

# Federal PROBATION

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## Introduction to Special Issue on Moving with Research to Results

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**THE INCREASED CALL** to measure results at the national and local levels of government has resounded within the federal probation and pretrial services system. The leadership within the U.S. Courts' probation and pretrial services system has been working on ways to measure outcomes, rather than measuring actions. We saw the need to reach a point where we could demonstrate with hard data the results of our efforts—our accomplishments, the benefits to society—rather than simply describing the services we provide.

While accepting the challenge of better measuring our results, we simultaneously renewed our commitment to using research to drive our national policies and practices. We've been reading and sharing research findings and have developed and revised many policy documents and training programs to support incorporating research-based findings into our daily work

In this special issue of *Federal Probation*, we've included articles that describe how the system at large has progressed in this regard, and how individual offices have undertaken various levels of change to move their offices forward. Change is taking place at varying levels and at varying paces throughout the system. The articles presented here will portray in words the efforts of the federal probation and pretrial services system to become a results-based system that supports behavior change in offenders and defendants as a means to protect the community.

In the lead article, "Results-Based Management in Federal Probation and Pretrial Services," John M. Hughes, the Assistant Director of the Office of Probation and Pretrial Services, describes the movement of the system in the past decade and the involvement of the various stakeholders in making such progress possible. This article lays the foundation and gives perspective for those that follow. First among these is Melissa Alexander and Scott VanBenschoten's "The Evolution of Supervision in the Federal Probation System," which details the Administrative Office of the U.S. Courts' efforts to provide additional funding and technical support to select probation and pretrial services offices to pilot test some research-based practices and techniques.

Janet T. Davidson, Richard Crawford, and Elizabeth Kerwood then outline the "Hawaii Model" of using Evidence-Based Practices (EBP) to reduce the likelihood that an offender will commit a new crime. The probation office in the district of Hawaii has been working for three years on developing a new model of post-conviction supervision. This article describes the comprehensive approach to move federal supervision of offenders from a compliance model, focused on responding to violations of supervision, to an outcome-based model for supervision that focuses on reducing future anti-social and/or offending behavior to affect long-term public safety. While the "Hawaii Model" incorporates the three components of adopting evidence-based principles,

organizational development, and collaboration, the article provides more detail on the description and adoption of each of the eight evidence-based principles for effective interventions.

Focusing on the importance of organizational change, Robert J. Askelson contributes “Organizational Change in the Heartland of Opportunity.” In this article Askelson looks to the past leadership of the federal probation office in the Northern District of Iowa as the foundation from which to build a new leadership style, shifting from a hierarchical control paradigm to one of empowering staff to become leaders in the organization, better able to implement and support the use of evidence-based principles.

The first of the eight principles described in the Hawaii Model, and one of the foundational principles of offender supervision, is the importance of accurately assessing the offender’s risk and needs. Scott VanBenschoten traces the historical use of risk assessment instruments in federal probation and discusses our plans to develop a national tool that would identify risk and needs, and would direct the actions of the probation officer through the case planning process. He also notes the current situation of several probation offices choosing off-the-shelf assessment instruments while awaiting the development and implementation of one instrument for use nationally.

Several of the remaining articles describe more specific programs that have been developed or selected for implementation under the umbrella of research-based programs expected to reduce recidivism in post-conviction supervision populations.

Chris Hansen provides an historical perspective for cognitive behavioral interventions, recounting 1) the development of cognitive therapy beginning with Plato, 2) the development of behavioral therapy beginning with Pliny the Elder, and 3) the more recent blending of cognitive and behavioral therapies to form Cognitive-Behavioral Therapy, or CBT. Hansen then presents research findings on the use of CBT in corrections, followed by a description of each of the most common pre-packaged CBT programs for community corrections. Finally, Hansen discusses an innovative offender CBT journaling program that he and a few other chief probation officers helped to develop.

Michael McGrath accepts the great value of CBT programs, but also recognizes that certain rural communities, like many that his officers serve in North Dakota, don’t have the available community resources or ability to get offenders together for a group process. Approximately one half of the offenders on federal supervision in North Dakota are Native American. There are cultural and social dynamics in that population that may make it necessary to consider exploring alternate approaches to CBT programs. In “Making ‘What Works’ Work for Rural Districts,” McGrath outlines an innovative at-home cognitive life skills study course designed to follow the principles of CBT. The article describes the results of an evaluation conducted on 50 offenders who participated in this program. The author found a reduction in each of the identified criminal thinking pattern categories of the Texas Christian University Criminal Thinking Scale.

Laura Knollenberg and Valerie A. Martin report on a process evaluation they conducted of the Western District of Michigan’s Accelerated Community Entry Program (ACE). This program is modeled after the reentry court structure and was developed to address the needs of high-risk offenders returning to Berrien County, Michigan after a term of incarceration. This article presents the findings of a process evaluation that included face-to-face interviews and surveys with participating offenders and participating court personnel. Although the sample size was quite small, the evaluators were able to determine that protocols related to community participation, substance abuse issues, rewards and consequences, and professional team members’ roles were adhered to according to program design.

Two articles describe the adoption, implementation, and preliminary measurement of Motivational Interviewing in federal probation offices. Motivational Interviewing is a style of communication first used in the treatment field and now being applied in criminal justice settings. Melissa Alexander, Scott W. VanBenschoten, and Scott T. Walters discuss the eight stages of learning Motivational Interviewing and the model implementation plan developed for

federal probation offices. Scott T. Walters, Melissa Alexander, and Amanda M. Vader follow with “The Officer Responses Questionnaire: A Procedure for Measuring Reflective Listening in Probation and Parole Settings.” This article traces the development of a questionnaire to measure a probation officer’s ability to listen and respond with empathy. The Officer Response Questionnaire (ORQ) was administered on 80 officers in 5 districts, and the process and findings are delineated here.

In Jack McDonough and William D. Burrell’s, “Offender Workforce Development: A New (and Better?) Approach to an Old Challenge,” we learn of an initiative to work with offenders to find them meaningful, long-term employment opportunities. This effort has been gaining momentum for several years in the federal probation system, and the article describes its implementation in the District of Delaware.

Given all the change being discussed here for federal probation offices to undertake, the impact on the staff and the role of the probation office is surely an issue of interest. James Paul and Lisa Feuerbach wrote “A Changing Role: Perspectives from Two Officers” to help inform the issue. These two officers from the Northern District of Iowa describe how they have seen their roles change as the district has moved toward adopting evidence-based practices.

Finally, we round out this special issue with the inclusion of two articles about the role of evidence-based practices in pretrial services. All of the federal courts have responsibility for completing an investigation of defendants immediately upon their arrest, making a recommendation to the judge regarding the appropriateness of the defendant’s release to the community while awaiting trial, and supervising those defendants who are released pretrial. All of the research behind evidence-based practices for community corrections has been conducted on post-conviction supervision clients, and all of it has as its goal the reduction of recidivism. The two articles by Carol M. Miyashiro and Timothy P. Cadigan address the applicability of the post-conviction supervision principles to the pretrial population. Both ask for a more critical review of what really is best for pretrial services outcomes. This special issue takes a snapshot in time of the workings of the federal probation and pretrial services system. Things are rapidly changing and the programs and efforts described here will continue to evolve. The hard work being undertaken by the districts represented here, and other districts not represented here, will surely add to the body of knowledge about what works in community corrections. We are addressing the challenge of accurately measuring the impact of these changes on our ultimate goals of serving the courts and protecting society. This is difficult but incredibly important work, and the leadership of the federal system is determined not to let this effort fail. We hope that the information presented here helps inspire and challenge the readers and opens lines of communication to make the most of the expertise and experience of those among us.

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## Results-Based Management in Federal Probation and Pretrial Services

*John M. Hughes,  
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**THE FEDERAL JUDICIARY** is committed to developing a results-based management and decision-making framework for its probation and pretrial services program. This article will describe progress in the largest area of that program: post-conviction supervision by probation officers. <sup>1</sup> The goal is to collect, analyze, and use data from probation officers' electronic case files and a variety of other sources to inform decision-making and drive performance improvements aimed at reducing recidivism and fostering long-term positive changes in individuals supervised. On an ongoing basis, we want the ability to test underlying assumptions about the relationship between supervision practices and supervision outcomes.

The process has necessarily been slow and methodical. After all, we are attempting to transform a large system that spans all 50 states and United States territories, <sup>2</sup> but also one that places considerable decision-making autonomy in each of the 94 district courts.

The governance structure of the federal judiciary is largely decentralized. The judiciary governs itself primarily through local mechanisms, with the Judicial Conference and the circuit councils setting policy and providing guidance where necessary. Judges at the local level enjoy considerable latitude to structure their court operations to suit local conditions. <sup>3</sup>

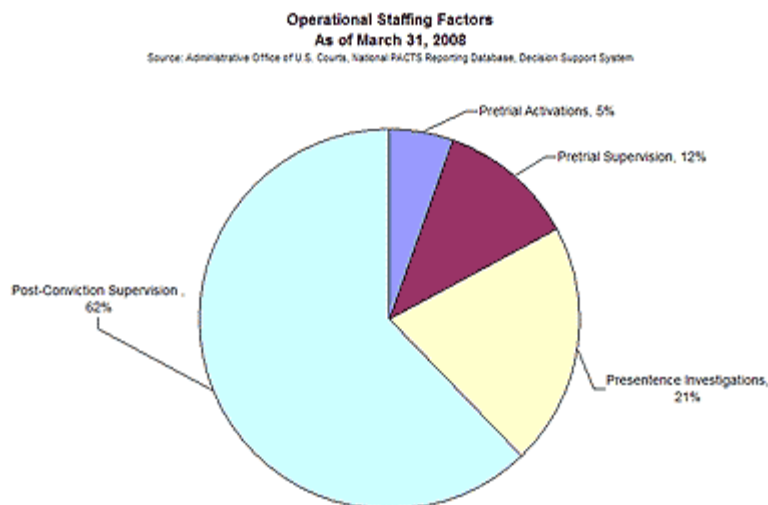
Day-to-day operations of probation offices are managed locally, including the hiring and managing of staff and the use of resources. <sup>4</sup> While chief probation officers may only be removed for "cause," they—and chief pretrial services officers—understandably conform their offices to the culture and practices of the court. This ensures adaptability to local conditions and responsiveness to the needs of the courts. It also can make implementation of national policies and initiatives challenging.

We have made progress toward becoming results-based in our decentralized system through consensus building, collaboration, and communication, which will be discussed below. Essential to making progress, however, has been the strong leadership of the Criminal Law Committee of the Judicial Conference of the United States. <sup>5</sup> The Committee, which has broad jurisdiction over the federal probation and pretrial services system, is firmly committed to the overall strategic direction to become results-based <sup>6</sup> and also has expressed support for the use of evidence-based practices (EBP) in developing probation and pretrial services policies. In that regard, the Committee was particularly influenced by a study in Washington State (see Aos, Miller, & Drake, 2006). Further, the Committee seeks to use empirical cost-benefit analyses in developing and justifying the annual budget request for the probation and pretrial services program.

Eventually, we will have the ability to measure performance for all parts of probation and pretrial services work: 1) pretrial services investigations; 2) pretrial services supervision; 3) presentence investigations; and 4) post-conviction supervision. Some efforts have been made in each area, but our initial focus has been on

post-conviction supervision because it is the single largest part of the system's workload and budget.

**Figure 1**



## Evidence-Based Practices

Our strategic goal to become a results-based program fits hand-in-glove with adopting evidence-based practices (EBP). In fact, while we build the outcomes-based system, we have been promoting EBP on our website, in our newsletter, and in other communications. [7](#) We have made presentations about our strategic goal and also promoted EBP at dozens of conferences, training events, and new chief orientations since 2006. [8](#) The Federal Judicial Center (FJC) [9](#) is complementing this effort in 2008 with programs for U.S. circuit, district, and magistrate judges that address offender re-entry and EBP. The AO has added staff with EBP expertise and has made them available to probation and pretrial services offices seeking training or guidance. We established the Research-to-Results (R2R) pilot in 18 sites [10](#) in 2006 to introduce various EBPs and learn more about how to implement them on a broader scale.

## How We Got Here

We have followed three tracks over the past several years to arrive at the simple goal of becoming a performance-based system. Each track is described in the first section of this paper:

- two “futures planning” conferences;
- a broad strategic assessment by a team of independent consultants; and
- a collaborative effort by court subject matter experts, FJC and AO staff to improve post-conviction supervision policies, including substance abuse and mental health issues.

The rest of the paper will describe how we developed a methodology to become a performance-based system and how we are developing the technology with which to make it a reality.

## I. The Three Tracks

### A. Futures Planning

*The End of “Nothing Works”.* Two futures-planning conferences of chief probation and pretrial services officers sponsored by the Federal Judicial Center (FJC) [11](#) were invaluable in developing a strategic vision unique to federal probation and pretrial services and reaching consensus on the system's goals and values. Nearly all chief probation and pretrial services officers participated in the first one in San Antonio in 2000, the theme of which was “Working Together to Shape the Future.” Structured brainstorming sessions were particularly successful at generating lively discussions not about what the system does, but about what the system should be trying to accomplish. Many participants noted that it was refreshing after so many years under the cloud of “nothing works” that they were once again agreeing that people *can* change, and that proactive interventions by officers *can* facilitate long-term, positive changes in offenders. A common

observation was “this is why I got into this business in the first place.”

The enthusiasm generated at the conference was accompanied by wide agreement that Congress and the public will hold the system increasingly accountable in the future and that we must establish desired outcomes that are clear, measured, and communicated. While other goals were identified, <sup>13</sup> the importance of clarifying and agreeing upon the core mission and creating a system by which to measure desired outcomes emerged as the top priorities.

The clearest direction that emerged from the futures exercises was agreement on the need for a shared understanding of our core mission *plus* increased accountability to one another, the public, and our funding sources for accomplishing the objectives that comprise the mission. <sup>14</sup>

Following the 2000 conference, the FJC established working groups of chiefs and FJC and AO staff to maintain the momentum. The efforts continued at another chiefs conference in Salt Lake City in 2002, when the chiefs reached agreement on a *Charter for Excellence*, a document that spells out a shared understanding about the work of probation and pretrial services officers, the goals that matter most, and the values that the system stands by.

**Figure 2**  
*Charter for Excellence*



*Conceived at the Federal Judicial Center's 2000 and 2002 National Chiefs' Conference*

At the 2002 conference, chiefs agreed that the *Charter* would be a useful tool to help shape a common system culture and influence how everyone in the system does his or her work on a day-to-day basis. They felt that *Charter* principles could influence how we implement policy, procedures, and other operational



processes. They suggested that events at the district, circuit, and regional levels could be centered around promotions of the *Charter*. Toward this end, the FJC formed a working group made up of chiefs and AO and FJC staff to keep emphasis on the *Charter* and ensure its lasting relevance. <sup>15</sup> The group, whose work continues, has tracked how probation and pretrial services offices have implemented the *Charter* and continues to look for ways to maximize its value to the probation and pretrial services. <sup>16</sup>

### *B. The Strategic Assessment*

The AO contracted with a team of independent consultants, led by IBM Business Consulting Services, <sup>17</sup> in 2000 to conduct a comprehensive strategic assessment of the federal probation and pretrial services system. The purpose of the study was to make recommendations for ensuring the future quality and success of the probation and pretrial services system through analysis, comparative research on other systems, and broad consultation with outside experts, judges, probation and pretrial services staff, and other stakeholders.

The IBM “Study Team” collected and analyzed quantitative and qualitative data to identify what the system does well, what could be improved, and what factors facilitate or impede the quality of service delivery in each of the system’s functional areas, including pretrial services investigations and supervision, presentence investigations, and post-conviction supervision. More specifically, the Study Team:

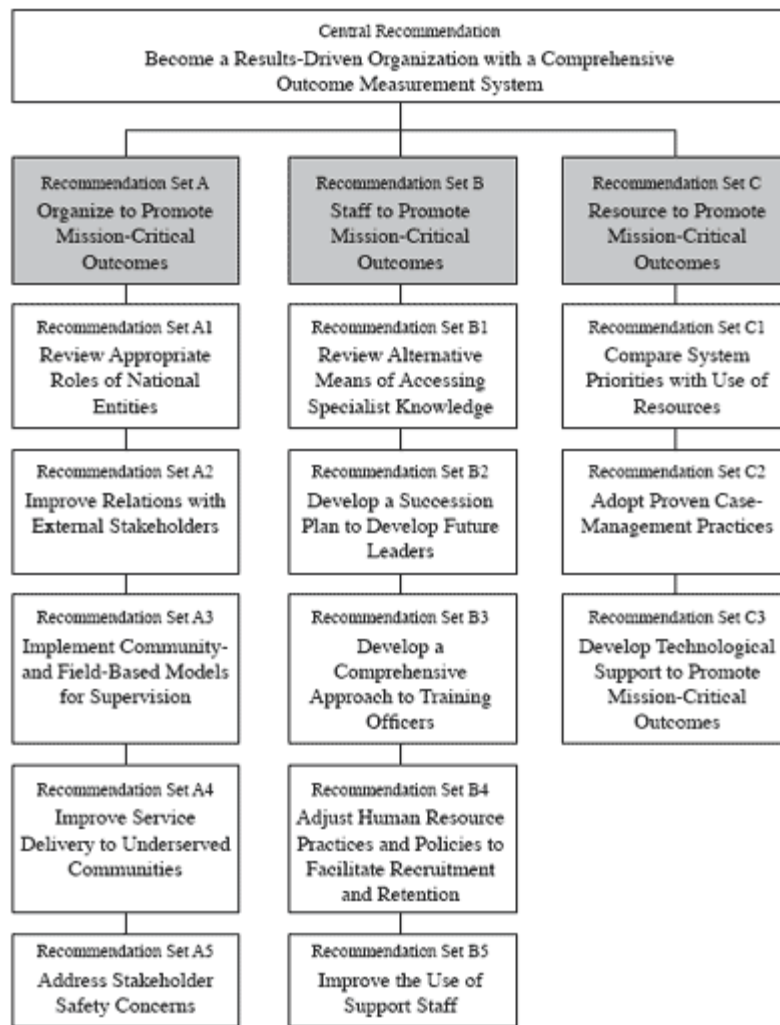
- reviewed all relevant statutory and regulatory directives, policy and program guidance, planning documents, and research studies;
- analyzed historical and projected workload, budget and staffing data;
- conducted interviews with more than 300 individuals, including past and present system leaders on the Criminal Law Committee and the Chiefs Advisory Group, and the AO, and other stakeholders in the Department of Justice, the Federal Judicial Center, the United States Sentencing Commission, the General Accountability Office, prosecutors, defense bar, and staff of the Senate Judiciary Committee;
- conducted focus groups totaling 170 individuals from 20 district courts; <sup>18</sup>
- surveyed a random sample of 110 federal district judges and 115 federal magistrate judges <sup>19</sup>;
- surveyed all chief probation and pretrial services officers; <sup>20</sup>
- researched how other probation and pretrial services operations are generally organized. <sup>21</sup>

The result of the Study Team’s work was published in a September 2004 report (see *Strategic Assessment*, 2004) that noted “staff are highly regarded by internal and external stakeholders” and that “stakeholders generally reported satisfaction with system functions.” The report also noted: “Although considerable resources are devoted to reviewing the extent to which district procedures and activities comport with national standards, the system currently conducts only limited assessment of the outcomes of its work.”

The Study Team explained that it was not possible to assess the effectiveness of policies and procedures because the system did not have a performance-based management system that links mission and goals to strategies and anticipated outcomes. The IBM report contained three sets of recommendations, each with several steps. The main recommendation was to “become a results-driven organization with a comprehensive outcome measurement system”. The consultant recommended that we seek expert assistance to deal with the complexities of creating such a system. The complete list of recommendations is shown below.

### **Figure 3**

#### *Recommendations Overview*



### C. Fine Tuning Our Post-Conviction Supervision Practices

In January 2000, at around the same time that the AO and chiefs were working with the FJC on our “desired future,” and while the team of consultants was getting started on the strategic assessment, the AO formed a working group to review and update the supervision policies contained in *The Supervision of Federal Offenders* (Monograph 109). <sup>22</sup> One objective was to ensure that recent crime legislation and court decisions were reflected in our policies. Another was to incorporate practices from the literature that had been shown by research to reduce recidivism.

*The Supervision of Federal Offenders* helped lay the groundwork for transforming post-conviction supervision into an outcomes-based program. First of all, it clearly defined the desired outcomes of post-conviction supervision as “the execution of the sentence and the protection of the community by reducing the risk and recurrence of crime and maximizing offender success during the period of supervision and beyond.” <sup>23</sup>

The goal of supervision in all cases is the successful completion of supervision during which the offender commits no new crimes, is held accountable for victim, family, community and other court-imposed responsibilities, and prepares for continued success through improvements in conduct and condition. The emphasis on *continued success* after the period of supervision is in recognition that our ultimate goal is to change the offender’s behavior and thereby protect the community and reduce costly recidivism.

The new policy recognizes that successful reentry into the community is fostered by having the probation officer engage the offender as early as possible in planning, preferably while the offender is still in custody. Early involvement allows the officer to identify basic survival needs and interventions that will support the offender and make success more likely (see Taxman, Byrne, & Young, 2003). While good probation officers have always developed initial case plans that recognize the risks, needs, and strengths of each individual

offender and apply a corresponding level of supervision, the policy now clearly emphasizes this practice in all cases: “The purpose of supervision planning is to create an evolving, individualized outcome-based plan of action to monitor compliance with the conditions of release and intervene as necessary to address any identified risks.”

Whether to control risk or provide treatment, the level of supervision should be proportionate to what is needed and not more. Officers use the Risk Prediction Index (RPI) [24](#) to statistically estimate the likelihood that the offender will be arrested or have supervision revoked, but they also consider other types of risks presented by the individual, including the risk of committing sexual abuse or associating with criminals. Officers also identify needs, such as for stable residence, meaningful employment, and substance abuse and/or mental health treatment. They also identify strengths on which the offender may build to increase the likelihood of success, such as a particular talent, strong motivation, and a supportive prosocial community network of family and/or friends. We recognize the need for a standard risk/needs assessment tool for use in the federal system and hope to have one soon, but in the meantime it is the policy that probation officers assess each offender on a case-by-case basis using the RPI and all information available and tailor the case plan accordingly.

Community supervision is now more clearly viewed as a dynamic, issues-driven process in which the probation officer must stay informed and be responsive, intervening as necessary with strategies tailored to changing risks, needs, and strengths of each individual under supervision. Planning must include specific goal-directed objectives to be accomplished by the offender and monitored by the officer. The offender must be actively engaged in planning his own future. The officer is expected to develop different or additional approaches in response to emerging risk issues or instances of noncompliance, and to discontinue planned strategies that no longer have a purpose or are not working .

To achieve the desired outcomes of supervision, probation officers are expected to apply the principles of good supervision in every case. Their application will help to ensure that supervision resources are applied where they are needed the most and are not wasted on cases where little or no intervention is necessary. Good supervision is:

- individualized—tailored to the offender’s risks, needs, and strengths
- proportional—involving the least intrusive means necessary
- purposeful—directly related to the case objectives
- multidimensional—using concurrent strategies from a variety of disciplines
- proactive—actively monitoring changes in behavior
- responsive to changes— adjusting as needed on an ongoing basis

Before issuing the revised *Supervision of Federal Offenders* (Monograph 109), the AO and the FJC had partnered to develop a training and implementation plan. Among other reasons, we wanted to ensure that the new focus on outcomes and the officer’s proactive role was understood. [25](#)

The AO established a separate working group in 2005 to focus specifically on the supervision of offenders in need of substance abuse and mental health treatment. [26](#) The group met often over the next two years to develop proposed revisions that would bring the *Supervision of Federal Offenders* in line with current knowledge in the field of substance abuse treatment and probation supervision. Substance abuse treatment concepts were clarified.

