Reforms in Our Country

*Breaking the Pendulum: The Long Struggle Over Criminal Justice*

By Philip Goodman, Joshua Page, and Michelle Phelps. New York: Oxford University Press, 2017. 240 pp. \$24.95 (paperback). ISBN: 978-0-19-997606-5.

REVIEWED BY TODD JERMSTAD  
BELTON, TEXAS

Philip Goodman, an Assistant Professor of Sociology at the University of Toronto Mississauga; Joshua Page, an Assistant Professor of Sociology at the University of Minnesota; and Michelle Phelps, also an Assistant Professor of Sociology at the University of Minnesota, have written a timely and provocative book re-examining a common and pervasive assumption about criminal justice reforms in our nation's history. The standard framework for understanding the periods in American history when there were great movements toward criminal justice reform efforts followed by periods of resistance and a hardening of attitudes toward criminals and rehabilitation has been described as a pendulum effect in which the pendulum swings in one direction, e.g., toward reform, and then drastically swings in the other direction, e.g., harsher penalties and prison conditions.

The authors of this book noticed that in their examination of criminal justice reform efforts in American history, the model of a pendulum did not fit their research. Instead of an ahistorical and mechanical model of a pendulum leading to "radical regime change," they have proposed a different model, one that takes a more historical approach to understanding the changes that penology has undergone over the years. In their view what drives the history of efforts to reform the criminal justice system in this country is agonistic, i.e., a constant struggle between the proponents of reform,

as understood in the context of the particular time period, and those whose vision of criminal justice is more punitive and managerial. The authors hold that these two different visions are always present, with one vision in a dominant position, the other in constant opposition, and each vision at various times gaining the upper hand.

Thus, their "critique of the pendulum model of criminal justice calls attention to tendencies within the sociology of punishment to distort how and why criminal justice does and does not change, and seeks to reinstate social power over historical inevitability." The authors explain that there are three inter-related problems with the swinging pendulum model. First, this model poses that with each swing of the pendulum, a rupture occurs, in which one criminal justice regime is replaced wholesale with another. The second is that the pendulum model offers a mechanistic explanation of change by positing that the pendulum moves back and forth, driven by its internal energy. The third problem with this model is that it offers a homogeneous explanation for change by treating American criminal justice as a monolithic "system" and describing penal trends as a national and system-wide phenomenon.

They instead posit three axioms in support of their agonistic model. The first axiom is that penal development is the product of struggle between actors with different types and amounts of power. The second axiom builds on the first, i.e., that contestation over how (and who) to punish is constant; consensus over penal orientation is illusory. The final axiom argues against a national and international (or a macrolevel) perspective for providing a sufficient explanation for changes in penal policies and practices. Instead, it is actions at the local level, with inherently uneven struggles in different parts of the country, that determine changes in the criminal justice system.

The authors devote four chapters to examining the various changes in criminal justice outlook from the time of the early Republic,

the Jacksonian Era, the post-Civil War period, the Progressive Era, the interwar year, the post-World War II era, and the period in the mid-to-late 1970s when mass incarceration became the national norm. The book also examines the argument that, beginning in the mid-2000s, the pendulum began to swing away from overreliance on incarceration to advocacy for greater measures to reduce prison populations. In each chapter the authors begin by reviewing the "standard narrative" about the period. They then look at two case studies that show that there was greater variation in that period than is commonly noted.

For the period in the early Republic, they look at two different visions for incarcerating criminals. One, the penitential model favored in Pennsylvania, focused on having inmates serve their entire sentence alone in a "solitary system" of confinement. The other "congregate" model, favored in New York, sought to reform convicts through hard labor and strict discipline in a communal setting. The debate over which system was preferable continued into the Jacksonian Era, with the congregate model eventually winning out.

After the Civil War, efforts to reform prisons in the North and South diminished. Especially in the South, the prison model exploited inmates, who were leased to private interests with the expectation that the prisons would be reimbursed for expenses in housing them. During the Gilded Age, convict leasing began to lose favor due to opposition of political actors who represented the interests of poor white labor. This penitentiary model was replaced in the South by the prison farms. Nevertheless, the authors note that during this period of retrenchment, there emerged a new penal vision that emphasized professionalism, bureaucratization, individualization, education, and institutional specialization.