- A Model for Positive Change: This section outlines a conceptual model that explains how to assist offenders in making long-term changes to their behavior.
- Role of the General and Treatment Specialist Officer: This section outlines the responsibility of the officer and responsibility of the treatment specialists.
- Confidentiality and Disclosure: This section addresses the complexities of what information must be kept confidential and under what circumstances this information can be released.
- Correctional Strategies: This section provides detail about strategies that will encourage offender behavior change. Topics covered in this section include case planning, treatment referrals, treatment matching, program fidelity, and the use of incentives.
- Controlling Strategies: Despite all of the probation officer’s efforts to the contrary, some offenders fail to comply with the conditions of the court. This section provides guidance in monitoring and

responding to non-compliance. Topics covered in this section include drug and alcohol testing and responding to relapse.

The section dealing with mental health treatment was also updated to reflect current knowledge in the field of mental health treatment and probation supervision, including treatment for both mental health and substance abuse disorders, as the working group reasoned that it is often difficult to disentangle the two disorders. Examples of guidance that are new to the monograph include the following:

- **Correctional Strategies:** This section addresses how to intervene in order to stabilize an offender's mental illness while identifying and addressing the root cause(s) of criminal behavior. Topics in this section include case planning, screening and assessment, treatment selection, treatment fidelity, and the use of incentives.
- **Controlling Strategies:** Mental illness symptoms can cause non-compliance in probation supervision. This section provides guidance to understand and treat mental illness while keeping both the offender and the community safe. Topics addressed in this section include managing non-compliant behavior, managing decompensation, responding to threats of violence and emergency mental health commitments.
- **Concurrent Planning:** Offenders with mental illness may need lifelong formal medical care to manage their symptoms. This section provides guidance for officers to assist offenders in establishing community-based services that will exist beyond the term of supervision.

Chiefs, deputy chiefs, supervising officers and the AO are again working with the FJC to introduce the new changes to the *Supervision of Federal Offenders* and provide training. [27](#)

## **II. Building the Infrastructure**

### *A. Developing the Methodology*

In March 2004, the AO invited experts on outcome measurement methodology to serve on an ad hoc panel to help refine operational definitions and associated measures for each "desired outcome" and suggest statistical approaches for analyzing the information that will assure "apples-to-apples" comparisons and allow benchmarking with other programs. The panel was made up of the directors of research for the Federal Judicial Center and the Federal Bureau of Prisons, and academics from Temple University and the University of Maryland. [28](#)

The panel recommended that the AO use the same measures of recidivism used at the Federal Bureau of Prisons because of the significant population overlap and because the research could be efficiently coupled. The AO thus adopted two measures of recidivism: 1) arrests for new criminal offenses, and 2) charges for new criminal offenses with revocations resulting in a return to federal prison. The panel also recommended following cohorts of offenders received for supervision for uniform follow-up periods, including periods beyond the conclusion of supervision.

Regarding substance abuse, the panel recommended that the AO use definitions in common use by the substance abuse treatment and prevention community, including SAMHSA and NIDA, regarding the characteristics of the abuse, interventions, and treatment, and both program outcome and treatment outcome. The AO adopted the following definition of substance abuse: the use of illegal drugs or maladaptive patterns of use of alcoholic beverages and other legal substances, including prescription drugs. Because legal and illegal substances are treated differently under this definition, the two should be treated differently in the results-based framework. Drug abuse is the use of illegal drugs, including occasional use, maladaptive patterns of use and dependence. Alcohol abuse is a maladaptive pattern of alcohol use or dependence on alcohol.

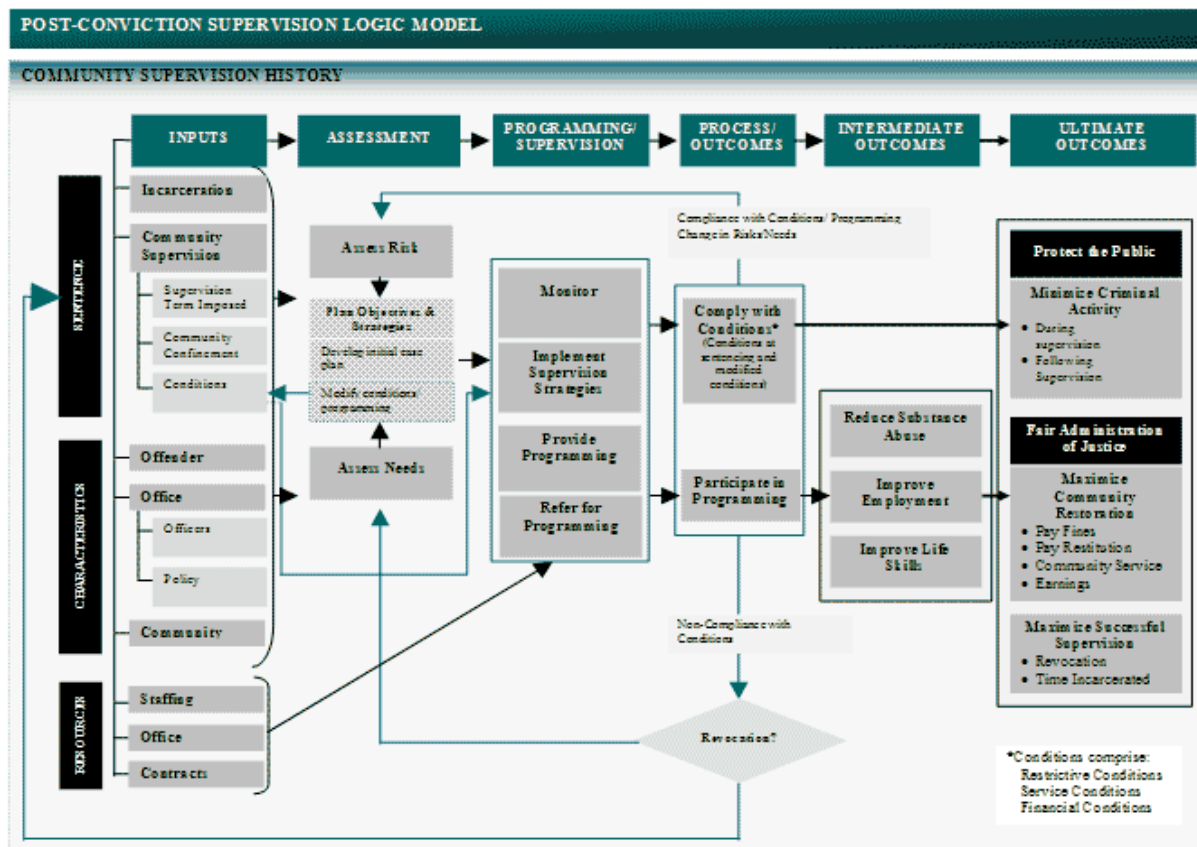
The AO created a Data Analysis Branch to evaluate, analyze, and recommend data quality improvements that address data accuracy, timeliness, and accessibility. We also formed a "data quality improvement working group" chaired by a chief probation officer; developed and distributed a data quality manual; created a data quality web site; and held regional conferences in Philadelphia, Memphis, and San Diego for a total of 287 data quality analysts and managers from probation and pretrial services offices from every district. The essential message we conveyed repeatedly was that data will become more and more important in the future

and that each probation and pretrial services office needs to develop local data quality improvement programs.

In April 2005, the AO contracted for expert help in identifying the steps that must be taken to develop the technical aspects of the results-based framework. As a start, the contractor conducted a comprehensive search of official sources [29] and created a glossary of key terms identified by the ad hoc expert panel and others that would be used in the development and documentation of our outcome-based decision-making framework, [30]. We hope this will avoid confusion about terms and definitions as we proceed.

With input from system stakeholders, the contractor also developed a “logic model” that depicts how supervision and programming support for persons under supervision are thought to be linked to desired outputs, interim outcomes, and ultimate outcomes. The purpose was to help visualize how we can test underlying assumptions about the relationship between what the system *does* and what it is trying to *accomplish*, and what other factors are thought to influence this relationship. The contractor recommended seeking expertise in advanced statistical techniques that can be applied to test the relationships in the logic model between discretionary processes while controlling for inputs that are primarily static and outside the control of the probation officer [31].

Figure 4



In September 2006, the AO entered into a contract to obtain that expertise. [32] The contractor first refined the logic model in order to organize its analyses and begin to quantify the paths of the model. Refinements will continue over time, but the evolving logic model reasonably represents the commonly-accepted understanding of how the system works.

The contractor created an analysis file made up of data from more than 100,000 supervision terms commenced in fiscal years 2005 and 2006. This cohort will be followed over time, with additional data being added from other judiciary sources and external sources to the analysis file as it becomes available. When this is complete, we will have a sound baseline on which to conduct more sophisticated analyses to see relationships among variables in ways not previously possible and move us closer to having the capacity to conduct causal analysis.

## B. Upgrading the Technology

A basic challenge that we face is transforming a data-collection system that had evolved over the years for administrative purposes into one that could also be used for research. For example, for accounting purposes we tracked spending on substance abuse treatment, but not treatment or relapse prevention services for which there were no expenditures. Likewise, we knew what we paid for drug testing and the results when officers used contract laboratories, but not when they used other testing methods paid for locally. While we had data concerning actual revocations, we lacked data concerning strategies applied to non-compliance with conditions short of revocation.

We had already begun in October 2001 to roll out a second major generation of the Probation and Pretrial Services Automated Case Management System (PACTS) well before the *Charter for Excellence* (2002), the new *Supervision of Federal Offenders* (2004) and the Strategic Assessment (2004) were complete. We have since tried to address limitations by adding data elements to PACTS that will support our analyses, but have had mixed results. For example, a July 2004 release added data elements to capture data for non-contract treatment services, including in-house, “free” community-based programs, and private providers paid by the offender. Unfortunately, the use of the new data elements is spotty across the system as many officers fail to enter the information. This has been true with other data elements as well.

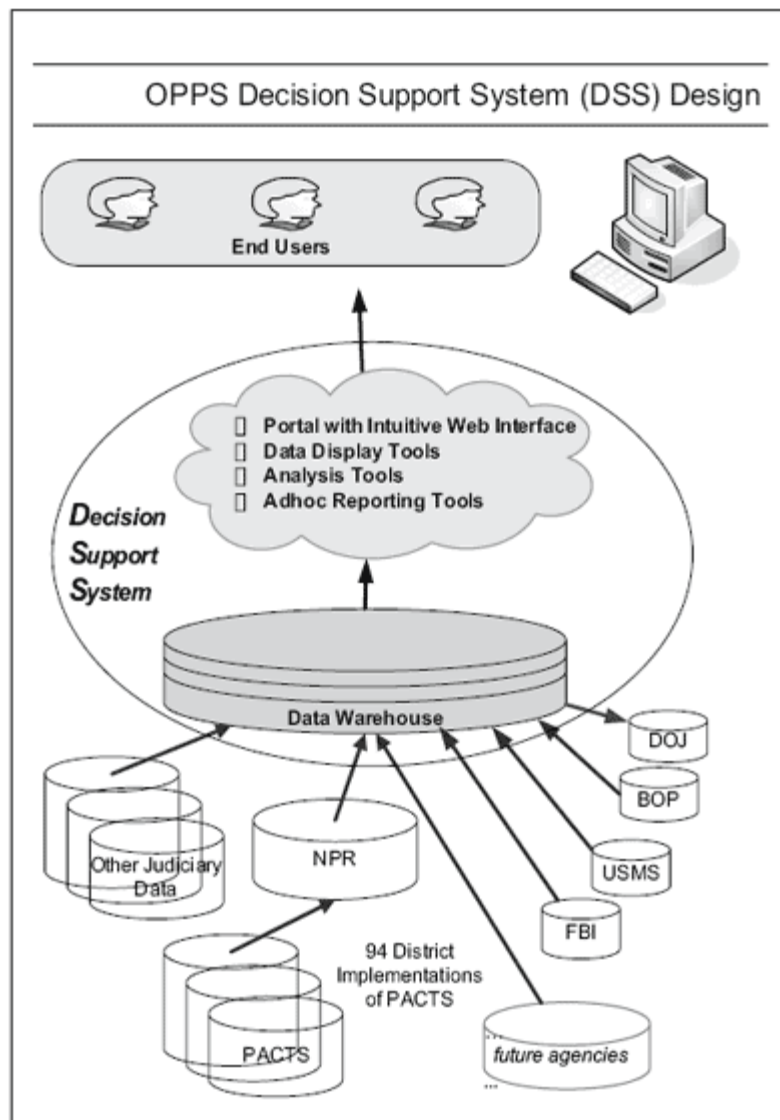
We recognize that officers are not normally keen on collecting data and doing paperwork more relevant to research than to day-to-day operations. Plus, we would rather they spend their time supervising offenders and serving the court. For both these reasons, our long-term goal is to extract outcome measures and other data directly from the automated case management tool used by officers in their day-to-day duties. We are developing the Electronic Reporting System (ERS), for example, to allow treatment vendors, drug labs, and even offenders to communicate with officers via the Internet. This will make case management more efficient for officers while also allowing us to capture that information for research purposes. In this way, data will simply be a by-product of officers using the system and its collection would be mostly invisible. Further, we assume that data actually used by the officer in the course of managing cases will be more accurate than data entered solely for statistical gathering purposes.

“PACTS Generation 3” is currently under development as a replacement for the current generation, and is expected to be rolled out in fiscal year 2011. PACTS Gen3 will be more useful to officers as a day-to-day tool and will be more intuitive. It is being designed from the ground up by officers<sup>33</sup> for officers and will likely carry a significantly different user interface from the current version of PACTS. There will be one record per offender regardless of how many districts may have investigated or supervised the individual. Further, it will for the first time create a single national database containing all cases opened by probation officers in all 94 districts. PACTS Gen3 will result in a superior case-management tool providing managers and policy makers with a greatly enhanced outcomes-based framework. It will better enable users to “plug-in” locally developed applications. With one record per client, users will simply click on the screen to transfer information and will no longer have to send electronic and paper documents

While PACTS will remain our principal data source, we are working with other parts of the judiciary<sup>34</sup> and other government agencies to add a variety of rich sources to the analyses and move us closer to cause-effect analyses of relationships among variables. So far, we have agreements with the Bureau of Prisons,<sup>35</sup> the FBI,<sup>36</sup> and the Bureau of the Census to obtain data, and are in discussions with others.<sup>37</sup>

Simultaneously, we are developing the Probation and Pretrial Services Decision Support System (DSS)<sup>38</sup> as the means to integrate those mountains of data in a single “data warehouse” that we call the National PACTS Reporting (NPR) System. In combination with business intelligence (BI) tools, we will be able to combine the data in any order at different levels of summarization over various time periods.<sup>39</sup> In short, it will turn data into useful information.

### Figure 5



### III. Collaboration and Communication

Over the past eight years we have pursued the goal of creating a results-based system with a comprehensive outcome-measurement system. Despite our decentralized structure, system leaders reached consensus in developing the *Charter* that we are a national system with shared goals and values and will work collaboratively to achieve those goals. Further, we have shaken off the “nothing works” era and reinforced a system-wide belief that proactive interventions by officers *can* facilitate long-term, positive changes in offenders.

Our efforts have been collaborative: working groups of chiefs, deputy chiefs, supervising officers, senior officers, and line probation and pretrial services officers from all over the system have been involved in different parts of the effort. <sup>40</sup> We have worked closely with the FJC and have consulted criminal justice experts from academia <sup>41</sup> and entered into contracts for technical expertise and business intelligence software. Slowly B but surely B a results-based decision-making framework is taking shape.

Ongoing communication about our strategic direction would be important in any case, but is especially so in the federal probation and pretrial services system due to mandatory retirement at age 57. Of the 119 chiefs on board at the time of the 2000 National Chiefs Conference, when the call to become outcomes-based was first uttered, a total of 92 (77 percent) retired over the next eight years. Given that high rate of turnover, the AO has paid particular attention to maintaining continuity. We have made presentations about our strategic direction and tied it to a promotion of EBP at dozens of conferences, training events, and new chief orientations. In 2006, we held the first of many “Chiefs and Deputy Chiefs Administrative Meetings” as a means to discuss the strategic direction in which we are going as well as EBP and “nuts and bolts”

administrative issues. These meetings have been particularly helpful in discussing our strategic direction [42](#).

## Conclusion

As we get closer to completing the technical infrastructure, we get more excited about the possibilities of testing assumptions about the relationship between what officers *do* with actual accomplishments. Most of us got into this business to make a difference and will welcome the possibility to learn how to do that more effectively. We inherited an excellent system from those who came before us, and want to leave it not just in good shape, but with the means for continuous improvement for many years to come.

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## The Evolution of Supervision in the Federal Probation System\*

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**OVER THE PAST** 10 years, the industry of probation has evolved at an unprecedented rate (see the recent report by the National Research Council, 2007). This rapid change is associated with advancements in social science research, pressure from legislators to spend money efficiently and effectively, and the public's expectation regarding the role of supervision to reduce crime. Supervision officers are still required to monitor behavior and report violations to the court, but a renewed focus is on a relatively new and equally important role: reducing future criminal behavior. The evolution continues, but the philosophy is firmly grounded. Probation must succeed with two basic outcomes: public protection and recidivism reduction (for a discussion see NIC, 2005: Taxman, Shepardson, & Byrne, 2004).<sup>1</sup>

Probation systems across the world are seeking improved methods to optimize their outcomes. England has conducted a massive system-wide reorganization to support their philosophical shift to outcomes at both levels. Canada continues to invest significant resources into researching their practices and making adjustments based on their results. Although slower than some of their international counterparts, the federal probation system has also made a major philosophical shift. No longer is federal probation simply interested in measuring traditional outputs, but instead it has made a firm commitment to become an outcome-driven agency where resources and energies are focused around achieving targeted goals of protection and recidivism reduction. The following is a brief history of this change, the current action plan, and the future strategy that guides the transformation of the Administrative Office of the U.S. Courts and the federal probation system.

### Background

The United States probation system was created in 1925 by federal law. For over 80 years, federal probation was an innovator and leader in the area of supervision techniques, drug testing, and technology. This innovation and industry leadership was the product of 94 probation districts spread across the country. Each of these districts has significant autonomy, reporting directly to the chief judge of the respective geographical district. Collectively, the agency supervises 160,000 probation and 26,000 pretrial releasees in the federal criminal justice system. Use of the federal system in the handling of street and other criminal behavior has escalated

over the past two decades due to changing federal laws and prosecution decisions made by U.S. attorneys. This has resulted in significant growth in the use of federal probation services. The policies and procedures of federal probation affect communities nationwide.

Despite this local autonomy, the system maintains cohesion through the Administrative Office of the United States Courts (AO). The AO provides national policies via written monographs outlining expected activities, and supports the courts in such areas as procurement, personnel, budgeting, and technology. The AO serves as the administrative headquarters in a decentralized system. The administrative headquarters works with individual offices to achieve the goals of protection and recidivism reduction.

### **Philosophical Shift**

In 2002, the Federal Judicial Center, the training arm of the U.S. Courts, held a conference for all federal probation and pretrial services chiefs that resulted in the Charter for Excellence. This charter fueled a momentum behind the notion that federal probation was moving from outputs to outcomes. Among other things, this document states: “We are outcome driven and strive to make our communities safer and to make a positive difference in the lives of those we serve.” This point was further reiterated in the 2004 Strategic Assessment of Federal Probation and Pretrial Services System conducted by a team of consultants. The central recommendation of this assessment was that Federal Probation “become a results-driven organization with a comprehensive outcome measurement system.” (A-4) Despite this momentum, a philosophical shift could not occur without the support of the Criminal Law Committee (CLC). The CLC is a subcommittee of the Judicial Conference, the internal legislative organization of the Judicial Branch. This committee, staffed by a group of federal judges, must approve any new philosophical and policy shift within federal probation. In 2004, the CLC was briefed about this evolution in mission and endorsed federal probation’s desire to become an outcome-based organization.

The movement from outputs to outcomes has forced the system to identify and rely upon a supervision process model. The outcomes model emphasizes that there are clear strategies that should produce outcomes, as will be detailed below.

#### *Early Steps*

Soon after the CLC endorsement, the AO reexamined the system’s technology, policy monographs and treatment services contracts to create alignment with the practices that have been shown to improve desired outcomes. This examination led to the creation of an outcome measurement project and a significant revision of the probation supervision monograph (described below), the main tool of the AO to affect practice in each district.

The development of an outcome measurement system became the AO’s first priority. In 2004, the AO convened a group of criminal justice research experts to assist in developing a vision while setting realistic boundaries for the creation of an outcome measurement system. The information gleaned from this panel was brought to the next step in the process, the development of a supervision logic model. This logic model clearly outlined the intermediate and ultimate outcomes to be measured. This logic model tied key offender outcomes with supervision services of control and treatment to produce desired effects.

Monograph 109, published by the AO, provides supervision policy guidance to federal probation officers. This comprehensive document outlines both the philosophical and practical aspects of effective supervision. In 2004, Monograph 109 was modified to support the shift towards outcomes. Supervision outcomes were expanded from the successful completion of supervision to reducing crime beyond the term of supervision. The concept of using academic research to drive supervision decisions and interventions was also introduced in the 2004 revisions. For the first time, Monograph 109 recognized that basing supervision on instinct and legacy techniques may not contribute to reducing recidivism. Instead, the monograph echoed the use of a supervision process that is focused on: 1) use of risk and needs tools to identify offender factors

to affect during the supervision process; 2) the available controls (e.g., drug testing, curfews) and treatment services that should be used to respond to offender needs; 3) use of graduated sanctions and rewards to respond to offender compliance; and 4) a recognition that the supervision process should be guided by procedural justice constructs.

### *Current Steps*

The ultimate vision for the federal probation system is to have an outcome measurement system that allows all levels of the organization (researchers, administrators, and officers) to determine the effectiveness of different supervision responses. It will identify those interventions that have the greatest impact on the desired outcomes for different types of offenders and provide a tool to test new interventions or approaches. The development of a federal management information system is likely to take five years to complete. In addition to the outcome measurement system, the CLC endorsed the immediate implementation of supervision practices that have demonstrated success in reducing recidivism rates. Although these practices were developed and tested on international, state and local offenders, it is believed that many of the tenets translate to federal offenders and thus offer the best chance to reach desired outcomes. Thus, the federal probation system is relying on research conducted at the international, state, and local level to drive outcome-based practices until internal research can be conducted and disseminated.

The AO has based much of this current project on contemporary thinking about the key components of effective supervision that has been articulated in many documents, but most recently in the National Institute of Corrections' *Principles of Effective Intervention* (NIC, 2004; see also Taxman, Shepardson, and Byrne, 2004). The three articles published by NIC present an integrated model of effective correctional intervention that addresses organizational development, collaboration with other agencies, and the use of eight principles emanating from research.

The AO recognized that many of these evidence-based practices (EBP) are fairly new to federal probation, and that the culture of federal probation over the last 20 years has supported more of an enforcement model. The AO took steps to address the culture of supervision and to begin to diffuse information about EBPs throughout the system. The first aim of the AO was to increase knowledge of this model throughout the system, to ensure that each district acquired a basic understanding of evidence-based practices and basic knowledge of research principles, and an overview of the research on various practices currently in use. The AO utilized a two-pronged normative-educational approach to accomplish these goals. First, an internal website was designed that can be accessed by staff throughout the country. This website is intended to introduce evidence-based practice. It includes an overview of the criminogenic needs of offenders, the National Institute of Corrections' *Principles of Effective Intervention*, a review of basic research design and the importance of the quality of research, information from the Washington State Institute of Public Policy's meta-analysis of the effectiveness of various offender programs, and a resource list of links to various evidence-based programs and services. Second, grant-funded districts were offered a two-hour overview presentation of evidence-based practices. This training mirrors the information provided in the website, but provides participants the opportunity to ask questions and engage in a dialogue about evidence-based practice. The training is conducted by staff within the AO working on the internal transformation of the organization.

Running concurrently with the education process, the AO began providing financial and technical assistance to implement evidence-based initiatives. An internal grant program, entitled Research to Results (R2R), was developed as a mechanism to provide this support to pilot districts that were organizationally ready to take the next step in the evolution of probation supervision. Eighteen of 94 districts applied and were funded in FY 2007. The seed money was used to fuel interest in the model and to provide the district with some tools to begin educating their own staff and building skills in key areas. The application process itself was part of an organizational strategy to identify districts wanting to take on the challenge of transforming their supervision practices. The application required districts to provide a comprehensive plan of EBP implementation. The application consisted of four basic tenets: effective risk and needs assessment, cognitive-behavioral interventions, effective communication/motivational

interviewing, and a willingness to examine and test emerging practices. Additionally, for two of the tenets, Motivational Interviewing and Cognitive-Behavioral Interventions, specific implementation plans were developed by internal working teams of the AO to guide districts. These implementation plans focused on ensuring quality training, implementation, and fidelity to the interventions, in order to increase the likelihood that these interventions would operate as intended.

The grant process required the completion of an application (see Appendix) that addressed one or more of the following basic EBP tenets:

- ***Risk/Needs Assessment***

The foundation for effective supervision is arming the officer with a sense of an offender's risk to commit future crime and the areas of an offender's life that, with intervention, can decrease this risk. Research clearly demonstrates that using risk to guide decision making improves outcomes (Lowenkamp, Latessa, & Holsinger, 2006; Taxman, 2004, 2006; see also Andrews & Bonta, 1998). For example, recent research on community-based programs indicates that programs targeting high-risk offenders decreased recidivism by 7 percent, while those programs that did not only saw a 1 percent reduction in recidivism (Lowenkamp, Pealer, Smith, and Latessa, 2006). Applicants were asked to include their decision-making process on their choice of instrument, as well as plans to validate the instrument on the federal population.

- ***Cognitive Behavioral Interventions (CBI)***

In addition to risk, effective interventions target criminogenic needs, with the most effective programs being those utilizing cognitive-behavioral techniques. For example, research has shown that programs with a cognitive-behavioral component can reduce recidivism by up to 25 percent, while non-behavioral interventions only reduce recidivism by 4 percent (Dowden and Andrews, 1999). Applicants were asked to include their decision-making process on their choice of program, as well as plans for either contracting for such services or training in-house personnel. The implementation plan encouraged the use of manualized programs and required that fidelity be monitored.

- ***Fidelity to the Risk/Need Tool and CBI***

The quality of implementation was emphasized in this arena, as research has demonstrated that the quality of implementation of programming can have a significant impact on recidivism rates. For instance, Barnoski (2004) studied the implementation of Aggression Replacement Therapy (ART) and found that "competent" ART resulted in recidivism rates of 24 percent, while poor ART resulted in a 6.9 percent increase in recidivism rates.

- ***Effective Communication/Motivational Interviewing***

An important part of the new model of supervision is that it focuses on improving intrinsic motivation via communication skills such as those found in Motivational Interviewing (MI) (NIC, 2004). MI has demonstrated success in helping individuals change problematic behavior across a number of areas, most notably substance abuse (see Rubak, Sandbaeck, Lauritzen, and Christensen's 2005 meta-analytic review). Recently this interviewing style has been translated for criminal justice work (i.e., Taxman, Shepardson, & Byrne, 2004; Walters, Clark, Gingerich, and Meltzer, 2007), with an emphasis on helping officers focus on building intrinsic motivation to decrease criminal behavior. Most notably, recent articles have focused on the need for comprehensive, long-term training in MI, as short-term (i.e., two-day) training has proven ineffective in increasing proficiency in MI (Miller and Mount, 2001). That is, to effectively implement MI, there is a need for more than just a training session to provide the officers with the new skill; there is a need to reinforce the skills in practice through performance measures and other tools (Sachwald, 2004). The model implementation plan for districts desiring to use MI focused on hiring an experienced MI trainer who also understood criminal justice; providing initial two- to three-day training plus monthly coaching/feedback; and mandating

audio/videotaping of interactions. This is the same model that was used in the Maryland Proactive Community Supervision project (see Sachwald & Eley, 2006). Officers are required to continue receiving coaching/feedback until they reach basic proficiency, as measured by the Motivational Interviewing Treatment Integrity (MITI) coding system (Moyers, Martin, Manuel, & Miller, 2007).

- *Examining, Applying and Testing Emerging Practices*

Finally, the AO has encouraged implementation of emerging practices that did not fit into the other categories. The two major areas under this tenet are offender workforce development and drug courts. Offender workforce development is an area where federal probation has been a leader, with districts developing model programs and partnering with the National Institute of Corrections. Although research on the effectiveness of employment programs has been equivocal, recent research suggests that work can significantly impact criminal behavior (i.e., Farley and Hackman, 2006). Similarly, drug courts have shown mixed results, though recent summaries suggest that drug courts can reduce recidivism (NIJ, 2006). Districts wishing to implement these programs have been asked to use guidelines from the National Institute of Corrections and the National Association of Drug Court Professionals regarding effective implementation of these programs.

#### *Organizational Development*

For most of the districts, implementation of evidence-based practices means radical change in the way they handle offenders—from enforcement to behavioral management. Recognizing the difficulty associated with change, the AO has emphasized a transformational model of organizational development. There is an abundance of information on managing change within an organization; one model is that of the RAND Corporation, a nonprofit organization known for its research of organizations. As noted in his book *The Four Pillars of High Performance*, Paul Light studied RAND extensively and gives what he terms the “RAND model for managing change” (Light, 2005). The key principles in this model include:

1. Create a sense of urgency
2. Remove barriers to success
3. Recruit the champions to lead the change process
4. Build internal momentum
5. Prove change works
6. Keep experimenting

The model of change that the AO has implemented addresses many of these points as a tool to reinforce the benefits of change. The AO office dedicated staff to the EBP effort, and utilizes workgroups comprised of AO staff and district representatives to continue developing EBP initiatives. The AO has identified the resources, developed principles and tenets that help guide the districts, and provided a forum for discussing the transformation process. This is an important component since it creates a model for organizational learning, and it provides a forum to discuss new ideas and concepts in a manner that reduces the risks that any chief and/or district must take on individually. Champions have thus been created throughout the organization—in the AO in the Federal Judicial Center, at district offices, and within key stakeholder groups.

The AO has attempted to remove any barriers to this initiative by providing the districts with both financial resources and technical assistance. In addition to funding for the specific project they wished to implement, each R2R district has also been offered funding to hire an organizational development (OD) coach who specializes in both OD and EBP. These coaches assist district probation offices in assessing the status of their organization and developing a strategic plan to increase the likelihood of successful EBP implementation.

The organizational learning has been fostered through recognition that the transformation process is incremental, and requires the ability to shift based on socio-political environments at

each district. In some cases, the use of an organizational coach led to the districts drastically rethinking their projects. For instance, with the encouragement of an organizational coach, one district opted to scale back their project from three initiatives to one, while another decided to completely rework how they distributed cases to officers. In terms of other technical assistance, in addition to the continuously updated website and training noted above, the AO has provided districts with two AO employees who are available to each district to assist with planning and problem solving. The AO has also hosted several meetings of the district partners, along with academic researchers, to continue the dialogue of how evidence-based practices can best be implemented within the federal system. Other salient steps have been taken including:

1. The AO has worked to recruit champions by encouraging districts embracing EBP to share their experience with other districts; many of the original 18 grant-funded districts have offered technical assistance to their counterparts, thereby infusing other districts with knowledge and further championing EBP.
2. The AO continues to provide internal momentum by reorganizing and increasing staff to provide dedicated resources to the project.
3. The AO has also continued funding into FY08, encouraging districts not only to continue their original implementation, but also to add other aspects of EBP.
4. There is increased emphasis on the development of outcome measurements to measure the impact of districts' efforts. Each district is asked to identify outcomes that can prove the changes are effective in helping the federal system reach its goals.
5. Experimentation is encouraged and supported by the AO. Each district can experiment with their projects and implementation. The AO has partnered with these districts to improve the processes started in FY 07. For instance, the implementation plans for FY 08 have been modified to address concerns districts had and correct unintended consequences of different aspects of the plans.

As with all behavior change, resistance remains part of the equation. The AO is not in the position to dictate probation supervision changes to any district. Given that each district is unique geographically and culturally, the model expects that each district will evolve in different ways and in different processes. The AO is learning about these models of change. The R2R project is voluntary, and not all districts are ready and willing to participate. No district is forced to join the process, but the AO tried to position itself to support change for those that are interested, motivated, and willing. The AO has focused on providing their limited resources to those districts that wanted to implement evidence-based practices, in the hope that these districts and the success they have will encourage other districts to take on similar initiatives.

## **The Future**

The future of federal probation is full of promise. The R2R process is designed to have a significant impact on federal probation outcomes through a concerted effort of improving operations at the district level, using evidence-based practices, and working towards collaboration with their communities to achieve the best possible safety outcomes. The largest and most complicated project will produce measurement of intermediate and ultimate outcomes. The AO's outcome measurement system will allow districts to compare their own performance from year to year and help them understand how their district is impacting the system outcomes. The outcome measurement system will combined advanced technical capabilities with sound research methodology. This will allow the federal system to draw causal relationships in order to improve supervision practices.

In addition to outcomes, the AO has recently embarked on a multi-year project to develop and implement a national risk/needs tool. This tool is envisioned to provide the functionality of an off-the-shelf product with the added bonus of being sensitive to offender behavior change and being built and validated on a federal population.

Finally, the goal of becoming an outcome-based organization cannot be achieved without measurement and transparency. This means that federal probation and pretrial services must be willing to conduct internal research and, where ethical and practical, allow outside researchers to

examine both successes and struggles. This openness will encourage organizational growth and should chart a process for the federal system to once again play a large leadership role in improving public safety and reducing recidivism in the U.S.

## Conclusion

Our development of evidence-based practice in the federal system uses Roger's model of diffusion of innovation in a complex environment. This model recognizes that organizational change is difficult, maybe even more difficult than individual change (like that which is being asked of offenders under supervision). Rogers notes that success is best achieved by five features: 1) a relative advantage over current practice, 2) compatibility with the existing missions and goals, 3) addressing the complexity of the change through small incremental steps, 4) trial ability of each step with openness to chart mid-course corrections to respond to the environment, and 5) observable results. All of these are part of the model that the AO is using to make advancements in the process of change. The federal system is moving slowly, yet methodically, toward the goal of becoming an outcome-based organization. Implementation is challenging, but changing philosophy, building internal infrastructure, and applying research to supervision provides a logical roadmap for federal probation. Time will tell where this road ultimately leads.

## Appendix: Probation and Pretrial Services Request for Applications for Funding

The Office of Probation and Pretrial Services has secured R2R funding for FY08 and is now accepting applications from the 18 original R2R grantees to fund the further implementation of services in four broad areas. For those districts that are looking to expand their R2R activities beyond their 07 scope, please see the Model Implementation Plans on the Research to Results website for guidance on how practices should be implemented.

1) Risk/Needs Assessment and Case Planning (See the September 2006 issue of Federal Probation for a comprehensive discussion of risk assessment.)

- a. Implementation of instruments that address both static and dynamic factors.
- b. Implementation of comprehensive case management that better integrates risk and need assessment information with case planning and daily supervision activities.

2) Motivational Interviewing (MI)

- a. Training of officers in the use of motivational interviewing to increase offender compliance with treatment and supervision outcomes.
- b. If MI is to be used to increase treatment effectiveness, the application should include information regarding how treatment providers will be included in the project.
- c. Applications will be expected to follow the AO's Model Implementation Plan.

For more information on motivational interviewing, see [www.motivationalinterviewing.org](http://www.motivationalinterviewing.org)

3) Manualized Cognitive Behavioral Therapy

- a. Implementation of a research-based manualized cognitive

behavioral program with a specific criminal justice component. Examples include Moral Reconciliation Therapy (MRT), Thinking for Change, Choices Changes and Challenges.

b. Weight will be given to applications that provide a comprehensive risk/needs identification process for the placement of defendants/offenders in the proposed program.

c. Application must address who is performing these services (officer or vendor) and why.

d. For examples of cognitive-behavioral programs, see [http://usteam02.uscmail.dcn/QuickPlace/research\\_to\\_results/Main.nsf/h\\_Library/2B3F2538A6F0DAC3852571F7006461A9/?OpenDocument](http://usteam02.uscmail.dcn/QuickPlace/research_to_results/Main.nsf/h_Library/2B3F2538A6F0DAC3852571F7006461A9/?OpenDocument)

e. Applications will be expected to follow the AO's Model Implementation Plan.

#### 4) Other Offender Intervention

a. Implementation of a research-based program in your district. This is a general category for programs that have been shown to reduce recidivism.

b. Offender intervention programs may be considered as long as the application includes a discussion of theory and/or research that supports the project.

c. If your proposed program targets skill development, you must address how that skill development is related to addressing criminogenic needs.

All applications should address the following areas:

1. *Rationale* – brief explanation of the reason your district wants to implement the project, including the local need you will be addressing. Include a brief summary of any relevant research that supports your project, and how your project will build upon and advance knowledge regarding effective probation practices. Also note your long-term plans for implementing the various evidence-based practices.

2. *Judicial Support* – brief description of your plans to inform judges in your district and how you plan to gain their support.

3. *Major Objectives* – specific, measurable outcomes for your project. Example outcomes include re-arrest/re-conviction data, probation violations/revocations, and changes in offender characteristics (risk score, criminal thinking, employment status, etc.).

4. *Implementation Plan* – specific time line for implementation (funding must be spent in FY 2008). If your project includes the implementation of a new service/intervention, specific information about the service (e.g., if it is a cognitive-behavioral program, the specific program and why you chose it over others), training of staff to provide the service and/or process for identifying appropriate service providers, and process for identifying offenders in need of the service. For those applications that are for Motivational Interviewing or Manualized Cognitive-Behavioral Therapy, you must abide by the AO's Model Implementation Plans.



5. *Potential Impact* – specific information regarding number of offenders to be served, how the project will positively impact your district, and potential impact on other districts and/or the system overall.

6. *Evaluation* – specific information regarding how you will evaluate the effectiveness of the project. Include any plans to hire consultants/researchers to assist with developing and implementing an evaluation of the project.

In addition to the above, your project description should include specific information regarding how you will ensure the project is being implemented as intended – i.e., fidelity to the project and quality control measures. The following issues should be addressed:

#### 1) Risk Assessment

- i. Decision-making process for selection of instrument.
- ii. Plan for validating instrument on your district's population.
- iii. Process for training of officers; if only select officers will be trained, process for selecting officers.
- iv. Process for ensuring proficiency in interviewing and scoring of instrument, including tests of initial and ongoing inter-rater reliability.
- v. Plan for linking risk assessment to case planning, including specific identification of risk/need factors and how supervision will address each factor.
- vi. Process for ensuring that officers are held accountable for using risk assessment information in supervision practices, including use of treatment resources, contact with offender, etc.
- vii. For a sample of ways to connect risk assessment and supervision planning, see Tools of the Trade at:  
<http://www.nicic.org/Library/020095>

#### 2) Motivational Interviewing

- i. Plans for selection of appropriate MI trainer (someone proficient in MI who has experience in providing training to probation and pretrial services offices).
- ii. Plan for training officers; if only select officers will be trained, process for selecting officers.
- iii. Specific training schedule (preferably intensive 1-3 day training followed by long-term coaching/feedback).
- iv. Acknowledgement that you will abide by the AO's Model Implementation Plan.

#### 3) Manualized Cognitive Behavioral Therapy

- i. Decision-making process for selection of manualized CBT program.
- ii. Description of who will provide intervention:
  1. If outside provider, how the provider will be

selected;

2. If officers, process for selecting officers.

iii. Plan for training providers/officers in the use of the intervention, including selection of appropriate trainers.

iv. Specific training schedule.

v. Specific plan for observation of provider/officer to ensure adherence to the intervention.

vi. Acknowledgement that you will abide by the AO's Model Implementation Plan.

#### 4) Offender interventions

i. Decision-making process for selection of intervention.

ii. Description of the research supporting your chosen intervention.

iii. Description of who will provide intervention:

1. If outside provider, how the provider will be selected;

2. If officers, process for selecting officers.

iv. Plan for training providers/officers in the use of the intervention, including selection of appropriate trainers.

v. Specific training schedule.

vi. Specific plan for observation of provider/officer to ensure adherence to the intervention.

Most agencies have recognized that organizational support is critical to the successful implementation of new processes. Therefore, please also include information regarding how your district will support the implementation. Areas to address may include:

1. Process for informing staff and obtaining buy-in from officers, front-line supervisors, and upper management.

2. Process for gathering data on the implementation process – what is working and what is not.

3. Plans to address potential barriers, including staff resistance.

4. Potential changes to workload, performance measurement of staff, use of contract resources, etc. that will support implementation of the project.

5. Plans for institutionalizing the project, particularly plans for how the project will continue once grant funding is exhausted.

The AO encourages applicants to form collaborative relationships with others who have

implemented evidence-based practices in community corrections, including other districts, state agencies, universities, and private consultants/researchers.

At the completion of this project all award recipients must complete a report that is suitable for publication in *Federal Probation*. This report must include the rationale for their program, a program description, implementation struggles and successes, and statistical outcomes.

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## Constructing an EBP Post-Conviction Model of Supervision in United States Probation, District of Hawaii: A Case Study

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**CORRECTIONAL POPULATIONS**, including jail, prison, probation, and parole, have grown exponentially since the 1970s. Research has generally favored prison populations while community correctional populations have traditionally not proven to be a favorite venue. Probation, in particular, although typically containing the largest population of correctional offenders, has been disproportionately neglected in the area of academic scholarship and related changes to practices that might reduce recidivism (DOJ, 2004a).

However, as research in this area has grown, correctional agencies across the country have begun to look at how their work is carried out and how work might better be directed in an effort to reduce criminal recidivism (DOJ, 2004a). Agencies are increasingly aware of and guided by research-driven, evidence-based practices (EBP), particularly those associated with reduced recidivism (White, 2005) and the need to demonstrate effectiveness with fewer resources (DOJ, 2004b). This marks a definite shift in recent practices that focus on simply managing larger caseloads and placing the onus of change almost entirely on the offender, without significant assistance from the supervising agency (Simon, 1993; DOJ, 2004a).

The move towards EBP comes at an important time within U.S. Probation. As cited in Gregoire (2004), statistics regarding federal probationers give cause for concern. While the federal probation offender population increased 12 percent between fiscal years 2000 and 2005, the criminal history severity score increased by 18 percent and the risk prediction index score increased by 20 percent. The increased risk of the population is also noted in the 38 percent increase in revocations, including a 42 percent increase for new crime versus technical violations (Gregoire, 2004).

In the District of Hawaii, the U.S. Probation Office has committed to evidence-based offender reentry with the intent to reduce recidivism and violence. Additionally, we believe that these evidence-based efforts will also increase and support the pro-social assets of our offenders, increase collaboration with existing local agencies, and raise public awareness of the difficulties that offenders face in the community. This district has committed to moving from compliance-

based supervision toward outcome-based offender reentry, while retaining our focus on public safety.

Indeed, the move towards increased public safety necessarily includes the incorporation of current evidence-based practices, since these demonstrate a scrutinized track record of success. Further, over the past three years, this district has ambitiously developed what is known in-house as the Hawaii Model. The Hawaii Model involves using available resources to align the work of the office with what has also been proven or otherwise theorized to reduce future anti-social and/or offending behavior. This article will outline the Hawaii Model, its major accomplishments, and obstacles yet to overcome.

Prior to the shift toward EBP, work in the U.S. Probation Office, District of Hawaii resembled that of many other jurisdictions, both federal and state, across the country. The work was marked by the traditional management strategies of offender compliance. This method of supervision centers, primarily, on ensuring that offenders abide by an often pre-determined set of requirements (e.g., office visits, urinalysis testing, job obtainment or searches, etc.). Violations of the conditions of supervision are sanctioned, but the underlying issues are left untouched. In this model, little is done to affect long-term public safety.

In early 2005, our district recognized that caseloads here as in other jurisdictions were continuing to grow without a parallel growth in other resources. Considering national trends, the district decided upon a philosophical shift towards EBP in an effort to reduce recidivism rather than merely react to violations of supervision. This district committed to building a model that would most effectively impact public safety while increasing offender accountability. These changes coincided with re-organizational efforts in other jurisdictions and states; in this sense, the decision to look toward research and EBP as guidelines for supervision of our community correctional population came at an opportune time.

As outlined below, our district is aggressively aligning with EBP, hoping to achieve measurable impact on offender change. It is important to note that while the Hawaii Model uses the U.S. Department of Justice's National Institute of Corrections evidence-based practices as the source of its guiding principles, no one model has been deemed as "the best" or most effective (Gregoire, 2004). The Hawaii Model represents one way of "doing" EBP with a community corrections population. Federal probation populations have yet to be included in studies of the impact of EBP (Gregoire, 2004), thus guiding principles rather than "what works" programs must provide the framework for such a model.

### **The EBP Model**

Our district's move involves a commitment to existing research and theory regarding EBP. Joplin et al. (2004) note that the implementation of these EBPs requires agencies to not only shift practices on paper, but also change their work philosophy. Through committed leadership, the organization must devote equal attention to organizational development and collaboration. These components deserve equal attention if an EBP model is to truly affect recidivism reduction in a positive manner.

Specifically, this district is committed to incorporating the following eight principles as they pertain to correctional supervision: assess actuarial risk/needs; enhance intrinsic motivation; target interventions; skill train with directed practice (using cognitive methods); increase positive reinforcement; engage ongoing support in the community; measure relevant processes/practices; and provide measurement feedback. Further, we also understand that the organizational development must support these principles and the district must collaborate with other agencies in order to fully carry out the work. A minority of agencies have tackled all three areas simultaneously in the move toward EBP (Joplin et al., 2004), yet meta-analyses have demonstrated that agencies that follow the specifics of *each* of these three important EBP areas net an average reduction in recidivism of 30 percent (Matthews et al., 2001). Following is a description of the changes that our district has employed in order to fully align with the evidence-based principles, organizational development, and collaboration according to ideal-type

EBP models.

## **Evidence-Based Principles**

### *Assess Actuarial Risk/Needs*

Any move toward EBP must begin with the actuarial assessment of offenders' static and dynamic criminogenic risks and needs (Lowenkamp and Latessa, 2004; Austin, 2003; Latessa et al., 2002; Gardner, 2002). Assessment allows for a better use of resources by more accurately determining risk than through individual judgment alone and via a more effective allocation of increasingly scarce resources (Gottfredson, 2005; Holsinger et al., 2001; Jones et al., 1999).

U.S. Probation, Hawaii chose the Risk Management System (RMS) as the specific tool in the actuarial assessment of offenders, largely based on its sophisticated advanced pattern recognition methodology. Specifically, the RMS is able to discern both a general and violence recidivism score for each offender based on information collected from over 65 static and dynamic items (Modeling Solutions, LLC, 2007). Results are then summarized into four major categories, namely Needs, Risk, Mental Health, and Other-External (Modeling Solutions, LLC, 2007).

By comparing the offender's static behavioral factors (criminal history, age at first arrest, adjustment to previous periods of probation, etc.) and dynamic behavioral factors (substance use/abuse, ongoing family/personal problems, mental health concerns, etc.), the instrument can actuarially predict an offender's likelihood to recidivate, either generally or violently (Modeling Solutions, LLC, 2007). Instruments that include both static and dynamic factors demonstrate greater correlations with outcome than instruments containing static factors alone (Petersilia, 2003). Individual results are compared with those of similarly situated offenders who have had past assessments and were tracked for three years post-supervision to determine the relative risk of recidivism. The model on which the RMS is based has been validated, albeit not on a federal offender population (Dow et al., 2005).