The authors next move to the Progressive Era, where they noted that "drawing inspiration from the social sciences, the Progressives developed an environmental (or social-ecological) world view, which posited that social context, rather than simple individual failure, produced

ills such as poverty, insanity, crime and delinquency.” For its two case studies, the authors look at the prison system in New York, which they refer to as the epicenter of progressive reforms in the era, and (surprisingly) Texas, where for a period of time there was a strong movement to reform its penitentiary system.

Following the Progressive Era, the authors note that the conventional view of penal reform efforts in the 1920s, 1930s, and 1940s depicts this period as bleak and regressive. They recognize that in the decades between the First and Second World Wars, penal farms in the South and “Big House” prisons in the North expanded. Nevertheless, the authors contend that during the interwar years there was “constant contestation, as reformers struggled against what they viewed as the lamentable erosion of Progressive Era goals using good governance tactics, as well as science and medicine to prevent crime and ‘cure’ criminals.”

The authors next turn to the rise of the rehabilitative ideal following the Second World War. They argue that the rise of a model incorporating rehabilitation in penal practices following World War II was not “a rupture of the past three decades, but a culmination of the long struggle by correctionalists to shape criminal justice in their image.” The 1950s were a decade of optimism in which criminologists and other social scientists believed that they possessed the knowledge and technologies to diagnose, treat, and cure criminals.

The authors state that nowhere was this belief more prevalent than in the State of California. However, despite the dominance of rehabilitative ideology in the Golden State, it was actually security forces that kept the upper hand inside California’s prisons in the 1940s, 1950s, and 1960s. In their second case

study, the authors recognize that even in the State of Florida officials during this period adopted a type of rehabilitation in their prisons that emphasized modernism, professionalism, and relatively humane treatment. However, in Florida the term “rehabilitation” essentially meant modernization and personal development.

The final period in the history of penal reform efforts covers the last third of the twentieth century and the first decade and a half of the twenty-first century. They acknowledge that this period saw the rise of mass incarceration in the United States, followed in the last decade of this century by a new awakening to seeking alternatives to our heavy reliance on incarceration. However, during this period the authors still see the long struggle of actors, rather than some mechanical swing of the pendulum, as propelling penal changes. Moreover, they contend that the notion of rehabilitation did not die during this period, even though it was not as openly embraced by policy makers as in previous decades.

These authors contest the belief of a wide range of commentators who have characterized the late 2000s and early 2010s as the latest swing of the pendulum, “a rupture from the ‘punitive era’ to something new the contours of which remain hazy.” Instead the authors contend that rather than the direct and inevitable product of mechanical structural change or rapid political shifts, they see early twenty-first century reforms principally as the continuation of a long struggle over whom and how to punish in the United States. Thus, while they agree with the dominant narrative that the penal terrain is shifting, they state that it is their *characterization* of that change that differs.

The authors conclude their book with commentary on the three axioms discussed at the beginning in support of their agonistic thesis. The lessons drawn from their analytical approach are: 1) *examine the spaces in between* or periods in which the penal terrain appears settled; 2) remember that penal policies, practices, and priorities depend greatly on local context, and 3) *keep criminal justice in society*, i.e., systematic inequality shapes punishment at the same time as criminal justice contributes to social division and stratification. Their final conclusion and what they consider the most important lesson is to *avoid fatalism*.

Drs. Goodman, Page, and Phelps have written a very important book, one through which this reader learned a great deal about past criminal justice reform efforts. They offer a much more sophisticated approach to understanding the history of penal development in our country than that usually put forward by criminologists. This is partly because they examine this issue as an historian would, looking at the social, political, cultural, and economic context in order to explain why (or why not) change occurs. Also they take a more nuanced approach than that generally followed in the past by examining the crevasses that were forming in periods when it was commonly held that there was a general consensus in penology. Moreover, these authors follow the adage of former U.S. Speaker of the House Thomas P. “Tip” O’Neill that “all politics is local.” Finally, they recognize a truth in American history, that there have always been multiple visions for what is best for this nation and that these visions have been in constant struggle. This is a book that needs to be read, discussed, and debated.