Individual offender RMS assessment results (along with other assessments, such as pretrial and pre-sentence reports, mental health and substance abuse assessments, and level of employment) will be utilized to place offenders into one of four classification levels: intensive, regular, case bank, and administrative. In recognition of the risk principle (Joplin et al., 2004), priority for services will be given to the offender population that poses the greatest risk for re-offending. Higher-risk offenders will receive priority for services in the criminogenic need areas that place them at the greatest risk for reoffending. Further, the results of the RMS, at an aggregate level, can also be utilized to determine the greatest criminogenic needs of the offenders for this district (e.g., employment, substance abuse treatment, etc.).

While the RMS still needs to be validated on the local population in Hawaii, it holds theoretical benefits over existing and widely used risk and need assessment instruments. Namely, the RMS goes beyond using overall risk score as the predictor of future offending. Instead, this tool matches individual offender assessments to past clients who have had RMS assessments and looks for similar scoring on items that make up a client's overall risk score to demonstrate how similarly situated offenders have performed under community supervision.

Quality assurance measures have been incorporated alongside the implementation of this instrument. Supervisors, along with supervising officers, have all been trained in the use of the RMS, so that supervisors are also available to perform periodic checks on inter-rater reliability. While the RMS will still need to be validated on the local population (Mitchel et al., 2002), validity cannot be assumed unless the instrument is reliably used.

Additionally, U.S. Probation, Hawaii needs to review the distribution of the supervised population to determine cutoff scores or other reliable criteria related to appropriate risk levels (e.g., low, medium, high, etc.). It has also been recommended that this district incorporate motivational interviewing into the current assessment of criminogenic risks and needs (Woodward, 2007), as this would increase the validity of the information about the offender.

Protocols concerning re-assessment, such as factors that should trigger a re-assessment, still need to be determined (Latessa et al., 2002).

### *Enhance Intrinsic Motivation*

Supervisors and supervising officers have received initial training in the use of motivational interviewing (MI) from a leading expert in this field. The positive benefit of motivational interviewing has been demonstrated through research, and this recognition has also been a part of the organizational and philosophical change in the U.S. Probation Office, Hawaii . Encouraging offenders to perceive, intrinsically, the need to think about and do things differently (along with plans to help them do so) is key to promoting positive changes.

Beyond initial training, sustainability in the practice of MI is imperative for the long-term success of aggregate level reductions in recidivism and enhanced public safety. Therefore, this district will provide for train-the-trainer sessions so that staff will ultimately be able to conduct initial and refresher trainings with other staff. Potential trainers will need to pass through several outside, objective reviews of taped sessions and reach an accepted level of proficiency prior to training other staff.

While there is anecdotal evidence that many staff are positive about the use of MI, quality assurance measures will need to be finalized to ensure the continued use of this important practice. Supervisors are also being trained to recognize and evaluate the use of MI by staff. Once fully competent in MI, supervisors will be able to periodically audit the staffs' use of MI to determine appropriate usage. At this point, the district will incorporate these quality assurance measures to determine 1) whether staff are using MI in their daily work with offenders, and 2) whether MI is being applied appropriately. It should be noted that many vendors who provide direct services to offenders at a statewide level have not currently been trained on the use of MI.

### *Target Interventions*

In line with EBP, the RMS assessment information will be utilized to determine case planning. Specifically, the top criminogenic need factors from the "Big Six" list (e.g., anti-social values, criminal peers, low self-control, dysfunctional family ties, substance abuse, and criminal personality) will be prioritized for treatment in an effort to net the largest reductions in recidivism (Taxman et al., 2004). This, along with other routinely collected information (e.g., pre-sentence or other relevant assessments, such as mental health assessments) will guide initial casework. Reassessments at regular intervals will also ensure that the best available data are used to continually work toward the best outcomes. The goal is getting the right offenders into the right programs or areas of intervention. Along with cognitive-based programs (described below) and attention to issues of responsibility, this will theoretically demonstrate the greatest net benefits in recidivism reduction (Matthews et al., 2001).

Further, our district is employing a coordinated and integrated system of case planning by creating multi-disciplinary, collaborative case management teams with a shared vision for goals and expected outcomes in offender management and reentry. This is also essential for the long-term success of the offender population, especially for those who may not travel a linear path through the system. For example, if an offender violates a condition of supervision, information related to assessments and work already completed will be shared with the other succeeding appropriate agencies. Further, progress in any institutional-based programs will be disseminated to supervising officers once the offender enters community supervision. This district will also relocate an officer to the Federal Detention Center in Honolulu to work with the institutional case management team toward proactive offender release planning. The move to collaborate and share information with the Federal Detention Center in Honolulu and a local reentry center, Mahoney Hale Residential Reentry Center, is an important step in strengthening efforts to promote greater opportunities for successful release and transition to the community.

U.S. Probation, Hawaii still needs to conduct an assessment of programs currently used in referrals for offenders. This should occur by means of an accepted mechanism such as the

Correctional Program Assessment Inventory or the Correctional Program Checklist (Woodward, 2007). Further, the district should create an inventory of existing programs to ensure that there are diverse levels of outside service referrals for the various levels of offender treatment needs (e.g., ensure that there are options for appropriate dosage and duration).

#### *Skill Train with Directed Practice (COG Methods)*

Research demonstrates that correctional practices and/or programs that incorporate cognitive-behavioral interventions as a base of treatment net the greatest overall reductions in recidivism (Gardner, 2002; Pearson et al., 2002). This reduction is best evidenced among the higher-risk populations, and may in fact be detrimental to low-risk offenders (Andrews et al., 1990; Andrews et al., 1986; Matthews et al., 2001; Latessa et al., 2002; Johnson et al., 2002; Lowenkamp and Latessa, 2004). Through work with The Change Companies of Carson City, Nevada, the U.S. Probation Office, District of Hawaii is utilizing an interactive journaling technique as one method for addressing the criminogenic needs of offenders through cognitive behavioral methods. Specifically, the Change Companies custom-designed journals (The Courage to Change Series) that align directly with the “Big Six” criminogenic need areas (identified through the RMS assessment), as well as other areas that have traditionally been associated with success in the community (e.g., group counseling, financial management, workforce development, etc.). Interventions that fail to target these important criminogenic areas are not likely to significantly affect recidivism (Lowenkamp and Latessa, 2004; Gendreau et al., 1996; Matthews et al., 2001; Latessa et al., 2002; Travis, 2000).

Once an offender has been assessed by the RMS, a classification officer will assign the offender to one of the four risk levels mentioned earlier. Upon assignment to a supervising officer, the offender and the officer will jointly view an interactive orientation video (in production) to develop an alliance and to discuss how community supervision will align with EBP. Theoretically, this process, which will also involve interactive journaling exercises between the offenders and their officers, will inform offenders of the necessity to change their biggest criminogenic needs and will advise them of how the supervising officer will work with them to achieve this change.

Once the offender is placed on a caseload, he or she is matched with journals that have been specifically designed to address the top criminogenic needs by the RMS assessment, and the intensity of the work should coincide with the level of risk (Matthews et al., 2001). Journals engage offenders to begin to understand thinking errors and use mental rehearsal and visual imagery to replace thinking errors, elements important for positive offender change and recidivism reduction (Matthews et al., 2001). Staff have also been trained in the use of cognitive behavioral therapy through interactive journaling so that they may better help the offender work through the process (Matthews et al., 2001).

The district is working to ensure that officers are using MI for the RMS assessment and that these results are embedded into case planning. An initial evaluation by Woodward (2007) found that the majority of cases subject to random review did not fully demonstrate the eight principles of EBP for offender supervision. Training for staff should continue until this shift is evidenced in the majority of work by this office.

#### *Increase Positive Reinforcement*

Research has demonstrated the value of positive over negative reinforcement in reducing offender recidivism (Joplin et al., 2004). Specifically, offenders should receive a ratio of four positive reinforcements to each negative one for the best results in offender change (Latessa et al., 2002). While staff have yet to formally incorporate this into their practice, they have been introduced to this concept through their initial trainings in MI. The final MI trainings for staff will reinforce the importance of this practice for offender change and will formalize this procedure into the repertoire of supervision practices.

#### *Engage Ongoing Support in the Community*



The U.S. Probation Office, District of Hawaii has been actively working on establishing relationships with local business owners and others in an effort to encourage the employment of offenders who are under supervision in the community. Several employers have positively responded to this outreach. To support the effort of increased employment opportunities for offenders, the district created the Ho'olana Offender Employment Program in August 2006. The goal of the program is to provide individual-level guidance and support by officers to assist offenders in pursuing and maintaining meaningful employment. Staff have been involved in referring offenders to the program, participating in an orientation meeting with prospective employers, networking and resource building with potential employers, and referring offenders for employment. Ideally, offenders will be able to obtain meaningful, full-time employment, earn at least \$8 per hour, and gain employment in a job where their interests are matched with their skills. Because of the need to demonstrate program effectiveness, the retention and reasons for attrition will be tracked for Ho'olana participants at regular intervals for one year.

U.S. Probation, Hawaii also collaborated with the local Building Industry Association (BIA) of Hawaii and the Federal Detention Center of Honolulu (Bureau of Prisons) in jointly developing an innovative pre-apprenticeship program. For the first time ever, the agencies mutually entered into a joint relationship and responsibility by implementing the Pre-Apprenticeship Construction Skills (PACS) Program. Under this program, developed by the Construction Training Center of the Pacific (CTC) to provide education and training to support the construction workforce in Hawaii, offenders at the detention center participate in a 150-hour pre-apprenticeship training program for 12 weeks. PACS combines applied mathematics and communication, safety, skills development, and job readiness courses to prepare individuals to enter the construction industry. The program can be conducted either in the Federal Detention Center or in the community.

The basis for the focus on unemployment or under-employment is the existing research that demonstrates that these factors are predictive of increased recidivism rates (Seiter and Kadela, 2003; Sampson and Laub, 2005; Uggen, 2000; Ekstrand, 2001; Gardner, 2002). An impressive amount of progress has been made in this area. However, the district needs to continue working within a broader engagement of community support, particularly support from the communities to which the offender will return and, often, the communities that gave rise to the offending in the first place.

#### *Measure Relevant Processes/Practices*

A foundation of evidence-based practices is the commitment to measure relevant processes, including the fidelity of specific programs or practices, as well as outcome measures (Joplin et al., 2001). Although U.S. Probation, Hawaii has not yet fully engaged this part of their model, there is an ongoing commitment to such measurement as part of the overall EBP model of community supervision. Funding is currently being sought to begin developing research methodology and to collect data and move toward the ability to 1) demonstrate the efficacy of this district's model in terms of desired outcomes, and 2) use data to guide current practices.

Part of the research agenda will be the incorporation of both qualitative and quantitative methods so that a broad-based, empirical understanding of both cross-sectional and longitudinal change may be measured. The research methodology will ensure that all relevant variables are both captured and operationalized sufficiently to allow for various types of data analyses relevant to the Hawaii Model.

#### *Provide Measurement Feedback*

Measurement feedback will naturally follow the measurement and analysis of relevant processes and practices. As mentioned above, U.S. Probation, Hawaii is currently working to formalize this part of their model. However, noteworthy is that as EBP practices have been incorporated along the way, the district has ensured that quality assurance measures are attached to new practices and trainings.

### **Organizational Development**

Asking any organization to significantly alter the way it has traditionally done its work is a challenge that must be overcome prior to any successful implementation of even the most sound practices (DOJ, 2004a). Further, the move towards EBP requires firm commitment from the leadership of any organization. Without this, it will be difficult to correspondingly alter the manner in which an agency has traditionally functioned. It is important to note that in the U.S. Probation, District of Hawaii, the shift to an EBP model began from the top-down, but was also one in which the agency was doing more than merely imposing changes to current practices. The shift was, from the beginning, marked by a philosophical commitment to change and was one in which all staff, not just upper- or middle-management, were considered key stakeholders. The obvious benefit is that staff buy-in also started from the beginning and decision-making, at many levels, was a shared process.

Once the commitment to change was made, the district took several identifiably important steps. Among the most salient are the following:

- Staff meetings to review how all staff, including clerical, spend their time and how some superfluous duties might be eliminated or otherwise streamlined to make better use of existing resources in anticipation of extra time required to work within an EBP framework;
- Hiring of new staff to support the EBP framework;
- Contracting the services of an expert in correctional evidence-based organizational development;
- Staff performance to be periodically evaluated based on EBP supervision and service delivery;
- Focus on morale through less hierarchical and more inclusive organizational structure, including assigning staff to various projects and providing for staff input;
- Open communication involving information and/or continuing education of staff as to both why and what is being changed; and
- Transparency of the entire shift from traditional compliance-based to EBP, outcome-based supervision.

So far, anecdotal evidence points to an improved level of morale, likely due to the collegiality and teamwork incorporated in the organizational shift. The transparency of the changes also ensures that no one has to speculate regarding what is being changed or *why* it is being changed. Further, measures have been put in place to increase buy-in of more resistant staff (e.g., assignment of projects) and for ambivalent staff (e.g., frequent meetings in which questions and input are encouraged). The district also plans to continue the informational process through such practices as EBP brown bag lunches. These have all been identified as important steps in organizational development and the need to continually manage change (Joplin et al., 2004). The attention to staff has been noted as beneficial to an effective organizational culture (Latessa et al., 2002).

The district has also been engaged in other innovative components likely to positively impact the overall organizational structure. It is in the preliminary stages of developing a sanctions/violations court. Several probation teams comprised of managers, supervisors, and officers traveled to three different states, primarily to gather information on other similar courts. Theoretically, the program would address the offender's likelihood of successful rehabilitation through a comprehensive, judicially supervised program of community supervision, mandatory drug testing, treatment services, program compliance, and immediate and appropriate (graduated) sanctions and incentives. Target offenders will be those who are not performing as expected in the community but who may do well without being revoked and sentenced to a prison term.

## **Collaboration**

The U.S. Probation Office, District of Hawaii has made impressive efforts to collaborate with a broad range of agencies and individuals who have positively supported their evidence-based reentry initiatives. From 2005-2008, the district has focused on forming successful collaborations with federal law enforcement agencies as well as state and local agencies in developing a

coalition of potential stakeholders. Such collaboration can aid in buy-in from both external and internal staff during the organizational development stage (Joplin et al., 2004).

On July 9, 2007, the district hosted the Offender Reentry Pilot Project Stakeholders Meeting. Over 70 representatives from federal, state, county, city, and community agencies participated in the meeting to engage collaboratively to support the establishment of a comprehensive Offender Reentry Pilot Project. At the conclusion of the meeting, stakeholders agreed to identify common goals/principles and desired outcomes for the reentry effort. Since then, there have been ongoing meetings between agencies to develop Memorandums of Understanding and to continue to address and support the identified goals of the reentry initiatives. Future stakeholders meetings are being planned.

Collaboration is also taking place at the national level. The district has collaborated with other districts in sharing information and attending training on use of the Risk Management System (RMS) assessment tool and in developing the Courage to Change Interactive Journaling series. Further, our district hopes that documentation of the current model will help other jurisdictions that also desire to significantly change how they deliver services.

**Summary and Discussion**

Table 1 summarizes the more salient aspects of the U.S. Probation Office, District of Hawaii EPB Model. Although not yet fully implemented, the district’s EBP program is very close and it must be stressed that these accomplishments have been achieved in a relatively short period, less than three years.

**Table 1: Summary of the Hawaii EBP Model**

|   |   |
|---|---|
| Evidence-Based Principles               |   |
| Assess Actuarial Risk/Needs             | The Risk Management System (RMS) was chosen as the instrument to assess offenders = static and dynamic criminogenic risks and needs.  |
| Enhance Intrinsic Motivation            | Supervisors and supervising officers have received trainings in motivational interviewing.  |
| Target Interventions                    | Results of the RMS assessment are used to determine intervention areas based on the greatest criminogenic risks and needs. Use of a multi-agency, collaborative case plan approach.   |
| Skill Train with Directed Practice      | The RMS assessment identifies the “Big Six” and other criminogenic risk and need factors. These factors are used to target interventions using cognitive-based interactive journaling from the Courage to Change series for all major risk/need categories. |
| Increase Positive Reinforcement         | Staff have been introduced to the 4:1 ratio of positive to negative reinforcement through their initial MI training.  |
| Engage Ongoing Support in the Community | Support in the community has thus far centered on fostering relationships with employment agencies or training centers that are willing to work with the offender population. An intensive employment   |

|  |  |
|--|--|
|  | readiness program has also been activated.   |
| Measure Relevant Processes and Practices | Process and outcome measures are being developed and will be incorporated in Change Companies Interactive Journaling System. The district is currently contracting with an outside consultant to help set up a research methodology for all current practices, including process and outcome measures.   |
| Provide Measurement Feedback             | Measurement feedback will ultimately follow the measurement of relevant processes and practices and will be part of the overall methodological design. The commitment has been made to not only employ evidence-based practices, but to ensure that practices put in place are data-driven.  |
| Organizational Development               | Organizational (re)development has included the following salient practices: shared philosophical change support staff; identification and elimination of unnecessary work to free resources; contract with EBP and organizational development coach; hire new staff; continuing information and educative sessions for staff, and changing performance reviews of existing staff. |
| Collaboration                            | Hosted an Offender Reentry Pilot Project Stakeholders Meeting in July 07 with representatives from federal, state, county, city, and community agencies to gain a shared vision and understanding of successful offender reentry. Also collaboration with other jurisdictions, university faculty, and other consultants in the area of EBP.                                       |

The work of U.S. Probation in the District of Hawaii, resulting in what we have termed the Hawaii Model, is encouraging and provides a promising model for other districts to follow. A significant amount of work has been accomplished in a period of under three years and the model is very close to full implementation at this time. One of the readily applicable lessons learned from the work in this district is that the move toward EBP can be realistically accomplished when accompanied by a firm and genuine commitment and attention to organizational development and collaboration as key components.

While the level of work is thus far commendable, efforts still need to be centered on the last two of the eight principles, specifically measuring relevant processes and practices and providing measurement feedback. The district is, however, proactively working towards that end and is in the process of contracting services to set up an evaluation plan, including the tracking of both process and outcome measures, and setting up a feedback system whereby relevant outcomes are filtered to staff to further inform their services.

It should be stressed that this article presents a reductionist view of the pervasive changes the district has incorporated thus far. Any change of this magnitude requires significant work and a strong commitment, as noted by the title of an upcoming workshop that several Hawaii staff will be attending, namely, "EBP Ain't for Sissies" (neither are Performance-Based Measures). This is hard work on many levels, and it should be stressed that this not a "soft on crime" approach. Instead, it is one that seeks to reduce crime by embracing and embedding EBP practices as a

means to meet mission-critical objectives and blend them into a systematic application. At the same time, it honors the principle identified in the U.S. Probation and Pretrial Services Charter for Excellence, i.e., “outcome driven, strive to make our communities safer, and to make a positive difference in the lives of those we serve.”

Notwithstanding that the Hawaii Model is still a work in progress, the district has managed to accomplish major philosophical shifts as well as tangible changes to practice in this short time frame. The changes outlined above can serve as a model to other districts or agencies who also wish to shift to an evidence-based standard of practice. The district has succeeded in crafting a very promising model that has incorporated or is incorporating, at some level, all of the evidence-based practices currently recognized as having the most significant impact on recidivism, including organizational development and collaboration. Since federal corrections populations have typically not been included in the “what works” research and related literature, the work in the U.S. Probation Office, District of Hawaii provides an excellent opportunity to study the efficacy of an EBP model on a community correctional population within the Federal System.

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## Organizational Change in the Heartland of Opportunity

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**“IS THIS HEAVEN?** It’s Iowa . . . If you build it, he will come.” Do you recall those most notable lines from the popular movie, *Field of Dreams*? A movie about baseball, our nation’s favorite past-time, and for Ray Kinsella, played by Kevin Costner, a rare opportunity of a lifetime, a dream fulfilled, to step back in time and play catch on a ball field with his father.

Reconnecting with some of our past times, fulfilling dreams, taking a historical look at our probation organization’s past leadership and then fast-forwarding to the present with an eye toward transformational change in an organization in the heartland of America is what this article is all about. Imagine people nowadays who believe it is possible to create a better future by reconnecting with the past. John Gardner, author of *On Leadership*, states, “Each generation must rediscover the living elements in its own tradition and adapt them to present realities” (Gardner, 1990:13-14).

In federal probation, we have leaders all around us who long for a better future for our organization, the people who work within it, and the criminal justice clients we endeavor to help so that they may create a better life for themselves. Consequently, this is a story of historic and transformational change within the U.S. Probation Office in the Northern District of Iowa. I will discuss the organizational strengths of the U.S. Probation Office and detail a bold, opportunity-led strategic initiative (e.g., shifting to an evidence-based agency management approach with implementation of evidence-based practices) designed to provide deep change and improvement by adding to and improving upon the bedrock of leadership that was laid by past chiefs in our districts. Additionally, I will discuss the dilemmas, challenges, and some of the daunting choices that lie ahead for the leaders and followers in the U.S. Probation Office, who will plot their own destiny through the journey of

change. Because change can be controversial, the U.S. Probation Office, its leadership, and its people will necessarily need to make some difficult decisions. The future will lead them to a fork in the road and they will need to decide which road to take to best confront the challenges of the 21st century. Will the U.S. Probation Office follow the road that leads down an old paradigm, or will its leadership, when faced with change, choose to take the road that leads down a new paradigm filled with opportunity, risk, and potential success? Unquestionably, it will all come back to leadership when hard choices need to be made.

Here are some of the critical questions that have faced the U.S. Probation Office and its leadership in recent years:

1. Will the organizational structure resemble the traditional hierarchal, bureaucratic

organizational structure or will it be shaped like an entrepreneurial, team-based organizational structure?

2. Will there be a transformation in the paradigms of people and of the organization to a proactive, empowerment-oriented leadership approach?

In essence, the choice for the people in our office was whether to be on the living or dying edge of the organization. It was a choice between maintenance and greatness, caution and courage, dependency and autonomy.

Because it does come back to leadership and leadership would be crucial through this period of change, one must understand the interrelatedness between paradigm shifts and leadership. Joel Barker, a leading author on the power and influence of paradigms, has stated, "You manage within a paradigm. You lead between paradigms" (Barker, 1992:164). A paradigm is a set of rules and regulations (written or unwritten) that: 1) establishes or defines boundaries; and 2) tells you how to behave inside the boundaries in order to be successful. (Barker, 1989:32). In *Paradigms - The Business of Discovering the Future*, Barker explains that leaving one paradigm while it is still successful and going to a new paradigm that is as yet unproven looks very risky. But leaders, with their intuitive judgment, assess the seeming risk, determine that

shifting paradigms is the correct thing to do, and, because they are leaders, instill the courage in others to follow them (Barker, 1992:164).

### **Organizational Structure - Traditional versus Empowered Organization**

In federal probation and pretrial services offices across the country, managers are working with their staffs to restructure the workplace. To meet goals to operate successfully with a limited budget, to increase productivity, to improve work quality, and to make the best use of employee potential, probation staff are transforming their organizational style. Increasingly, the traditional approach in which supervisors control and oversee work is being replaced by team-based approaches in which all employees share responsibilities. Team-based management has radically changed the role of supervisory staff in federal probation and pretrial services. (Alston and Thompson, 1996:83).

In a team-based approach, teams of employees gradually assume increased responsibility for controlling and coordinating their own work. What was once the clearly defined domain of the supervisor, such as quality control functions under the traditional approach to management, became the responsibility of teams. Such a work environment does not devalue supervisors or their skills. Instead, it encourages supervisors to use their skills - and to develop new ones - to help employees work together more effectively (Alston and Thompson, 1996:83).

As teams are empowered and move toward self-management, supervisors continue to provide leadership and motivate employees. Successful transition from a traditional management approach to a team-based approach depends on supervisors' adaptability and willingness to learn new leadership behaviors and on their continued commitment to the mission of the organization. Among the roles they assume are team builder, team trainer, negotiator, mentor, and facilitator for team operations or intra-team communications (Alston and Thompson, 1996: 83). When the line staff and management work toward the same agency goals and collaborate to create vision

and mission statements, their partnership gives the transition process momentum. Most of all, future supervisors in probation will demonstrate leadership to get the job done through others and in the process encourage the independence, commitment, and adaptability of yet another generation of supervisors.

Empowered organizations value autonomy as an end in itself - an end that contributes to personal fulfillment and advances democratic ideas in organizations. In *The Empowered Manager*, Peter Block states, ". . . as managers, our fundamental purpose is to build an organization that we are proud of. Our unit in many ways becomes a living monument to our deepest beliefs in what is possible at work. We strive to create both a high-performing unit and one that treats its own

members and its customers well. Each time we act as a living example of how we want the whole organization to operate, it is a political act” (Block, 1987:7). Block states that the essence of positive political acts is when we each focus on the present and become living examples of the organization we wish to create; at that point the larger change process has begun (Block, 1987:190).

Kimball Fisher, in *Leading Self-Directed Work Teams*, states that our work paradigms are firmly entrenched in our organizational structures and practices. Noted employee involvement expert Richard Walton, for example, identifies the primary difference between managers in traditional organizations and managers in empowered work systems not by their actions, but by their paradigms about management. Walton suggests that most supervisors at all levels of organizations today operate with the “control” rather than the “commitment” paradigm, seeing their job as controlling the workforce through policies and punishment. It is a logical extension of the “Theory X” assumption. However, the successful team leader sees his primary responsibility as engendering the commitment of the workforce rather than eliciting compliance. They do this by teaching, coaching, and leading team members so that the workers’ own self-control can replace the externally imposed controls of traditional supervision (Fisher, 2000:106-107).

Most of us (at least those who can call ourselves “Baby Boomers”) have been influenced by the control management paradigm because it is the most prevalent operating paradigm of management in modern organizations of all kinds. Many of today’s supervisors and managers were raised in families in which parents were bosses who set rules, made the decisions for the family, determined who did which chores, allocated resources, and imposed punishments. Their schools and churches were run in similar ways. Many served in the military and were subjected to heavy doses of control management. Governments created bureaucracies to regulate and enforce national, state, and local laws. In the workplace, there were clear chain-of-command hierarchies with every level of management responsible for the work of those below that level. The old paternalistic, bureaucratic organizations in America were never entrepreneurial. It is not difficult to see that the control paradigm has been so pervasive.

The following table displays the differences between the control management paradigm and the commitment management paradigm described by Kimball Fisher:

***Differences Between Management Paradigms***

| <b>Control Paradigm</b>                   | <b>Commitment Paradigm</b>                   |
|---|--|
| Elicits compliance                        | Engenders commitment                         |
| Believes supervision is necessary         | Believes education is necessary              |
| Focuses on hierarchy                      | Focuses on customers                         |
| Biased toward functional organizations    | Biased toward cross-functional organizations |
| Manages by policy                         | Manages by principle                         |
| Favors audit and enforcement processes    | Favors learning processes                    |
| Believes in selective information sharing | Believes in open information sharing         |
| Emphasis on means                         | Emphasis on ends                             |
| Encourages hard work                      | Encourages balanced work/personal life       |
| Rewards conservative improvement          | Rewards continuous improvement               |



Organizations characterized by traditional top to bottom authority hierarchies are defined by the fact that the roles of staff members are so circumscribed that most relationships within the organization are both formal and impersonal. In their purest form, they engender a system of one-way communication in which managers tell employees how, when, and what to do (Chavaria, 1994:19).

### **Managing Change**

In Peter Drucker's Foundation of the Future Series, *The Organization of the Future*, Frederick G. Harmon states:

The organizational chart and the policy manual are only representations of the intricate arrangement that shapes the work organization. Behind the chart lies the true organization - the managers and workers, their physical energy and skills, their attitudes, opinions, and values. At the core of the issue lies people's ability to change, their capacity to resist change, and their willingness to adapt (Harmon, 1997:240).

According to Drucker, the purpose of and function of every organization, business and non-business alike, is the integration of specialized knowledge into a common task (Drucker, 1992:96). Federal probation officers are knowledge workers - they apply their knowledge of human behavior to a criminal justice population in order to carry out probation's mission. That mission has to be achieved in an environment that is dynamic, fluid, and non-static. Probation officers do not operate in a vacuum. No two offenders are precisely the same. The rules and laws that govern their work are in continual flux, and public expectations are increasingly more demanding.

Therefore, it is essential that the probation office of the 21st century be organized so that change is encouraged and understood. Drucker states, "For managers the dynamics of knowledge impose one clear imperative: every organization has to build the management of change into its very nature" (Drucker, 1992: 96). The leadership challenge for probation managers is to be able to move between emphasizing tasks and the pressures associated with completing them to emphasizing relations. Simply put, the probation manager needs to do as much listening as talking, show concern for what probation officers do, but more importantly, ask why they do it, and what the job means to them (Chavaria, 1994:19).

Change cannot be managed alone - it requires teamwork. It can be described as a balance-seeking exercise that facilitates the mission of probation within the context of a positive, stimulating work environment. L. Miller, in *Barbarians to Bureaucrats: Corporate Life Cycle Strategies*, referred to the type of manager who strikes a balance as a "synergist." The synergist is the manager "at the fulcrum, sometimes adding weight to one end, sometimes the other, always sensitive, always adjusting to the forces in place . . ." (Miller, 1989:163).

If federal probation is to avoid being characterized as "anachronistic," it must be willing to expand continually the boundaries (its paradigms) of its operational parameters and challenge static answers to evolving problems. Probation managers and leaders must develop the ability to lead by coaching and teaching, rather than by controlling or supervising.

John P. Kotter, a Konosuke Matsushita Professor of Leadership at the Harvard Business School, has watched more than 100 companies in the last decade or so try to remake themselves into significantly better organizations. A few of these corporate change efforts have been very successful. A few have been utter failures. Most, Kotter says, fall somewhere in between, with a distinct tilt toward the lower end of the scale. He says the most general lesson to be learned from the more successful cases is that the change process goes through a series of phases that, in total, usually require a considerable length of time (Kotter, 1995:59). Kotter adds that transformations often begin, and begin well, when an organization has a new head who is a good leader and who sees the need for a major change. He offers the following eight steps to

transforming an organization (Kotter, 1995:61):

## Eight Steps to Transforming Your Organization

### Step 1: Establish a Sense of Urgency

- Examine market and competitive realities
- Identify and discuss crises, potential crises, or major opportunities

### Step 2: Form a Powerful Guiding Coalition

- Assemble a group with enough power to lead the change effort
- Encourage the group to work together as a team

### Step 3: Create a Vision

- Create a vision to help direct the change effort
- Develop strategies for achieving that vision

### Step 4: Communicate the Vision

- Use every possible way to communicate the vision and strategies
- Teach new behaviors by the example of the guiding coalition

### Step 5: Empower Others to Act on the Vision

- Get rid of obstacles to change
- Change systems or structures that undermine the vision
- Encourage risk taking and non-traditional ideas, activities, and actions

### Step 6: Plan for and Create Short-Term Wins

- Plan for visible performance improvements
- Create those improvements
- Recognize and reward employees involved in the improvements

### Step 7: Consolidate Improvements and Produce Still More Change

- Use increased credibility to change systems, structures and policies that don't fit the vision
- Hire, promote, and develop employees who can implement the vision
- Reinvigorate the process with new products, themes, and change agents

### Step 8: Institutionalize New Approaches

- Articulate the connections between the new behaviors and success
- Develop the means to ensure leadership development and succession

## **Leadership**

In *Leadership is an Art*, Max DePree defines the art of leadership as “liberating people to do what is required of them in the most effective and human way possible” (DePree, 1989:1). DePree has also found leadership to be a journey and it can be elusive. He states, “Leadership is an art, something to be learned over time, not simply by reading books. Leadership is more tribal than scientific, more a weaving of relationships than an amassing of information, and, in that sense, I don't know how to pin it down in every detail.” (DePree, 1989:3).

The first chief probation officer in our district, Ed Anderson (1946 - 1975), is the foremost storyteller for the history, culture and values of the U.S. Probation Office. Perhaps it's because of Ed's prior employment as an educator and Superintendent of Schools that he is so capable of

teaching us about the history of probation's values, but this writer believes it has more to do with his inner core. His life has been centered on value, honesty, and integrity. These traits cannot be taught, they are inherently a gift from within.

John Gardner, in his book entitled, *On Leadership*, states:

Each generation must rediscover the living elements in its own tradition and adapt them to present realities. To assist in that rediscovery is one of the tasks of leadership. The leaders whom we admire the most help to revitalize our shared beliefs and values. They have spent a portion of their time teaching the value framework (Gardner, 1990:13-14).

It is clear that the majority of us can agree on what we want from our leaders. We want them to have a sense of direction, for as Gardner observes: "To have a sense of where the whole enterprise is going and must go, is, I am inclined to say, the very core and essence of the best leadership" (Gardner, 1990:21). We want leaders to be able to stand before us and confidently express an attractive image of the future, and we must be able to believe that they have the ability to take us there.

James M. Kouzes and Barry Z. Posner, in *The Leadership Challenge*, write about the striking relationships between what leaders say they do when at their personal best and what followers say they admire and look up to in their leaders. Clearly, the leadership practice of inspiring a common vision involves being forward-looking and inspiring. By challenging the process, leaders enhance the perception that they are dynamic. We trust leaders when their deeds and words match. Trust is a major element of enabling others to act (Kouzes & Posner, 1987:25).

Kouzes and Posner offer the following five fundamental practices that leaders use to get extraordinary things done in organizations:

1. Leaders challenge the process. They search for opportunities to change the status quo. They look for innovative ways to improve the organization. They experiment and take risks.
2. Leaders inspire a shared vision. They passionately believe they can make a difference. They envision the future, creating an ideal and unique image of what the organization can become. Through their strong appeal and quiet persuasion, leaders enlist others in the dream.
3. Leaders enable others to act. They foster collaboration and build spirited teams. They actively involve others. Mutual respect is what sustains extraordinary efforts, so leaders create an atmosphere of trust and human dignity. They strengthen others, making each person feel capable and powerful.
4. Leaders model the way. They establish values about how employees should be treated. They create standards of excellence. They plan small wins to overcome the complexity of change. They unravel bureaucracies and create opportunities for victory.
5. Leaders encourage the heart. They recognize contributions that individuals make to climb to the top. They celebrate accomplishments with employees (Kouzes & Posner, 1987:279-280).

No discussion of leadership would be complete without some comments about succession and leaving a legacy. These have always been very important components in the U.S. Probation Office, and will be in the future. John C. Maxwell, in his book, *The 21 Irrefutable Laws of Leadership*, says the Law of Legacy is the one law that the fewest leaders seem to learn. He states, "Achievement comes to someone when he is able to do great things for himself. Success comes when he empowers followers to do great things with him. Significance comes when he develops leaders to do great things for him. But a legacy is created when a person puts his organization into the position to do great things without him" (Maxwell, 1998:221). In other words, a leader will be judged by how well his people and his organization perform after he or she is gone. His or her lasting value will be measured by succession.

Every probation leader should aspire to instill in each officer the desire to challenge persistent

problems and to generate new ideas. Organizational success is a predicate of leadership capable of shaping a vision. As such, federal probation needs leaders committed to channeling the energy created by the vision and prepared to recognize the potential benefits of shared decision-making. They must recognize that change must be built into the organizational structure. If done correctly, probation leaders will instill in employees the skills necessary to ask questions such as, “How well are we doing?” and, more importantly, “How can we do it better?”

Stephen R. Covey had this to say about “shifting your management style.” He stated:

How do we become more effective? I have found that if you want to make slow, incremental improvement, change your attitude or behavior. But, if you want to improve in major ways, — I mean dramatic, revolutionary, transforming ways — if you want to make quantum improvements, either as an individual or an organization, change your frame of reference. Change how you see the world, how you think about people, how you view management and leadership. Change your paradigm, your scheme for understanding and explaining certain aspects of reality. The great breakthroughs are breaks with old ways of thinking (Covey, 1991:173).

For probation leaders to move forward in the 21st century will require a departure from the traditional way of thinking. This writer conceptualizes it as “thinking beyond the whole,” to extend beyond the traditional way of interacting with differing generations of employees, of structuring our organizations, of communicating a vision, and of empowering employees and allowing them to share in the decision-making process. For some, this will constitute a substantial challenge, requiring a willingness to step outside the familiarity and comfort of some old paradigms. This new paradigm in leadership will involve creating a commonly shared vision that encourages everyone in the probation district to continuously improve processes.

### **Beginning a New Future & Adapting to Present Realities**

As chief probation officer, I believe my mission-critical role is to create a better future for our probation district through transformational change in our approach to positively impacting offenders and changing their behavior, and through moving squarely from an old hierarchal organizational structure to a firm foundation in a participatory organizational structure.

When I was named Chief Probation Officer (Designee) in May 2006, I chose to make use of the seven months before I officially took office in January 2007 to prepare the organization for long-term sustainable change. This was an opportunity to anticipate the future and to lead between paradigms. As Joel Barker stated, “. . . Leaders, with their intuitive judgment, assess the seeming risk, determine that shifting paradigms is the correct thing to do and, because they are leaders, instill the courage in others to follow them.” I believed that, however risky it seemed, a break with the old hierarchical organizational structure to a participatory organizational structure was absolutely necessary to build the type of future the probation district and its people longed to become. To me, the staff of the U.S. Probation Office in the Northern District of Iowa were poised for change. I hoped for a future would allow them to become a learning organization and become more fully knowledgeable and engaged in the decisions that affected them. I hoped that we could unlock their intellectual curiosity and move them toward innovation. I hoped that they would find their creative spirit and begin to show it in how they would go about their work. I hoped they would see the value of examining the work processes and improve the workplace along the way. I hoped that each employee would feel valued and challenged to reach his or her highest potential. Finally, I hoped that the employees themselves would be inspired to act to create a work culture of trust, respect, and collaboration that they could be proud of.

### **A Vision for the Future**

Shortly after I was appointed the chief designee and in preparation for the August 2006 district meeting, I determined that we needed to have courageous discourse with our management staff regarding the need for change. I asked the post-conviction supervisors to analyze “key indicator data” on organizational performance that would show what was and what was not working in our district when it came to post-conviction supervision practices. The same request was made of the

presentence supervisors to examine work processes and data. At the district meeting, management team members presented the data to staff in the form of power point presentations and discussion. Statistical data and results were presented on our district's Zero Tolerance Policy (DROPS-Drug Reduction on Probation or Supervised Release), including positive urine screen rates and missed urine screen rates. We also analyzed the historical increase in post-conviction offender supervision caseload numbers, the number of violation reports written, and the amount of funds expended on urine screens and substance abuse treatment, as well as our district's offender unemployment rate. Perhaps this approach, which consisted of showing evidence that indicated where our practices were not in sync with our mission, was perplexing to our staff. However, it was our district's first attempt at examining the raw data and letting it inform us to make better decisions about our work processes. This was also the beginning of our present-day movement or shift toward becoming "outcome-based/results-driven," when we would conduct a critical review and analysis from the data in relation to how it was producing an outcome (desirable or undesirable).

At the conclusion of the district meeting, I began my presentation as chief designee by sharing the following quote from Frances Hesselbein, a 1998 Presidential Medal of Freedom Recipient:

. . . [W]hen we are called to lead – as all effective leaders are – we are leaders of change, not the protectors and perpetrators of a cherished, honored past. Leading the organization of the future in turbulent, tenuous times makes new demands on leaders: banning the hierarchy, building new and inclusive structures and systems that release the energies of our people, challenging the gospel of the status quo, and finding the leadership language that mobilizes our people around mission, innovation, and diversity.

I believe it is important for those called to lead to let those you will be leading know what motivates you, what you value, and what you are passionate about. These new followers will look at you with your new positional power, and they will need to know what they can expect in a new leader. I began my dialogue with our staff with the following outline for our discussion:

- Asking Questions - Who is this New Chief?
- What are my Values and Beliefs about People?
- What are my Beliefs about the Organization?
- What is my VISION for the People and the Probation Organization?
- What is my Leadership Strategy for the Present and Future?

In this meeting, we sought to accomplish at least two objectives. First we, as a staff, would confront and attempt to establish what needed to be changed in our work processes. From a management perspective, we wanted staff to buy into a sense of urgency. Presumably, staff would be convinced with the data and see the urgent need to change to improve our work processes. John Kotter in *The Heart of Change* identifies the single most important message in his book as this: "People change what they do less because they are given analysis that shifts their thinking than because they are shown a truth that influences their feelings" (Kotter, 2002:1).

While we were less than successful through our data presentations, we learned a valuable lesson: "making a business case" with data and deep thinking was not the ticket for staff buy-in. However, all was not lost. I attempted to touch staffs' feelings by showing them what they could put their hearts into and believe in. So that staff could get to know their new chief designee and see a new truth, a different feeling, and vision for the future, a future I hoped they would be inspired to participate in, I began with *My Values and Beliefs about People*. People are undeniably at the heart and spirit of the probation organization and thus they would make or break its future. The Chief Designee's values and beliefs, as communicated to staff through a series of power point slides, are as follows:

- Accept people for who they are
- Never give up on people
- Treat people with dignity and respect

- Have sincere interest in people and in what they think and feel
- Help people become better at what they do
- Believe we all must be given an opportunity to fulfill our “calling” – That’s what truly motivates us
- Believe we can always talk

Next, I introduced *My Beliefs About the Probation Organization* because I felt the staff should know what sort of steward I would profess to be of the organization that they work and live in. Those beliefs are as follows:

- Believe every day is an opportunity to help the organization learn, grow, and move forward
- Believe our organization is poised for collaborative opportunities within and outside our organization that will provide staff with openings to become more actively engaged in the organization
- Believe our organization can make even greater improvements in its work culture
- Believe the organization’s award & recognition program must come alive and show what the organization values in its people
- Believe we must work as “One District” - To become a healthy, smart, and productive probation organization

Dialogue in these areas was intended to evoke emotion in the staff so that they would begin to get a sense that things would change because of the change in leadership. We were on a mission to change their feelings, their thinking, and ultimately, their behavior, into a new way of doing things, based upon the beliefs reflected above and the approaches that support those beliefs.

Steps 3, 4, and 5 of John Kotter’s Eight Steps to Transforming Your Organization deal with Vision. In addition, Kouzes and Posner espouse that one of the five fundamental practices that leaders use to get extraordinary things done in organizations is to “inspire a shared vision.” This was my opportunity to talk with staff and provide them with my view of “the desired future.” According to the publication *Court Manager*, research suggests that vision statements are most effective when they “tell a story” of a new reality - a lucid and detailed preferred future. Effective vision statements elevate and compel action because they are both bold and inspirational, both believable and achievable. My power point slide was titled, *My Vision & Mission Critical Role*, from a new Chief. The Vision statement read:

*Stimulate and Create a Sense of Confidence and Responsibility Throughout the Organization so that Staff Will Take Leadership-Like Actions in Pursuit of the Organization’s Mission and Values.*

I referred to the Charter for Excellence when making reference to the “Organization’s Mission and Values.” My belief is that every staff member meet the criteria of “leader” if they aspire to make our organization better. Mary Parker Follett - arguably the 21 st century’s most prescient management thinker, made the following point about leadership in her book, *Creative Experience*, first published in 1924. Follet pointed out, “Leadership is not defined by the exercise of power, but by the capacity to increase the sense of power among those who are led. The most essential work of the leader is to create more leaders” (Hamel, 2007:186). It is about the little things that each of our staff could do every day to positively influence each other, offenders and defendants, and our communities. These “leadership-like actions” multiplied over time, would create a new and better future for our probation organization; in turn, this improved probation organization would positively impact the lives of the people under our responsibility. And, we would learn that you don’t need a “title” to be a leader. We learned from retired Chief Ed Anderson that the offenders he supervised looked at him as another human being who was willing to give of himself to help them become better citizens, and he did not need a title to do so.

To model the way as the new probation chief, I realized that staff deserved to know how I would impact the workplace, what standards for excellence I would champion, and how I would

encourage their hearts and minds. I shared with staff *My Five Leadership Strategies for the Future*, as follows:

#### Strategy No. 1 - Communication and Recognition

- We must be patient and listen to staff
- We must give staff optimism and positive feedback and listen some more
- We must express our pride and gratitude for the hard work done by staff day-in and day-out

#### Strategy No. 2 – Vision-Driven Action

- We must be as inclusive as possible to spread the positive effects of small wins that support the vision and change
- We must create opportunities for staff to rehear and relearn the vision and be actively involved; for example, through work groups, committees and team-focused projects
- We will fund programs and projects that support the vision

#### Strategy No. 3 - Changeability

- We will remind staff of the many changes they have weathered in the past and credit them for getting through the tough times
- We will show staff their strengths and communicate confidence in their ability and skill to deal with change

#### Strategy No. 4 - Culture of Independence

- We must break the culture of “control” and its stranglehold on creativity
- We must liberate people to discuss, debate and decide
- We must give staff “running room” to show what they can think and do
- We must strive for and accomplish changing the traditional face of our management structure and its implemented ideology
- We must ask and look for new and diverse ideas and those willing to share them and risk acting on them

#### Strategy No. 5 - Managing Intelligently

- Gather key indicator data on organizational performance
- Analyze the data to assess desired outcomes

For example: How well are we delivering service to the courts? To the public? To the people under our charge?

- Communicate/share key indicator & mission-critical data with judges and probation staff
- Consistently use this data to make decisions and to improve organizational performance

I concluded my presentation with the following quote by Warren Bennis and Burt Nanus:

*A vision cannot be established in an organization by edict, or by the exercise of power or coercion. It is more an act of persuasion, of creating an enthusiastic and dedicated commitment to a vision because it is right for the times, right for the organization, and right for the people who are working in it.*

This was a golden opportunity to begin working toward a breakthrough regarding the old ways of thinking and change our organization’s frame of reference, to set the stage for quantum improvements in our organization in transforming ways.

#### **A Strategic Initiative for Organizational Change**

Our probation organization has been challenged to change in a way for which it has no

precedent. Consequently, we have tried to change ahead of the curve so that we could be positioned for the future. (I refer to this as seeing things out there, and although we are not there yet, we go there and work from there.) That is why, in the fall of 2006, when our management team was getting ready for a change in chief probation officer, we contacted leadership staff in the Office of Probation and Pretrial Services (OPPS) to seek counsel and agreement with our wishes to proceed with exploring the implementation of evidence-based principles of supervision in our probation district. In the months preceding this contact, we had discussions with our counterparts with the Sixth Judicial District of Department of Correctional Services in Cedar Rapids, Iowa, about their experiences and lessons learned from working toward implementation of evidence-based practices since the early 1990s. We learned from OPPS staff that grant funds under a pilot project called Research to Results (R2R) would be made available to districts that wished to apply for the same. We continued to chart an aggressive course toward learning about evidence-based practices and what it would take to implement them in our district. Eventually, on January 8, 2007, we submitted our first-year R2R grant application to OPPS. A second-year R2R grant application was submitted on November 20, 2007. Funding was approved in each year of application.

### **A Chief Probation Officer's Perspective on Research to Results (R2R)**

How has the implementation of evidence-based practices affected organizational change?

Our rationale for moving forward with this R2R project was to improve supervision effectiveness and enhance the safety of the communities in the Northern District of Iowa. For those reasons, we embraced "Evidence-Based Principles" of supervision – principles that have been scientifically proven to reduce offender risk and recidivism. Simply put: Evidence-Based Practices is Research Informing Practice. Research shows that punishment alone does not reduce offender recidivism and can actually increase recidivism. However, punishment coupled with programming matched to an offender's needs has been shown to reduce recidivism.