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# INDEX OF ARTICLES AND REVIEWS FOR 2017

*Volume 81, January to December 2017*

## **Criminal Justice System**

Comparison of Recidivism Studies: AOUSC, USSC, and BJS James L. Johnson, No. 1.....	52
Conditions of Supervision in Federal Criminal Sentencing: A Review of Recent Changes Stephen E. Vance, No. 1.....	3
Costs and Benefits of Implementing a Root Cause Analysis Framework into the Queensland Correctional Oversight System Samay V. Zhouand, James M. Byrne, No. 3.....	3
Federal Sentencing Policy: Role of the Judicial Conference of the United States and the Administrative Office of the U.S. Courts Ricardo S. Martinez, No. 2.....	5
Five Questions for the Next Thirty Years of Federal Sentencing Steven L. Chanenson, No. 2.....	23
The Integral Role of Federal Probation Officers in the Guidelines System William H. Pryor Jr., No. 2.....	13
Judge-Involved Supervision Programs in the Federal System: Background and Research Stephen E. Vance, No. 1.....	15
The Presumption for Detention Statute's Relationship to Release Rates Amaryllis Austin, No. 2.....	52
Reflecting on Parole's Abolition in the Federal Sentencing System Douglas A. Berman, No. 2.....	18
State Sentencing Guidelines: A Garden Full of Variety Kelly Lyn Mitchell, No. 2.....	28

## **Interagency Collaboration**

Federal Sentencing Policy: Role of the Judicial Conference of the United States and the Administrative Office of the U.S. Courts Ricardo S. Martinez, No. 2.....	5
Five Questions for the Next Thirty Years of Federal Sentencing Steven L. Chanenson, No. 2.....	23
The Integral Role of Federal Probation Officers in the Guidelines System William H. Pryor Jr., No. 2.....	13
Judge-Involved Supervision Programs in the Federal System: Background and Research Stephen E. Vance, No. 1.....	15
Key Factors to Promote Successful Comprehensive Reentry Initiatives Jeff Mellow, Kevin Barnes-Ceeney, No. 3.....	22
Reflecting on Parole's Abolition in the Federal Sentencing System Douglas A. Berman, No. 2.....	18
State Sentencing Guidelines: A Garden Full of Variety Kelly Lyn Mitchell, No. 2.....	28

## **Juveniles**

What Legally Prescribed Functions Tell Us: Role Differences between Adult and Juvenile Probation Officers Moana Hafoka, Youngki Woo, Ming-Li Hsieh, Jacqueline van Wormer, Mary K. Stohr, Craig Hemmens, No. 3.....	32
--	----

## Legal Articles

Federal Sentencing Policy: Role of the Judicial Conference of the United States and the Administrative Office of the U.S. Courts Ricardo S. Martinez, No. 2.....	5
Five Questions for the Next Thirty Years of Federal Sentencing Steven L. Chanenson, No. 2.....	23
The Integral Role of Federal Probation Officers in the Guidelines System William H. Pryor Jr., No. 2.....	13
State Sentencing Guidelines: A Garden Full of Variety Kelly Lyn Mitchell, No. 2.....	28

## Location Monitoring

The Impact of Location Monitoring Among U.S. Pretrial Defendants in the District of New Jersey Kevin T. Wolff, Christine A. Dozier, Jonathan P. Muller, Margaret Mowry, Barbara Hutchinson, No. 3.....	8
---	---

## Parole

Five Questions for the Next Thirty Years of Federal Sentencing Steven L. Chanenson, No. 2.....	23
Reflecting on Parole's Abolition in the Federal Sentencing System Douglas A. Berman, No. 2.....	18

## Policy

Federal Sentencing Policy: Role of the Judicial Conference of the United States and the Administrative Office of the U.S. Courts Ricardo S. Martinez, No. 2.....	5
Costs and Benefits of Implementing a Root Cause Analysis Framework into the Queensland Correctional Oversight System Samay V. Zhouand, James M. Byrne, No. 3.....	3
Five Questions for the Next Thirty Years of Federal Sentencing Steven L. Chanenson, No. 2.....	23
The Integral Role of Federal Probation Officers in the Guidelines System William H. Pryor Jr., No. 2.....	13
Judge-Involved Supervision Programs in the Federal System: Background and Research Stephen E. Vance, No. 1.....	15
National Variations in Fieldwork Goals, Training, and Activities Walter L. Campbell, Holly Swan, Sarah Kuck Jalbert, No. 3.....	15
The Presumption for Detention Statute's Relationship to Release Rates Amaryllis Austin, No. 2.....	52
Reflecting on Parole's Abolition in the Federal Sentencing System Douglas A. Berman, No. 2.....	18
State Sentencing Guidelines: A Garden Full of Variety Kelly Lyn Mitchell, No. 2.....	28
What Legally Prescribed Functions Tell Us: Role Differences between Adult and Juvenile Probation Officers Moana Hafoka, Youngki Woo, Ming-Li Hsieh, Jacqueline van Wormer, Mary K. Stohr, Craig Hemmens, No. 3.....	32