We recognized that implementation of evidence-based practices would mean changes in the way we do business and would require us, as practitioners, to change as well. In addition, we recognized that maintaining public safety with a larger population of offenders is a difficult enterprise for any probation organization. This is particularly true when probation offices are operating in an increasingly more complex work environment, an environment that requires more momentum and efficiency, in an era of limited financial resources and cost-containment. These driving forces would require us to rethink how we could do business in the future and lead our probation organization through rapid change. Change was needed as we acknowledged that traditional methods of offender supervision would not meet the challenges facing federal probation now and in the future.

We have followed *An Integrated Model for Implementing Effective Correctional Management of Offenders in the Community*. This model emphasizes an equal focus on evidence-based principles (content), organizational development (internal strategy), and collaboration (external strategy). Each of these three components is essential for an integrated model for system reform. We have also developed our own model for change based upon the Integrated Model.

After nearly 18 months since we began our R2R journey, we have just recently reached the threshold of being able to organizationally implement evidence-based principles of supervision into our professional practice. This is an exciting time and what a journey it has been, thus far. We have a long road ahead of us, but our staff recognize and appreciate the

benefits for our criminal justice clients in making this journey. This journey has transformed our staff and our organization. We recognized that we needed to make dramatic changes in ourselves before we could begin to change the behavior of our clients.

During this journey, we worked tirelessly on staff "buy-in." One might say we launched an all-out assault on the status quo. We brought staff into the process to see how decisions were made and the complexities behind them. We called upon the nine senior officers in our organization to



help us with “warming” other staff to the process of change. We took aggressive steps to free supervision officers from some of the bureaucracy of their workload and put some of those mundane tasks in the hands of technicians hired under the grant funding process. This strategy of teaming officers with technicians was aimed at leveraging the ability of our supervision officers to work with criminal justice clients in the field and concentrate on helping their clients change their behavior and meet their commitments. We have also “teamed” with our judicial officers to gain their support of this R2R strategic initiative. Our judicial officers have been continually updated on the progress of our district’s ongoing R2R implementation efforts. In August 2007, both of our active district court judges and our new magistrate judge attended a two-day training seminar on our Cognitive-Behavioral Treatment program with our supervision officers and staff from our seven treatment providers, Bureau of Prisons North Central Regional Office staff, and the national trainer from the Courage to Change Companies.

Performance measurement of staff was altered to ensure officers were utilizing the risk/needs assessment tool to develop strategies and goals with the case plan. Our Performance Appraisal System was modified to include critical elements of evidence-based delivery provisions, including the use of motivational interviewing techniques. We modified our officer vacancy announcements to include evidence-based training and facilitation experience as a preferred skill for new officer hires. Subsequently, we were fortunate to hire three officers (one from Minnesota and two from Iowa) who had been trained in specific evidence-based programs. We introduced quality assurance into our Supervisor Case Plan Review process to help supervisors critically examine the fidelity of evidence-based principles in each case. All the while, we trained our staff and collaborated with our partners in transforming the way we provide supervision to our post-conviction caseload of 650 offenders.

Along the way, we developed a written District Culture Action Plan. This Plan was created at the Executive Team Seminar held at the Federal Judicial Center in early May 2007. The Goal of the Plan is: *Become an Outcome-Based/Results-Driven Probation Organization Through Continuous Improvement and Embracement of Evidence-Based Practices*. Our Plan is focused on improving our organizational culture through involving our staff in creating a changed work environment. Simply put: We refuse to be prisoners of our own paradigm. When the future of federal probation can be changed for the better through research informing our practice, we intend to move full steam ahead. Our words must be followed by actions so that our staff see the results of what we action plan. The workforce of today needs this more than the worker of yesteryear. We are all knowledge workers and, more than anything else, probation staff are doers. They get the job done. The work can definitely be more fulfilling for our staff when we positively impact the lives of our criminal justice clients. Our integration of evidence-based principles and the tools of science will have the effect of creating an environment where federal probation officers think and see themselves as being more like professional probation practitioners.

The implementation of Evidence-Based Practices in our probation district is in alignment with federal probation’s *Charter for Excellence*, which emphasizes becoming a system that is “outcome driven,” striving “to make our communities safer while also making a difference in the lives of those we serve,” and by “. . . positively impacting the community and the lives of victims, defendants, and offenders.”

The engagement of our staff in workgroups formed on February 1, 2007, has been an integral component of our evidence-based principle implementation success. Our staff have risen to the occasion and have learned much since we began this journey. During a two-day workshop in April, our supervision officers teamed up to conduct peer-to-peer training on the core elements of *Monograph 109 - The Supervision of Federal Offenders*, as well as on the implementation of motivational interviewing, the Courage to Change Cognitive-Behavioral Interactive Journaling Process and our Supervision Case Flow Process. The results from this training are the strongest evidence to date that our staff are ready and able to effectively implement evidence-based principles of supervision. They are united as a learning organization and are ready to move forward with implementation.

The following chart reflects a before and after snapshot of how implementation of evidence-based practices has affected organizational change in the U.S. Probation and Pretrial Office for the Northern District of Iowa.

**Organizational Development and Change**

*Become an Outcome-Based/Results-Driven Probation Organization Through Continuous Improvement and Embrace of Evidence-Based Practices*

**Iowa Northern Probation and Pretrial Services**

| Before R2R Implementation  | After R2R Implementation   |
|--|--|
| Organization “coasting” - No precedent for change  | Organization awakened - Given new life   |
| No plan or direction in place for challenging or changing the “status quo” - the “way we have always done it”                      | Desired District Culture Action Plan with a goal, objectives, strategy, action steps and target dates to create change & improve how we do business              |
| Minimal coordinated effort toward data quality - single data quality coordinator - marginal data coordination or quality assurance | Establishment of Data Quality Team (wide staff involvement approach) with emphasis on improvement of data and “blend” with R2R                                   |
| Staff lacking knowledge about the causes of crime and offender recidivism - not cognizant of research studies on recidivism        | A learning organization full of questions and curiosity - Unlocking of staffs’ intellectual curiosity and creativity   |
| Staff hungry to communicate ideas and be creative  | Ideas welcomed and tried out to improve programs   |
| Organization bound by and stagnated in processes and paper   | Going paperless and using technology to our advantage - document imaging, mobile computing, redundancy elimination   |
| Managing offender behavior with compliance-driven approach   | Changing offender behavior with commitment- engendering approach   |
| Staff input “stalled” or lacking energy - The old attitude “No one is interested in hearing what I think” prevailed                | Staff revitalized, opportunities abound to delegate improvement projects and tasks to staff, staff input seen and realized                                       |
| Staff not exposed to change - no resistance - things stay the same   | Change happens - staff resist - staff excel at winning over change   |
| Operational decisions not well-grounded or informed by data  | Data informs and supports decision-making  |
| Staff working in the “singular” context  | Workgroups and teams established - collective thinking with greater collaboration within the organization  |
| Minimal peer to peer training or coaching  | Peer to peer influence strengthened through coaching and training  |
| District did not collaborate or partner with OPPS or state counterparts - district lacked identity                                 | R2R collaboration with OPPS and Iowa Judicial Districts of Correctional Services - District identified as committed to improvement, research and positive change |

|   |  |
|---|--|
| Charter for Excellence - A less-recognized document                             | Charter for Excellence given new relevance & meaningful relationship to mission, values, outcomes, achieving results   |
| Work environment in need of revitalization & improvement                        | Work environment much improved - staff more productive, satisfied and recognized   |
| Employee Award & Recognition Policy non-existent                                | Employee Award & Recognition Policy established with clear ties to recognizing staff for continuous improvement & EBP accomplishments                          |
| Officers hired with no EBP knowledge or experience                              | Officer vacancy notices include EBP knowledge/experience as "preferred skills" - officers hired with EBP knowledge, program facilitation skills and experience |
| No performance management program in place - written appraisals not done        | Performance Management Program active - written appraisals - officers appraised with EBP principles (MI, CBT Referrals, Case Planning)                         |
| Probation practice - A profession with practices based on "traditional" methods | Probation practice - A profession with practices supported by scientific evidence - "What Works"   |

## Conclusion

The process of change has been a renewal of ourselves and our probation organization. Our staff have shown great courage and determination. They have embraced the management of change so that it could be built into the very nature of the organization. Staff stepped outside of the familiarity and comfort of an old paradigm and into a new paradigm, one filled with promise and potential. Our probation organization has become a place of realized potential that continues to offer opportunities for our staff to learn and grow. Indeed, the future of our staff, our probation organization, and federal probation is very bright.

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## Risk/Needs Assessment: Is This the Best We Can Do?

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The perception and use of risk and needs assessment tools has radically evolved over the past 30 years. The field of probation is beginning to accept what the academic literature has demonstrated for decades: objective actuarial risk/needs instruments more accurately predict risk and identify criminogenic needs than the clinical judgment of officers. This acceptance is demonstrated by the number of probation systems that continue to adopt the use of risk/needs assessment tools as part of their offender assessment process (Champion, 1993) (Hubbard et al., 2001). However, although probation administrators are adopting the use of risk/needs tools, are officers actually using these tools during supervision? Despite increased agency adoption of actuarial tools, research indicates that officers are not connecting either risk or criminogenic needs to the supervision of offenders (Bonta, Rugge, Sedo & Coles, 2004) (Lowenkamp, Latessa & Holsinger, 2006).

An opportunity now exists to develop a tool that officers will incorporate into their daily decision making. The federal probation system plans to develop a new risk/needs assessment tool that provides the officer with the necessary information to create a supervision plan that will increase the likelihood of recidivism reduction. If developed correctly, this tool will remove existing barriers and reduce officer resistance to actuarial risk and needs assessment. The following is an examination of why risk/needs assessment is needed in the supervision process and what technical characteristics are necessary as the federal probation system develops the next generation of risk/needs assessment tools.

### **The Purpose of a Risk/Needs Tool: Why is it Necessary?**

The cornerstone of effective supervision is the use of a risk/needs tool. One of the foundational principles of community-based supervision is the Risk Principle (Andrews, Bonta & Hodge, 1990). This principle states that the intensity of an offender's supervision and treatment must be proportional to his or her level of risk. Offenders with a high risk of recidivism must be intensely supervised and receive comprehensive treatment services. Conversely, offenders with a low risk of recidivism should receive minimal services. Recent research indicates that the failure to follow the risk principle leads to higher recidivism rates (Lowenkamp & Latessa, 2004).

Although determining an offender's general risk level is critical, identifying the specific dynamic risks in an offender's life that drive future crime is equally important. The dynamic risk factors, also known as criminogenic needs, lay a blueprint for the development of a case plan that will reduce recidivism.

In short, the primary reason to use a risk/needs tool is to help officers both identify which offenders need intensive intervention and what type of intervention is required. If officers are

guessing about which offenders on their caseloads need intensive supervision and what type of interventions are required, then the field of probation will fail to produce optimal results. Probation agencies are responsible for reducing or at least stabilizing the likelihood of future criminal activity. The failure of officers to effectively use a risk/needs tool may actually be increasing the likelihood that offenders will further victimize society.

There are secondary reasons that encourage probation agencies to utilize a risk/needs tool. Risk/needs tools offer a mechanism for organization leaders to create an equitable workflow, effectively budget resources and develop a statistical understanding about what type of population is being served. These are all important byproducts of risk/needs assessment tools, but should never be the core reason for systems to implement risk and needs assessment. Unfortunately, more often than not, probation agencies use risk tools in the administrative capacity more than they do for case planning (Hubbard et al. 2001). Why are administrators more comfortable with these assessment tools than officers? Could it be that officers do not find these tools effective in their daily jobs?

### **The History of Risk and Needs Assessment**

The evolution of risk assessment is understood through the development of successive “generations” of tools. Each generation utilized the most advanced methods of the time to predict the risk of recidivism and then applied the results of the assessment to supervision strategies. As the academic field of criminal justice developed, so did the understanding of the etiology of criminal behavior. This tradition continues today, with researchers continually refining their understanding of criminal behavior and the associated enhancements to risk/needs prediction tools.

The first generation of risk prediction is defined as an officer’s use of his or her clinical judgment. As officers gain knowledge and experience they begin to develop a “sense” of who is going to fail under community-based supervision. This clinical judgment extends into the case plan as officers filter their experience and knowledge to determine what interventions will protect the public and reduce long-term recidivism. It is both intuitive and demonstrated in research that clinical judgment is an unreliable form of assessment. As articulated by Harris (2006), actuarial assessment consistently outperforms clinical (officer) judgment. Clinical judgment is wrought with bias and subjectivity. Additionally, officers often overlook important information while trivial information can be overemphasized (Latessa, 2003).

Clinical judgment was replaced in the late 1920’s with the Burgess Model of assessment (Latessa, 2003). This second generation tool used an objective scale to measure static offender characteristics. Each characteristic was given an equal weight and the total number of characteristics that were present in an offender were added together to produce a final score. Although rudimentary, the Burgess Scale ushered in a new era in risk assessment; objective scales that focused on inter-rater reliability (Connolly, 2003). Second generation tools were continually developed with further refinement. The most prominently utilized second generation scale in the United States was the Salient Factors Score, which was developed in the early 1970’s (Hoffman & Beck, 1974).

In the late 1970’s, the State of Wisconsin ushered in the third generation of risk assessment with the development of the Wisconsin Client Management Classification System. This tool utilized many of the past methods of static assessment, but introduced the key ingredient of a third generation tool; dynamic risk factors (Connolly, 2003). Unlike second generation tools, this new generation mixed factors that an offender could modify in the future (e.g. substance use) with traditional static factors to predict risk and needs. This change made risk/needs assessment more helpful with case planning. Although basic in the early version of these tools, the third generation of risk and needs assessment introduced the concept of measuring both negative and positive offender change over time (Bonta & Andrews, 2006). Later third generation tools, such as the Level of Service Inventory-Revised, refined the use of dynamic factors and included these factors in a needs assessment component to be used in tandem with the risk prediction score (Latessa, 2002).

The leap to fourth generation risk/needs assessment is defined by the integration of the assessment process and case planning. This integration creates a systematic intervention and monitoring system based on the results of a much larger series of assessed characteristics than is present in most third generation tools (Bonta & Andrews, 2007) The Level of Service Case Management Inventory is the most notable fourth generation risk/needs tool.

### **Risk Assessment in Federal Probation**

The federal probation system has a long history of using risk assessment tools. This history begins in the 1970s with the use of the U.S.D.C. 75 Scale, which was later modified into the Risk Prediction Scale 80. This tool was used with probationers, while the Salient Factors Score, developed by the U.S. Sentencing Commission, was used on parolees. In 1991, the Criminal Law Committee, fearing that these scales were outdated, asked that a new and more predictive risk tool be developed. Over the course of 6 years the Federal Judicial Center developed the Risk Prediction Index (RPI), which was deployed as the mandatory risk tool in September of 1997 (Lombard & Hooper, 1998). Twelve years later, the RPI remains the primary risk prediction tool in the federal probation system.

The RPI is a classic second generation risk tool. The RPI contains 8 questions, 7 of which are static. Once calculated, the RPI produces a risk score that ranges from 0 to 9. The instructional guide for the RPI states that the RPI should never be revised or recalculated unless there was an error in the original calculation. This same guide further states that the results are not to be used to create a supervision level.

The purpose of the RPI is to aid officers in developing a case supervision plan, but it is very unclear how this can be accomplished. Without the benefit of case stratification system (supervision levels), the ability to detect change over time, identification of future criminal drivers and a direct connection between a risk assessment and a case plan, federal probation officers are not taking advantage of the advances in modern risk and need assessment.

In response to advancements in the risk/needs assessment field, several federal probation districts sought out and implemented off-the-shelf risk/needs assessment tools. These tools exceed what the RPI can provide, but still have limitations.

### **Risk/needs Assessment: A Call for Change**

Now that risk/needs tools are being integrated into probation offices across the country, it is the responsibility of probation system leaders, academia and private industry to provide risk/needs tools that are useful for officers. Those who develop and research risk/needs tools have convinced probation system leaders that actuarial assessment is necessary and critical, yet officers are not as quick to accept and adopt the use of the currently available tools. This lack of acceptance can be seen by officers feeling that conducting a risk/needs assessment is not worth their time or even if the assessment is completed the outputs are ignored (Latessa, Cullen, & Gendreau, 2002).

The common assumption in the literature is that resistance to the use of a risk/needs tool comes from officers who believe their judgment is being threatened (Harris, 2006). Although feeling threatened can elicit a strong response, would officers defy the help of a tool if the benefits were self-evident? If you need to explain and continually market the use of risk/needs tools to officers, can the tool really be all that helpful? The disconnect between agencies adopting risk/needs tools and officers failing to apply the tools to their work may be explained by a simple statement: the currently available risk/needs tools are fraught with limitations that make them hard for an officer to use in his or her daily work.

No matter how well a particular tool predicts recidivism, it can only be judged on the connection between the outputs and supervision activity. The best tool ever developed is useless unless officers apply the outputs to shape how a case is managed. If officers don't see how the risk/needs tool can help them better manage a case, then it relegates the tool to a data gathering

instrument for administrators and researchers. Our field can do better and in fact we must do better, so the momentum developing in the field of risk assessment is not squandered.

How can the extensive data about risk and need prediction be operationalized into a risk/needs tool that officers perceive to be helpful rather than a hindrance? What are the risk/needs tool characteristics that are required to bridge this gap? It is time to consider the possibilities of a new generation of risk/needs tools. A generation of tools that translates complex and abstract academic research into simple and realistic case plans. A generation of tools that keeps pace with the sudden changes that often occur in an offender's life. A generation of tools that finds the proper balance between accuracy and size.

### **The Limitations of Currently Available Risk/needs Tools**

Each generation of risk/needs assessment tools has advantages and disadvantages; however, the common denominator among all of the tools is that they all produce better results than clinical judgment. Despite the discussion of the limitation of currently available risk/needs assessments that follows, the use of any validated actuarial risk/needs assessment tool is better than allowing officers to make judgments based on experience.

**Statistical Accuracy:** The accuracy of both the risk and need prediction is the most critical component to the future of risk assessment. Although companies that market off-the-shelf instruments make strong claims about the predictive statistical quality of their instrument, the question is deceptively complex. Because an instrument predicts well in the aggregate does not mean it predicts risk with every subpopulation. For example, an instrument may predict recidivism for the entire federal population with acceptable statistical validity; however, the type of questions asked in the tool may over-categorize female offenders as high risk because of work patterns associated with staying home to care for children. Additionally, the total risk score may be accurate, but many of the tool's dynamic risk (criminogenic needs) subscales may not be valid. For example, a tool may accurately predict an offender's risk, but the antisocial subscale may not be a valid measure on which to base referrals for service. Although actuarial risk prediction is stronger than clinical judgment, it is possible to see major improvement (Connolly, 2003).

**Applicability of Off-The-Shelf Tools to Every Office:** In addition to the internal statistical challenges mentioned above, every risk/needs assessment tool was developed using a specific sample. Often these sample sets were small and homogenous. This creates two very difficult problems for probation offices with diverse populations. First, if a risk/needs construction sample size were small, not enough people would fail in order to make accurate predictive models for certain events. This phenomenon, known as the "base rate problem", can produce a lack of validity when the tool is applied in populations different from the original sample (Soderstrom & Leitner, 1997). For example, if a risk/needs tool were constructed using a sample that contained a small number of sex offenders who failed, it would be difficult to predict sex offender failure in any population in which the tool was applied. In addition to the issues associated with the base rate, a risk/needs tool is limited by the representation of the construction sample. A tool should only be used to predict risk on a population that is representative of the original construction sample (Connolly, 2003). For example, assessing risk on a population that is largely Native American and rural with a tool that was developed on a population of urban African Americans will not produce optimal results.

**Dynamic Risk Assessment:** Dynamic risk/needs assessment uses offender characteristics that can change to determine the overall risk score. If a tool is dynamic, the risk score will change as the offender's condition improves or deteriorates. A significant limitation of the currently available risk/needs tools is that they are dynamic as they appear. There are several tools that identify a series of dynamic risk factors, each of which contribute to the overall risk score, but these subscales are derived using largely static questions. Currently available risk/needs tools allow the officer to develop an initial case plan based on statistically valid factors, but they do not offer the ability to reassess in real time as an offender's circumstances change. For example, if an offender who has been free of substance use for the past 5 months suddenly tests positive for cocaine and

verbalizes increasing antisocial thoughts, an officer knows that the offender's risk of recidivism has increased. Many of the currently available tools would not be able to accurately adjust the risk score because they are unable to measure the presence and significance of the change.

***Length of the Assessment:*** The length of assessment can vary greatly among the various off-the-shelf risk/needs tools. In general, second generation tools are the shortest and the fourth generation tools are the longest. The LS/CMI is one of the longer commercially available tools, with 124 questions; it requires an interview and a file review in order to complete the entire process. Some of the more comprehensive third generation and fourth generation tools can take 2 hours to complete. As officers struggle to supervise ever increasing caseloads, the thought of adding hours of work for each offender generates officer resistance. This concept can be understood by a simple cost/benefit equation. Is the amount of time required by an officer to complete the risk/needs assessment worth the payoff in improved case planning and supervision?

***Face Validity and High Profile Offenders:*** Officers often perceive sex offenders, offenders with mental health issues and those with a propensity for violence as needing special attention. Often this need for special attention is confused with risk, when in fact the factors used to predict future criminal behavior for these types of offenders are the same for all offenders (Andrews and Bonta, 2006). What separates these types of offenders from the general offender population is that *if* they re-offend the level of damage to the community is great and the public relations consequences could be catastrophic.

When an officer completes a risk/needs assessment for one of these high-profile offenders, the risk/needs tool may place the offender into a low-risk category. Although most risk/needs tools offer an override option, the low-risk placement can damage the tool's face validity and increase officer resistance. Some existing risk/needs tools attempt to assess for the risk of violence, the presence of a mental health condition, and past history of being a perpetrator, but no tool seamlessly integrates these items into a valid assessment that informs a case plan for offenders.

***Case Planning:*** Risk/needs assessment must never be seen independent from its goal: informing the case plan. When a case plan is completed, how does an officer make sense of the outputs and develop a meaningful case plan? Current risk and needs assessment identifies the presence and severity of the risk and needs but fails to interpret what these outputs mean. As outputs of risk/needs tools become more sophisticated, officers should be better able to match offenders to appropriate services. Without a direct link between the assessment and the type, duration and intensity of treatment, all that has been accomplished through the use of a risk/needs assessment tool is lost by forcing the officer to make educated guesses.

## **The Next Generation of Risk/needs Prediction**

It is easy to identify problems with the currently available technologies, but what enhancements need to be made to move the field of risk assessment forward? The following are a series of desired goals that the Federal Probation System is seeking to achieve in the development of the next generation of risk/needs assessment tools.

***Improved Statistical Accuracy:*** With a clean slate, the development of the next generation of risk/needs assessment must be able to accurately predict the risk of recidivism and provide the identification of criminogenic needs. This includes developing scales for each criminogenic need that are statistically valid as stand alone assessments. For example, if a risk/needs assessment demonstrates that an offender has antisocial personality disorder, an officer can feel comfortable that this is a valid need that requires a specific intervention.

The current process of risk/needs assessment construction looks at what characteristics an offender has at intake and compares those characteristics to recidivism rates. Although this is a good starting point, there are countless variables that impact an individual over the course of supervision that can influence recidivism rates. Also, the interplay between variables can be complex and difficult to disentangle. To address these and other complex statistical concerns, it is critical to consider alternative statistical methods for predicting risk and needs.



**Improving the Generalizability of Risk/needs Tools:** The federal probation system has a unique opportunity to create a risk/needs tool that can be generalized to any probation system in the United States. With a caseload of over 100,000 offenders in every state and major city that includes every culture, race, gender and socioeconomic status in the United States, the federal probation system can build a large construction sample to mitigate under-representation and base rate issues that plague the currently available tools. If constructed correctly, questions such as “Is the tool valid for female offenders?” and “Does the tool accurately predict for Native American populations?” will be answerable.

**Length of the Assessment:** How can a risk/needs tool be large enough to be reliable and valid, yet take as little of an officer time as possible? The primary answer to this question is to integrate the case management system and the risk assessment tool. A risk/needs tool should be able to pull as much information from the case management system as possible in order to reduce redundant data entry. Static data should not require reentry for reassessments. These simple improvements can save an officer’s time.

**The Development of an Event-Driven Risk/needs Tool:** Officers see offenders in real time. They see offenders as ever-changing people who are often in a period of rapid change. These changes, good or bad, have the potential for quick and profound impacts on the risk of recidivism. Officers cannot wait for 3 or 6 month intervals to reassess changes when the world is moving in real time. It is time that dynamic risk prediction become just that; *dynamic*. Research indicates that dynamic factors better predict the risk of recidivism than static factors (Connolly, 2003)..

In order to achieve a truly dynamic tool, it must be integrated into the case management system. The risk/needs tool must be responsive to changes in an offender’s condition (e.g. positive drug tests, loss of employment, and change of address). The only way to provide real-time changes in dynamic factors to the risk/needs tool is by integrating the case management system and the risk/needs tool.

**Face Validity and High-Profile Cases:** In order to improve an officer’s perception that a risk/needs tool is effective for all types of offenders it must address their concerns about low-risk but potentially violent high-profile offenders. Officers can use additional tools that predict violence and combine the results to create a case plan. For example, the Psychopathy Checklist Screening Version (PC-SV) can predict the likelihood of violent recidivism ( Wilson, 2003). Although it is tempting to use a tool like the PS-SV, and then combine it with the outputs from the risk/needs tools, research indicates that this approach produces practical and validity concerns (Campbell, French & Gendreau, 2007). This prediction can become more complicated with additional, potentially violent subpopulations, such as sex offenders. Any development of a new generation of risk assessment should include trailer assessments that provide officers information about not just the risk of recidivism, but also the potential for community harm if recidivism occurs. These results should be integrated into the tool outputs and subsequent case plan.

For example, if a first-offense pedophile scores as a low-risk on a risk/needs tool, should an officer funnel him or her onto an administrative caseload with other low-risk offenders? Instead, the officer should be armed with the information about offender propensity to commit another sex offense and the level of violence he or she poses to the community.

The next generation of risk/needs assessments should provide screening questions that can expand into comprehensive assessments for high profile potentially violent populations. At a minimum, any new tool should include screening and assessment sections for sex offenders, mentally disordered offenders with threat/control-override symptomatology, and offenders with a propensity for violence. The next generation of tools should also connect the outputs of the trailer assessment to the case plan.

**Case Planning:** Several existing risk/needs tools have begun the process of connecting the outputs from the assessment to the case plan. This includes connecting possible supervision strategies to assessment outputs. Through business rules built into these systems, officers are

forced to at least address the criminogenic needs that are identified.

Although this is a good starting point, the next generation of risk/needs assessment must take the next step. Tools must begin identifying what services, in what duration with what level of intensity will produce the best outcomes based on the assessed needs. This advancement in assessment will require a tremendous amount of research and advanced statistical methodology, but the field of probation must demand statistically valid connections between risk/needs assessment, case planning and outcomes.

## **Conclusion**

The field of risk/needs assessment has seen advancement over the past decade, but more must be demanded. The federal probation system has the opportunity to create a tool that officers determine they need instead of a tool that they are forced to use. With advancements in both the statistical integrity and practical applicability, the opportunity exists for a new generation in the field of risk assessment. Some of these recommendations require the development of statistical technologies that are yet to be developed but advancements can and must be made to improve risk/needs assessment and case planning in order to make officers more effective in the recidivism reduction.

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## Cognitive-Behavioral Interventions: Where They Come From and What They Do

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**THE NEWS IS OUT** and it's not good, but it comes as no surprise to corrections officials. Presently, more than one in every one hundred adults in the United States is confined in local jails and state or federal correctional facilities (Warren, 2008). The United States incarcerates more of its citizens than any other country in the world. At the end of 2006, there were over five million adults under the supervision of federal, state, or local probation or parole authorities (Bureau of Justice Statistics, 2007). Due to the rising incarceration rates, many states face significant financial shortfalls and must make tough decisions regarding their correctional populations. In 2005, the State of Washington focused its attention on the long-term fiscal consequences of prison expansion. As a result, the State Legislature directed the Washington State Institute for Public Policy (Institute) to explore options to imprisonment. After a thorough review of existing programs and research, the Institute identified several Evidence Based Practices (EBP), such as cognitive behavioral therapy (CBT), that might be effective in reducing recidivism, thus alleviating the need to build additional prisons (Washington State Institute for Public Policy, 2006).

Several other states have come to realize that non-violent offenders may be better served under community supervision rather than incarcerated. According to The Pew Center on the States (2008), "No policy maker would choose this path if it meant sacrificing public safety. But gradually, some states are proving that deploying a broad range of sanctions can protect communities, punish lawbreakers, and conserve tax dollars for other pressing public needs" (p. 4). This may reduce the overall inmate population, but community correction agencies may see an increase in numbers of individuals under some type of community-based supervision. Correctional administrators continue to seek low-cost, effective treatment interventions to assist in reducing recidivism and stopping the criminal justice system's revolving door, which has become the hallmark of corrections in the United States.

As noted by the Washington State Institute for Public Policy (2006) and many other researchers (Lipsey, Landenberger, & Wilson, 2007; Milkman & Wanberg, 2007; Przybylski, 2008; Pearson, Lipton, Cleland, & Yee, 2002; Wilson, Bouffard, & MacKenzie, 2005; Landenberger & Lipsey, 2005), CBT is one evidence-based intervention which shows promise in reducing recidivism. The purpose of this paper is to acquaint the reader with CBT, its history, and to explore several programs that have proven to be effective in reducing recidivism. This paper only broadly touches on several of the important researchers in the fields of cognitive therapy, behavioral therapy, and CBT. There are many others who have had an impact on these therapies and further exploration on the part of the reader is recommended.

**Cognitive Therapy**

Cognitive Behavioral Therapy is not a single method of psychotherapy; rather, CBT is an umbrella term for therapies with many similarities. CBT is a marriage of sorts between social learning theory, cognitive therapy, and behavioral therapy, all of which initially grew from experimental psychology (Weishaar, 1993).

From the cognitive therapist's perspective, an individual's personality is formed by central values that have developed early in life as a result of factors in the individual's environment. These factors serve as the basis for the way the individual codes, categorizes, and evaluates their experiences and the stimuli they encounter. Cognitive therapists believe that psychological problems stem from faulty learning, making incorrect assumptions as the result of inadequate or incorrect information, and not being able to adequately distinguish between imagination and reality (Freeman & Dattilio, 1992).

Early views of cognition shaping one's view of the world came from early Greek philosophers including Plato. Philosophers during the seventeenth and eighteenth century viewed the world around the concept of the mind controlling reality (Milkman & Wanberg, 2005). In the nineteenth century cognitive therapy was practiced by two early psychologists, Wundt and James, who defined their discipline as the science of mental life (Allen, 2006). Wundt and James' research centered around cognition such as the way individuals perceived, stored, and used information. Allen (2006) notes, "The methodology involved subjects trained in introspection, who examined their own cognitive processes during experimental tasks. This phase of research was overtaken by the behaviourist framework during the 1920s, largely due to difficulties in demonstrating the validity of self-report data generated by introspective methods, and resultant concerns that this would compromise psychology's standing as a legitimate science" (p. 143).

Modern cognitive therapy started to emerge between 1955 and 1965, but was not recognized in the literature as a separate and distinct field of psychology until the 1970s (Mahoney, 1993). According to many accounts (Weishaar, 1993; Freeman & Dattilio, 1992), Aaron Temkin Beck founded the cognitive therapy movement. Much of Beck's work surrounded the treatment of depression. Early research compared Beck's cognitive-based approach with treating depression with antidepressant medication. One study found that cognitive therapy was effective in reducing the symptoms of major depression in moderately ill patients who were non-psychotic (Rush, Beck, Kovacs, & Hollen, 1977).

## **Behavioral Therapy**

Behavioral therapists oppose most of the tenets of psychoanalysis and the related dynamic therapies. They believe that psychoanalysis is time-consuming and not based upon a scientifically verifiable empirical base. The behavioral therapist is focused on the client's behavior, not on his or her internal mental state (Korchin, 1976).

As with cognitive therapy, behavioral therapy has deep roots in history. One of the earliest recorded behavior modification treatments was implemented in first-century Rome by Gaius Plinius Cecilius Secundus (23-79), also known as Pliny the Elder. Pliny the Elder was a military officer and legal advisor during the reign of Nero (Barren, 2007). Pliny developed an innovative method that attempted to cure alcohol abuse through aversive conditioning. He would put rotting spiders in the drinking glasses of alcoholics in an effort to cure their alcoholism (Maultsby, Jr. & Wirga, 1998).

Another example of early behavioral therapy at work is the efforts of Alexander Maconochie. Many students of corrections are familiar with the work of Maconochie, who pioneered the precursor to parole. In 1840, Maconochie was appointed superintendent of the penal colony at Norfolk Island, located 1000 miles off the coast of Australia. Maconochie used a form of behavior modification (token economy) with prison colony inmates. He introduced a mark system where inmates could earn early release through good institutional behavior and prosocial work (Champion, 1999).

Modern behavioral therapy can, in part, be traced back to the work of two renowned researchers,

A. Ivan Pavlov (classical conditioning) and B. F. Skinner (operant conditioning). Pavlov, a Russian physician and physiologist, discovered classical or respondent conditioning (associative learning) in the late nineteenth century (Maultsby & Wirga, 1998). Pavlov is best known for his experimental work with canines. Pavlov observed that canines would salivate in anticipation of being fed, even when no food was present, due to extraneous stimuli the canines associated with food. Pavlov began to experiment, conditioning the canines with other stimuli such as bells, buzzers, lights, and the sound of a metronome. He found that any stimulus would produce the conditioned salivary response as long as the canines associated the sound with being fed, without arousing fright or anger (Schultz, 1969).

In 1920, another behavioral experiment gained as much popularity with students of psychology as did Pavlov's canine experiments. Watson and Rayner attempted to condition a nine-month-old infant (Albert), to determine if the child could be made to fear an animal that appeared simultaneously with a loud, fear-arousing sound. In addition, Watson and Rayner wanted to determine if the fear would be transferable to other animals and how long the fear would persist. To test their theory, a white rat was presented to Albert at the same time a loud clanging sound occurred whenever Albert touched the animal. "After seven pairings of the rat and noise (in two sessions, one week apart), Albert reacted with crying and avoidance when the rat was presented without the loud noise" (Harris, 2002, p. 238).

Pavlov, Watson, and Rayner (among others) laid the groundwork for the stimulus-response model. The stimulus-response behavior is not illustrative of the types of behavior Skinner defined as operant behavior. Operant behavior, as opposed to classical conditioning, occurs without any observable external stimuli (such as Pavlov's sound response). One of Skinner's classical experiments involved the use of rats in a specially designed box. The box was designed to eliminate all extraneous stimuli. According to Schultz (1969):

In this experiment, a rat that had been deprived of food was placed in the box and allowed to explore. In the course of this general exploratory behavior the rat sooner or later, and by accident, depressed a lever activating a food magazine that released a food pellet into a tray. After a few reinforcements, conditioning was usually very rapid. Note that the rat's behavior operated on the environment (pressed the lever) and was instrumental in securing food. (pp. 233-234)

Skinner's experience led him to conclude one way to influence behavior was through the use of positive or negative reinforcers. Positive reinforcers may be food, water, companionship, and sexual contact. A negative reinforcer may be a loud noise, bright light, electrical shock, or some other type of negative stimulus. When the negative reinforcer is removed, the subject is conditioned to associate unpleasantness with the undesired behavior (Skinner, 1953). When Skinner extrapolated his findings to the therapeutic community, he noted the relationship between the patient and therapist; "The initial power of the therapist as a controlling agent arises from the fact that the condition of the patient is aversive and that any relief or promise of relief is therefore positively reinforcing" (p. 369). In this type of therapy the therapist does not criticize or object to his or her client's behavior, but will have clearly defined goals and objectives upon which the therapist and client agree. The therapist operates under the assumption that the client will follow the goals and objective agreed upon and any deviance from the agreement may cause the therapist to strongly object (Stern and Drummond, 1991).

As a discipline, behavioral therapy was not recognized until the 1950s. It was introduced in the literature by Kinner and Lindsley in 1954, but gained acceptance through the work of Eysenck in 1960 (Wolpe, 1990). Behavioral therapists did not believe in the need to focus on the individual's past as did traditional psychotherapists (Meyer & Chesser, 1970).

In the United States, behavioral therapy was popularized by Joseph Wolpe in the late 1950s. Wolpe used a technique of systematic desensitization for simple phobias. This type of therapy was based upon the principle of reciprocal inhibition. Wolpe believed that if a patient was made to relax upon a gradual exposure to a fearful stimulus, the patient could not experience fear at the same time. This was due to the fear being blocked by the relaxed state, i.e. reciprocally

inhibited (Stern & Drummond, 1991).

Up until the 1970s, most behavioral therapists drew their understandings from laboratory experiments on animals and human volunteers with specific fears, which was useful, but had little clinical relevancy to clients with real-world problems (Marks, 1981). Since that time, behavioral therapy has proved to help a wide variety of anxiety and other disorders. Drummond and Kennedy (2006) provide a concise definition of behavioral therapy: “it is a collection of treatments whose central thesis is that psychological distress results from learned behaviour and that this behaviour can be unlearned” (p. 167). Marks (1986) noted, “the main aim is to alter that behaviour which restricts the patient’s social, work, and day-to-day activities, thus improving his quality of life” (p. 1).

### **Cognitive-Behavioral Therapy**

In the 1950s, through the work of Ellis (1989), and eventually Beck, there began a blending of cognitive therapy with behavioral therapy to form CBT. Ellis created rational-emotive therapy (RET) in 1955. Ellis was a practicing psychoanalyst who after six years of doing classical and analytically oriented psychotherapy became disenchanted with the inefficiencies of the approach. Ellis began using behavioral therapy, which he had previously used on himself to overcome his fear of dating and public speaking. According to Ellis (1989):

I did not by any means wholly invent cognitive-emotive-behavioral methodology, I think I can safely say that I was the first modern therapist to give it heavy emphasis and considerable publicity. From the beginning, I also included some highly emotive exercises and practices in RET. (p. 8)

Ellis’ postulated good and comprehensive CBT includes many features of existing therapies but also focuses on scientific methods, excluding some of the unscientific aspects of psychoanalysis. In reviewing Ellis’ work with clients, Kuehlwein (1993) noted, “... Ellis vigorously works with them to persuade them to give up their irrational thoughts and behaviors. While doing this, he emphasizes his clients’ unconditional worth as people, maintaining that people are acceptable in spite of negative behaviors and traits” (p. 3).

In the late mid-1980s, there was still resistance to the blending of the two therapies, despite the work of Ellis and Beck. Marks (1986), a well-known behavioral therapist, noted, “it is quite possible that current research into cognitive therapy will yield more promising results that would justify teaching the approach to (behavioural) trainees interested in routine treatments. That moment has not yet arrived” (p. 8). Despite the beliefs of Marks (1986) and others in the field, in the late 1980s and early 1990s, the cognitive and behavioral fields merged to form CBT.

Cognitive and behavioral changes have a reinforcing effect. When cognitive change leads an individual to change his or her actions and behavior, it results in a positive outcome that strengthens the change in the individual’s thought patterns. When this occurs, changes in thinking are reinforced by the changes in behavior, which further strengthens those behavioral changes. Milkman and Wanberg (2005) note, “It is not just the reinforcement of the behavior that strengthens the behavior; it is the reinforcement of the thought structures leading to the behavior that strengthens the behavior. This self-reinforcing feedback process is a key principle, which becomes the basis for helping clients understand the process and maintenance of change” (p. 207).

### **Cognitive-Behavioral Therapy in Corrections**

Corrections officials are concerned with recidivism and how CBT can assist with reducing recidivism. A meta-analysis conducted by Pearson, Lipton, Cleland, and Yee (2002) found that CBT programs were more effective in reducing offender recidivism than strictly behavioral ones. The authors noted, “The policy implication is that directors of rehabilitation programs should consider having cognitive-behavioral programming as a primary or secondary component of their treatment programming” (p. 493).

CBT has been found to be one of the more promising methods of rehabilitative treatments for offenders. Offenders have been found to distort cognition, which impairs their ability to correctly read social clues, accept blame, and morally reason. This creates a greater sense of entitlement on the part of the offender (Lipsey, Landenberger, & Wilson, 2007). This distorted thought process can lead them to demand instant gratification, misperceive harmless situations as threats, and confuse wants with needs (Ross & Fabiano, 1985). CBT programs use behavioral learning techniques to alter the general adaptive behavior of offenders. This allows them to return to their natural environment with a bank of new skills that they can reinforce in socially acceptable ways instead of in their prior illegal ways (Pearson, Lipton, Cleland, & Yee, 2002).

There are many “pre-packaged” CBT programs for offenders, several of which will be discussed in the following paragraphs. The question for correctional administrators is which program to utilize among the vast array of options. A meta-analysis conducted by Landenberger & Lipsey (2005) found that it was not the specific program that held the most benefit, but the general CBT approach that was responsible for the overall positive effects on reducing recidivism.

Landenberger and Lipsey noted that effective CBT programs were characterized by having high quality implementation, which was represented by low proportions of treatment dropouts, high fidelity and monitoring of the treatment implementation, and adequate training for the providers. The authors also found that CBT effects were greater among high-risk offenders (those with a greater risk of recidivism) than among those with lower risk. This may be because the higher-risk offenders have more needs and areas needing change than the low-risk offenders.

In order for a CBT program to have an impact on offender recidivism, there must be fidelity in the delivery of the program. Poorly delivered programs along with failure to follow the CBT curriculum will have diminished results. Effective CBT programs consistently use role play, rewards and punishers, graduated rehearsal and practice, and appropriate modeling (Hubbard & Latessa, 2004). It should be noted that homework is also an essential part of most CBT programs. Since most face-to-face contact in CBT programs is relatively short (one to two hours each session) homework is necessary. According to Freeman et al. (2005), homework can also serve as a measure of the client’s motivation for change. If clients are willing to work outside of the CBT session, they have the motivation to change. By following up on the exercises taught in the classroom and trying out new behaviors, ideas, or emotional responses, the client can make real what has been learned.

Corrections officials seek CBT programs that are effective in reducing recidivism, low cost, and can be taught by correctional staff who may have little or no training in psychology or social work. There are many prepackaged programs that may peak the interest of corrections professionals. These types of programs usually require a short training course for the facilitator (normally 40 hours or less) and come with workbooks and course material. The programs are usually relatively short in duration and the curriculum is highly structured. The programs are either open-ended (participants can join at any time) or closed-ended (curriculum builds on past lessons, participants must sequentially pass from one step to the next and cannot join a group in progress). There are several programs which have shown positive results in reducing recidivism.

### **Cognitive Behavioral Therapy - Programs for Offenders**

The two most well researched CBT programs for offenders are Moral Reconciliation Therapy (MRT) and Reasoning and Rehabilitation (R & R). Approximately two thirds of the available comparison studies examined these two CBT approaches (Wilson, Bouffard, & MacKenzie, 2005) and found that they are effective in reducing recidivism. Other programs noted in the literature but not as thoroughly researched include Aggression Replacement Training; Criminal Conduct and Substance Abuse Treatment: Strategies for Self-Improvement and Change; Relapse Prevention Therapy; and Thinking for a Change. There are also many other encouraging programs on the horizon.

#### *Moral Reconciliation Therapy (MRT)*

MRT was developed by Little and Robinson (1988) in the mid-1980s in a prison-based

Therapeutic Community (TC) program in Tennessee. The program has expanded beyond TCs to both custodial and community-based entities. MRT incorporates cognitive elements into a behavioral-based program that highlights moral reasoning (Little & Robinson, 2005). The goals of MRT are to enhance the social, moral, and behavioral deficits of offenders. Its theory is based upon the ideas of Kohlberg's moral development theory (MacKenzie, 2006). Kohlberg postulates moral development advances through six stages, with the sixth stage being the highest level of moral reasoning. Very few adults ever attain the sixth stage of moral reasoning. The higher levels of moral reasoning necessitate greater abstract thinking and the ability to take the perspective of others. Thus individuals with high levels of moral reasoning are less likely to engage in criminal behavior.

Research conducted on both adult offenders and juvenile delinquents find them to be at the early stages of moral reasoning (Arbuthnot & Gordon, 1988). Little and Robinson (1988) found that criminal offenders had deficits in their moral reasoning along with deficits in other areas. They believed that offenders also had low ego/identity strength, poor self image, low self-esteem, strong narcissism, strong defense mechanisms, and strong resistance to change and treatment. They developed MRT around these deficits.

MRT facilitators undergo 32 hours of training to enable them to present the MRT materials. The program consists of workbooks designed for the specific types of client and particular program characteristics. The program is open-ended. Offenders typically write short answers or drawings to specific requirements from the workbooks, which do not require the offenders to have high reading skills or high mental functioning levels (Milkman & Wanberg, 2007). MRT is a 12-step process with four optional steps and usually takes 14 to 16 sessions ( Van Dietsen, 1997; Milkman and Wanberg, 2007).

#### *Reasoning and Rehabilitation ( R & R)*

R & R was developed by Canadian researchers Ross and Fabiano (1985), who found literary evidence that outlined development delays in offenders' cognitive skills that are necessary for social adjustment. Similar to MRT, R & R is based on the theory that offenders suffer from social and cognitive deficits. R & R, however, does not focus on moral reasoning. R & R's aim is to enhance self-control, cognitive style, interpersonal problem solving, social perspective taking, critical reasoning, and values (Wilson, Bouffard, & MacKenzie, 2005). The focus of R & R is to change the impulsive, illogical, egocentric, and rigid thinking of offenders. The program teaches offenders to stop and think before acting, recognize the consequences of their behavior, respond to interpersonal problems in alternative pro-social ways, and determine how their behavior and actions impact others (MacKenzie, 2006).

The R & R program is closed-ended and runs for 35 sessions over a period of 8 to 12 weeks with 6 to 10 participants. The sessions are composed of group discussions, audiovisual materials, games, puzzles, reasoning exercises, role playing, and modeling (Milkman & Wanberg, 2007).

In 1996, Ross and Hilborn developed a shorter version of R & R known as R & R2. This program is for offenders over the age of 18 and is a specialized 16-session edition. The updated program corrects shortcomings found in earlier versions that did not allow the program to be customized to the needs of the group. The program entails just over 1,000 minutes of participant training, consisting of the transfer of cognitive skills to real-life events coupled with homework assignments. R & R2 principles include:

- Motivational interviewing
- Prosocial Modeling
- Relapse prevention
- Desistance (encouragement to acquire a long-term prosocial lifestyle). (Milkman & Wanberg, 2007, p. 26)

#### *Aggression Replacement Training (ART)*



ART was developed by Goldstein and Glick at the Syracuse University Center for Research on Aggression as a multimodal intervention designed to alter the behavior of chronically aggressive youth (Goldstein & Glick, 1994). The program has expanded to encompass adult offenders.

According to Milkman and Wanberg (2007), the program has three main components:

- Social skills training (the behavioral component) teaches interpersonal skills to deal with anger-provoking events.
- Anger control training (the affective component) seeks to teach at-risk youth skills to reduce their affective impulses to behave with anger by increasing their self-control competencies.
- Moral reasoning (the cognitive component) is a set of procedures designed to raise the young person's level of fairness, justice, and concern with the needs and rights of others. (p. xiv)

ART is a closed-ended, 10 week program, spanned over 30 hours. Participants (8 to 12 offenders) typically attend three one-hour sessions per week. Group facilitators are required to attend a 40-hour training program to be certified in delivering the curriculum.