## Pretrial Services

The Impact of Location Monitoring Among U.S. Pretrial Defendants in the District of New Jersey Kevin T. Wolff, Christine A. Dozier, Jonathan P. Muller, Margaret Mowry, Barbara Hutchinson, No. 3.....	8
The Presumption for Detention Statute's Relationship to Release Rates Amaryllis Austin, No. 2.....	52
Understanding Resistance in Correctional Therapy: Why Some Clients Don't Do What They Should, and What to Do About It Joseph A. DaGrossa, No. 1.....	24

## Prison

Costs and Benefits of Implementing a Root Cause Analysis Framework into the Queensland Correctional Oversight System Samay V. Zhouand, James M. Byrne, No. 3.....	3
--	---

## Probation

Conditions of Supervision in Federal Criminal Sentencing: A Review of Recent Changes Stephen E. Vance, No. 1.....	3
Fugitives From Justice: An Examination of Felony and Misdemeanor Probation Absconders in a Large Jurisdiction Kelli D. Stevens-Martin, Jialiang Liu, No. 1.....	41
National Variations in Fieldwork Goals, Training, and Activities Walter L. Campbell, Holly Swan, Sarah Kuck Jalbert, No. 3.....	15
Understanding Resistance in Correctional Therapy: Why Some Clients Don't Do What They Should, and What to Do About It Joseph A. DaGrossa, No. 1.....	24
What Legally Prescribed Functions Tell Us: Role Differences between Adult and Juvenile Probation Officers Moana Hafoka, Youngki Woo, Ming-Li Hsieh, Jacqueline van Wormer, Mary K. Stohr, Craig Hemmens, No. 3.....	32

## Program Evaluation

Costs and Benefits of Implementing a Root Cause Analysis Framework into the Queensland Correctional Oversight System Samay V. Zhouand, James M. Byrne, No. 3.....	3
Judge-Involved Supervision Programs in the Federal System: Background and Research Stephen E. Vance, No. 1.....	15
A Longitudinal Survey of Newly-Released Prisoners: Methods and Design of the Boston Reentry Study Bruce Western, Anthony Braga, Rhiana Kohl, No. 1.....	32
Removal of the Non-Scored Items from the Post-Conviction Risk Assessment Instrument: An Evaluation of Data-driven Risk Assessment Research within the Federal System Thomas H. Cohen, Kristin Bechtel, No. 2.....	37

## Recidivism

Comparison of Recidivism Studies: AOUSC, USSC, and BJS James L. Johnson, No. 1.....	52
The Impact of Location Monitoring Among U.S. Pretrial Defendants in the District of New Jersey Kevin T. Wolff, Christine A. Dozier, Jonathan P. Muller, Margaret Mowry, Barbara Hutchinson, No. 3.....	8
A Longitudinal Survey of Newly-Released Prisoners: Methods and Design of the Boston Reentry Study Bruce Western, Anthony Braga, Rhiana Kohl, No. 1.....	32

## Reentry

Key Factors to Promote Successful Comprehensive Reentry Initiatives Jeff Mellow, Kevin Barnes-Ceeney, No. 3.....	22
---	----

## Risk Assessment

Removal of the Non-Scored Items from the Post-Conviction Risk Assessment Instrument: An Evaluation of Data-driven Risk Assessment Research within the Federal System Thomas H. Cohen, Kristin Bechtel, No. 2.....	37
---	----

## Training

National Variations in Fieldwork Goals, Training, and Activities Walter L. Campbell, Holly Swan, Sarah Kuck Jalbert, No. 3.....	15
--	----

## Book Reviewed

<i>Breaking the Pendulum: The Long Struggle Over Criminal Justice</i> By Philip Goodman, Joshua Page, and Michelle Phelps, No. 3.....	52
--	----