#### *Thinking for a Change (T4C)*

T4C was developed for the National Institute of Corrections (NIC) by Bush, Glick, and Taymans in 1997 (Van Dielen, 1997). T4C integrates cognitive restructuring, social skills, and problem solving to increase the offender's awareness and increase interpersonal problem-solving skills (Milkman & Wanberg, 2007; Przybylski, 2008).

T4C is a closed-ended, 22 sequential lesson program that is delivered to 8-12 participants in the community or institutional setting. Each lesson lasts one to two hours and two sessions per week is the optimal recommended dosage. Only one session should be administered per day. Group facilitators are required to attend a 32-hour training program to be certified in delivering the curriculum.

#### *Criminal Conduct and Substance Abuse Treatment: Strategies for Self-Improvement and Change(SSC).*

SSC was developed by Wanberg and Milkman as a treatment for adult substance abusing offenders involved in the criminal justice system. The program has three main phases:

- Phase I: Challenge to Change. This phase involves the client in a reflective-contemplative process. A series of lesson experiences is used to build a working relationship with the client and to help the client develop motivation to change.
- Phase II: Commitment to Change. This phase involves the client in an active demonstration of implementing and practicing change. The focus is on strengthening basic skills for change and helping the client to learn key CBT methods for changing thought and behavior that contribute to substance abuse and criminal conduct.
- Phase III: Ownership of Change. This phase, the stabilization and maintenance phase, involves the client's demonstration of ownership of change over time. This involves treatment experiences designed to reinforce and strengthen the commitment to established changes. (Milkman & Wanberg, 2007, p. xv)

SSC is a long-term program lasting up to one year. There are 50 two-hour sessions. It can be delivered both in the community or correctional institution setting. It is an open and closed-ended program - Phase I is closed and Phases II and III have specific entry points. Group facilitators are required to attend a 40-hour training program to be certified in delivering the curriculum.

#### *Relapse Prevention Therapy (RPT)*

RPT was originally developed by Parks and Marlatt in 2000 as a maintenance program to prevent and manage relapse following treatment for substance abuse addiction. Currently, RPT is being used with a variety of offenders with a multitude of problems including substance abuse, sex offending, violence, and other types of criminal conduct (Milkman & Wanberg, 2007; Przybylski, 2008). RPT intervention strategies fall into three categories: coping skills training, cognitive therapy, and lifestyle modification. Parks and Marlatt (2000) relate RPT teaches offenders the following strategies:

- understand relapse as a process,
- identify and cope effectively with high-risk situations,
- cope with urges and craving,
- implement damage control procedures during a lapse to minimize its negative consequences,
- stay engaged in treatment even after a relapse, and
- learn how to create a more balanced lifestyle. (p. 2)

RPT is an open-ended curriculum. Group facilitators are required to attend a 40-hour training program to be certified in delivering the curriculum.

### **CBT in the Federal Probation and Pretrial Services System**

As part of the Research to Results (R2R) initiative, several federal districts implemented cognitive-behavioral programs. In order to support implementation, the AO developed a “model implementation plan,” which outlines for districts training, structure, and quality assurance issues that will increase the likelihood of effective implementation of cognitive-behavioral programming. All districts that received grant funding were required to follow the implementation plan; other districts that are implementing cognitive-behavioral programming are also strongly encouraged to follow the plan. Beyond the plan components, districts were given wide latitude in choosing the program to implement and how it would be facilitated (i.e., through contract vendors or in-house staff). Districts chose to implement a wide variety of programs, including take-home programs, which are especially useful for rural jurisdictions. During FY2007, using R2R funds, 123 officers were trained in cognitive-behavioral services and 248 offenders had begun receiving services. This is impressive, given that many districts did not receive funding until six months into the fiscal year. Officers have been enthusiastic of the programs. Senior U.S. Probation Officer Darren Kerns stated:

I have facilitated groups for adults and juveniles and have observed the positive effect it can have on offenders. Also, as a probation officer trained in T4C and other cognitive skills curricula, I am better able to reinforce the concepts with offenders when dealing with them on a daily basis. I like the skill-based approach which assists offenders in changing problematic behavior, thoughts, and beliefs. If offender buy-in is established, the participants leave the program with skills they can use to effectively address situations that have caused them problems in the past.

U.S. Probation Officer Lisa Martinetto said:

The more I understand about an offender’s thoughts or beliefs, the easier it is for me to identify potential thinking errors which may lead to future violations or recidivism. Ultimately, using the cognitive skills programming gives me the opportunity to more effectively supervise each offender.

Offenders have also responded positively to the program; one said: “I really needed to start thinking for a change so thank you for this class. I really learned a lot.” Another indicated that he attended “at first because my PO insisted. Then it became interesting and I obtained a lot from it. It helped me understand my thoughts, feelings, and actions a little better.”

Three federal probation districts ( Hawaii, Nevada, Northern Iowa) decided to take a unique approach to cognitive-behavioral programming; they teamed up with The Change Companies of

Carson City, Nevada, to develop a CBT offender journaling program. The program, Interactive Journaling, addresses the “Big Six” criminogenic need areas, including antisocial values, criminal peers, low self-control, dysfunctional family ties, substance abuse, and criminal personality.

The Interactive Journals serve the offender through application-focused exercises and skill-building activities based upon the transtheoretical model of change, in addition to cognitive-behavioral concepts. As the offenders gather relevant information related to their problem areas, they can map out their past, present, and future, creating a personal and lasting tool for change. The journals can be implemented in a group or individual setting. The District of Nevada is utilizing the expertise of the University of Nevada, Las Vegas, to design an experimental study of the Interactive Journaling program to assess its effectiveness in reducing participants’ recidivism.

## **Conclusion**

Cognitive-behavioral programs have been shown to reduce recidivism as long as the programs are implemented well. As with any program, intensive planning about the program to use, logistics of providing the service, quality assurance, and evaluation of effectiveness should occur prior to actual implementation. Such planning will increase the likelihood of successful implementation, while evaluation of the program allows districts to address problems that may occur, particularly around program fidelity. With good cognitive-behavioral programming, districts can increase their effectiveness in addressing offender issues.

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## Making “What Works” Work for Rural Districts

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**WITH UNPRECEDENTED NUMBERS** of offenders captured in the criminal justice system, correctional agencies throughout the country look for methods to reduce their respective offender populations. Although historically confined to the academic realm, an established and growing body of literature supporting “what works” offers to correctional agencies empirically tested and specific interventions to assist in recidivism reduction. Each correctional agency is encouraged to examine the characteristics and composition of its particular situation and incorporate evidence-based practices (EBP) accordingly. Notwithstanding the efficacy of this approach, agencies still face the difficult task of implementation as each state and/or jurisdiction presents unique characteristics and challenges. Much like correctional interventions implemented on the individual level, a “one-size fits all” approach is not always realistic or even effective at the agency or system level.

Rural districts such as North Dakota have characteristics and challenges that must be overcome when implementing effective programming. Obvious factors like physical distance and isolation, lack of resources and potentially unique cultural and social dynamics may affect not only the rural offenders but also those who work in their reentry. Nested within many of our most rural and isolated areas in North Dakota are Native American reservation communities where much of our supervision activity is done, and implementing programming to meet their needs was also considered in incorporating EBP. The “rural issues,” however, should not discourage districts and agencies from forging ahead.

In 2007, the District of North Dakota, through the Research to Results (R2R) initiative of the Administrative Office of the United States Courts, received funding to implement evidence-based programming to meet the needs of our particular situation and offender population. The implementation of Cognitive Behavioral Therapy (CBT) was identified as the subject of our efforts and our “rural issues” gave rise to a unique approach to implementation. The lessons learned will hopefully encourage others and provide a blueprint, especially for those rural districts similar to North Dakota, to embrace evidence-based solutions for our very important problem.

### **Assessing the District of North Dakota**

The body of literature outlining EBP identifies specific correlates of crime that present risk for recidivism (Andrews and Bonta, 2006). Correctional agencies can respond to the risk by targeting individuals most likely to offend with a response that addresses their most glaring need(s) (Cullen and Gendreau, 2000). Criminal thinking is one such factor that places an offender at risk to recidivate. Our cognitive structure is created by beliefs, patterns, and attitudes. More importantly, this structure influences behavior. Those who commit criminal acts possess a

cognitive pattern that directs and reinforces their behavior; some offenders may believe certain behavior is normal and acceptable even though it violates social norms and/or laws (Taxman, Shepardson and Byrne, 2005). Probation officers often recognize these offenders who lack empathy toward their victim(s) and/or maintain a sense of entitlement. Not surprisingly, these offender types also have difficulty following court-ordered conditions. More importantly, their risk to re-offend, at least as measured by their cognitive structure, may not have changed as the term of supervision ends. Fortunately, criminal thinking patterns can be changed through CBT and the course of supervision presents an opportune period to see this through. Although the formats for CBT may vary, the aim is to restructure the criminal thinking pattern underlying criminal behavior. The older thoughts, feelings, and emotions associated with criminal behavior are replaced with those of a more prosocial variety (Cullen and Gendreau, 2000).

Generally, CBT is facilitated in a group format, which has proven to be quite effective (Wilson, Bouffard and Mackenzie, 2005). In fact, many of the R2R proposals included the implementation of CBT through a group format and this will prove beneficial to our system. This approach, however, does not necessarily suit all learning styles and/or personalities. These individual traits and characteristics are an important consideration when responding to risk (Andrews, Bonta and Hoge, 1990), and if not accounted for may impede effectiveness. For example, Listwan, Sperber, Spruance and Voorhis, (2004, p 6) suggest a group setting is not necessarily effective for all offenders as “the pressure of performing skills in front of peers and coaches who routinely evaluate and provide feedback on the use of the skills may further exacerbate anxiety.” They suggest that alternative methods for CBT need to be researched sufficiently and made available. This does not suggest that a take-home study should replace a CBT group; rather, new approaches should be explored, not only to address the needs of certain offenders, but also those of correctional agencies that may, based upon unique circumstances, find it necessary to adopt alternative approaches. In any case, what appears to have emerged from the literature is that no single program or format necessarily stands above others; rather, the effectiveness of CBT rests upon certain underlying principles (State of Connecticut, 2005).

In addition to addressing personality traits that can impede effective responsivity, correctional interventions must consider ethnic and cultural differences (Andrews and Bonta, 2006). Correctional treatment approaches that attend to the specific customs and beliefs of Native American offenders are indeed rare. Utilizing approaches that build upon or promote cultural strength was important in our efforts, since one-half of the offenders in the District of North Dakota are Native American.

Perhaps most importantly, CBT groups that address criminal thinking are simply not available in many rural areas. Robertson (1997) suggests treatment availability, in general, may vary with community density and proximity to larger urban areas. The lack of available treatment options is exacerbated the more “rural” one gets, and for many North Dakota communities, and the reservations in particular, treatment options in general simply do not exist. In fact, the lack of CBT options was cited among North Dakota re-entry stakeholders as especially problematic. Further, lack of public transportation in rural communities is an obvious roadblock for offenders (Cebulak, 2004) and the issue surfaces consistently in the District of North Dakota.

Even with a specific program like CBT available, an effective group relies upon a skilled and experienced facilitator and willing participants. Rural areas are less likely to find and/or recruit effective treatment providers in general, and more importantly, unable to provide all of the necessary responses to address offender need (Wodahl, 2006). In many cases, officers often assume additional roles as they attempt to “fill in the gaps” of service (Weisheit, Falcone and Wells, 1994).

Additional factors unique to rural areas, such as close social connections among community members, might also discourage the use of treatment interventions by rural offenders (Wodahl, 2006; Weisheit, et al, 1999). Perhaps this issue is also important in reservation communities that are not only rural in nature, but also underpinned by different social, cultural and political factors. Clearly, the rural issues provide challenges for the officer, treatment provider, and offender when specific interventions are needed; this is especially the case when diverse

populations exist in those rural areas. This does not, however, absolve districts or officers from familiarizing themselves with and implementing effective recidivism-reducing strategies.

### **Implementing CBT**

To address the needs of its unique offender population, the District of North Dakota applied for and received funding to implement CBT. Our issues were twofold, addressing the needs of rural offenders in general, and specifically Native American offenders, who are nested inside of these rural areas. In response, the District of North Dakota contracted with the American Community Corrections Institute (ACCI) to provide the Adult Cognitive Life Skills Home Study Course.

This particular workbook incorporates historical fiction to demonstrate and adjust problematic thinking errors that often result in criminal behavior. Utilizing approaches that rest upon cultural strengths might be ideal especially for diverse populations and this approach was definitely considered when addressing our need to incorporate CBT. The workbook appeared an appropriate complement to the traditional story-telling methods important in Native American culture. Narratives are accompanied by a lesson or exercise meant to restructure and/or replace problematic thinking patterns. Units in the manual include: 1.) The Subconscious Mind; 2.) Crime and Laws; 3.) Human Needs; 4.) Anger Management; 5.) Consequences; 6.) Relationships; 7.) Leading and Managing Life; 8.) How to be Happy and Successful in Life; 9.) How to Change and Improve Life; and 10.) Drugs and Alcohol.

The course is meant to be completed with a coach or mentor, which is also a traditionally practiced approach in Native American healing (Archambeault, 2006). Using mentors or positive support structures might also address other risk factors. The ACCI Cognitive Life Skills Workbook was further attractive because of its apparent cost-effectiveness; the cost per booklet is less than \$100. This is an especially important consideration in EBP implementation given the millions of offenders currently in the criminal justice system.

Wilson et al. (2005) suggest fidelity to the program has an important effect on the outcome for offenders. The obstructions to an effective group, such as problematic participants and quality facilitators, do not appear to be at issue with this format. Probation officers need only identify then refer the offender and the number of participants that can be simultaneously enrolled is unlimited. Further, research suggests that community-based interventions will increase the effectiveness of treatment and this program can be completed either inside and/or beyond the walls of an institution (Milkman and Wanberg, 2007). The ability to provide offenders with effective interventions in their community, especially where protective factors might exist, is important in our re-entry efforts. With this in mind, the benefit of placement outside of the community should be weighed against the overall recidivism-reduction effect, and this makes effective intervention difficult in areas with limited EBP options.

### **Evaluation and Results**

In order to measure the effectiveness of the manual(s), the Texas Christian University Criminal Thinking Scale (TCU CTS), as approved by the Administrative Office, was administered before and at completion of the ACCI home study course. This scale consists of 37 questions designed to measure criminal thinking patterns in areas that include: entitlement, justification, power-orientation, coldheartedness, rationalization, and personal irresponsibility. If the program has been effective, offenders should record lower scores at the completion of the home study course. That is, participant criminal thinking, as it relates to the above-described areas, will have been reduced.

The preliminary results are promising, with reductions in each of the identified criminal thinking pattern categories of the TCU CTS. For example, in the area of entitlement, a reduction of 1.3 is recorded with the mean score for the pre-test of 17.0 and the post-test 15.7 (n=50). Similar results in other areas are also recorded: justification (2.5 reduction); power-orientation (1.3); cold-heartedness (2.3); criminal rationale (.9); and personal irresponsibility (2.2).

Also important in our evaluation were the positive responses from both participants and coaches

alike. For example, one participant writes, “this workbook should be given to every criminal, every drug user, every person stuck in neutral in life.” Moreover, most participants indicated they would recommend this program to others. Evaluations from coaches/mentors have also shown encouraging results. One participating coach suggests the manual “is an amazing self-realization of your past, present, and possible future...it allows the user to reflect on thought and encourages healthy thought processes.”

## **Implementation Issues**

Reiterated throughout the EBP literature is the importance of examining areas of implementation that can be improved upon. It is also important to share, with others, those programs that hold promise and how to best implement these; this is essentially the motive behind the R2R initiative. Although no area in particular slowed or was especially problematic in the implementation of the CBT, we recognize areas where improvement is needed, including: selection or identification of participants, a determination of the dosage each booklet provides and whether it meets the need of the offender(s), and addressing motivation to engage in and complete the manuals.

To refer an offender for an intervention meant to address criminal thinking, a problematic pattern in that area must be assumed. Currently, selection of participants is done without the assistance of an actuarial risk assessment instrument. Although this appears to place the “cart before the horse,” it became important in our situation to test the criminal-thinking manuals because of the above-described issues regarding the availability of rural intervention(s). We identified criminal thinking and CBT as a fairly common risk and intervention and used intuitive indicators of criminal thinking (such as criminal history). We do, however, recognize the importance of a risk/needs assessment in its ability to identify specific need (Andrews and Bonta, 2006). Additional booklets available through ACCI that address other criminogenic need(s) are also under exploration with an anticipation that the risk/needs assessment will identify specific risk areas and various manuals would be used in response. Historically, in this and many other districts, previous efforts at risk reduction have generally centered on what was available rather than what was needed. Officer familiarity with CBT and recognition of offenders’ needs are issues that must be overcome through both staff development and continued EBP implementation.

Once a criminal thinker is identified and the referral made, we cannot be certain what amount or dosage the booklet provides. Specific research questions that may be addressed include: Is the home-study an adequate replacement for a CBT group? Is it an effective approach for an offender with substantial or moderate needs in this area? Would the manual best serve a preparatory function for, or, in conjunction with a group itself? In short, we must ensure that the right amount of intervention supplied meets the need of the offender. These and other areas can be explored with the implementation of a risk assessment tool and as additional insights into this and other R2R initiatives are examined.

Notwithstanding the pleasantly surprising completion rates of this program, the issue of motivating offenders for this and any intervention for that matter, remains a fundamental concern for correctional agencies. Ambivalent attitudes toward change may be explored through “Motivational Interviewing(MI)” (Walters, Clark, Gingerich and Meltzer, 2007 ). This approach enhances motivation to change and should be explored as a means to improve participation and completion rates of the CBT program. In fact, the next step in our ongoing effort to incorporate evidence-based techniques into our practice includes the introduction of MI.

Coincidentally, MI is an approach that is especially interesting to the District of North Dakota as it appears to complement many Native American cultural values (Venner, Feldstein and Tafoya, 2006; Tomlin, Grover and Arquette, 2006). These core values emphasize listening, learning, and respect of others. Moreover, MI might enhance other traditional healing methods consistent with the principles of restorative justice (Tomlin et al., 2006). MI remains a promising strategy to use with offenders in general, and could eventually become a preferred approach to dealing with Native American offenders. Given the importance of motivating offenders to engage in change

behavior and the important agency-level implications MI supports, the District of North Dakota, through the R2R initiative, will implement MI in the spring/summer 2008.

### **Continued Research and EBP Implementation**

Historically, the question of whether “something is better than nothing” has emerged in our efforts to provide effective intervention within a rural probation setting. With the implementation of EBP, introducing effective and proven interventions that address specific offender need is the desired approach. Availability issues will undoubtedly persist because of the very nature of rural criminal justice. Systems, agencies and officers must adjust accordingly. Wodahl (2006) suggests that “policy-makers recognize the need to improve the availability of treatment services in rural areas” (p. 42). Perhaps inmates from rural areas should be targeted and prioritized within the prison systems, knowing that resources might be scarce at their re-entry point.

In the meantime, the above-described “rural issues” are not presented to excuse rural districts from utilizing evidence-based interventions that will reduce recidivism in their communities. Rural districts should look to the strengths of their situation and staff and use these elements to leverage effective offender programs and develop officers accordingly. For example, although rural districts are often defined by fewer numbers of officers, perhaps this allows the agency to mobilize and implement EBP programming and skill-sets more efficiently. Officer competency and “buy-in” of the EBP correctional principles might be one of, if not the, largest hurdle to overcome as the system moves forward. Officers might also harness the powerful, informal social controls that may exist in rural areas to provide not only effective collateral sources, but also environments conducive to offender change. To this end, it is essential that officers develop a fundamental knowledge of EBP and change models. In fact, rural correctional officers may require “more diverse training in order to fill in the service gaps of the communities they serve” (Wodahl, 2006, p 42), and training has definitely become a major undertaking in the District of North Dakota.

As we continue the implementation of the ACCI Lifeskills Workbook(s) and other EBPs, we recognize the importance of examining and developing insight into the above-described implementation issues. A host of new and important research questions have surfaced that may be addressed in the future. For now, we will continue to collect information on the booklet’s effectiveness at reducing criminal thinking. We look forward to introducing MI and the effect this endeavor will have on our agency, the officers and ultimately the offenders we supervise. We will continue to adjust to the rural and diverse nature of our caseloads, because, as Milkman and Wanberg (2007) suggest, interventions that attend to “diversity in both people and programming” hold the most promise for recidivism reduction. Empirically testing interventions that acknowledge and account for this diversity is imperative and the implications of this research are important at both the individual and agency or system level.

The R2R initiative provides considerable incentive and support for districts to pursue and implement EBPs that attend to the specific circumstances and needs of their offenders. Further, the initiative has provided an opportunity to make substantive changes in operation toward EBP, develop staff professionally, and contribute to that growing “body of literature.” Moreover, the implementation of EBP will conceivably reduce the risk of recidivism for our offenders, thereby making our communities safer. It is this sustained protection of the community that provides considerable incentive for both agencies and individuals alike to embrace this new approach.

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## Community Reentry Following Prison: A Process Evaluation of the Accelerated Community Entry Program

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**AS THE FIELD OF** corrections struggles to meet the demands of the burgeoning population of incarcerated offenders, there is also an increasing demand from the public and within the profession to address the needs of these offenders as they are released from the prison system. With more than two million people incarcerated in state and federal prisons (Kelly & Stemen, 2005), there is a clear and substantial need to address reentry concerns amongst this population, since nearly all of these offenders will eventually release into the community. Kelly and Stemen (2005) cite that nearly five million people are currently participating in some type of supervised release program in the United States. Despite the fact that nearly 60 percent of offenders successfully complete supervision without any technical violations (Taxman, 2002), the struggles of the remaining 40 percent of offenders have an undoubted impact on law enforcement resources and public safety. Given that one third of admissions into prisons annually consist of parole and supervised release violators (Taxman, 2002), it is essential to explore creative techniques to make the supervised release period as effective as possible in accomplishing its mission.

### **State Parole and Federal Supervised Release**

Supervised release is a sentence to a term of community supervision to follow a period of imprisonment (*The Supervision of Federal Offenders, Monograph 109, 2005*). Unlike parole, which has been abolished in the federal justice system, supervised release is not a form of early release from prison, but rather a separate sentence imposed in addition to the sentence of imprisonment. Supervised release replaced the parole system in the federal courts. Parole, which is still utilized in state justice systems, is defined in Attorney General Opinion 96029 (1996) as a conditional release from prison which does not set aside a prisoner's sentence, and which is subject to revocation. A parolee is a convicted criminal who has been sentenced to a term of imprisonment and who has been allowed to serve a portion of that term outside prison walls. For the purpose of this paper the term supervision will be used when discussing all forms of post-release offender management. According to Taxman (2002), the theoretical mission underlying the supervision of offenders exiting prison is to use the period of supervision as a time to engage the offender in the process of change. Supervision officers can assist the offender in developing an understanding of his or her behavior in order to enhance commitment to behavioral changes.

Consequently, in order to achieve this mission a variety of techniques have been employed in

recent decades by community corrections offices at the local, state, and federal levels. Many of these techniques attempt to increase control and reduce recidivism by establishing conditions of parole or supervised release that have corresponding consequences for violation. Increasing the number of contacts between officers and offenders is used as a method for monitoring the imposed conditions. Examples of these techniques include day reporting centers, boot camps, intensive supervision, and reducing officer caseloads (Taxman, 2002). Despite the inherent logic of strategies seeking to increase contacts between the officer and offender, there is little evidence to support the effectiveness of these approaches. Instead, evidence tells us that these strategies are no more effective than traditional supervision strategies at reducing recidivism. In contrast, the relationship between the officer and the offender has been highlighted as a crucial factor in establishing offender compliance and eventual success within the parole, probation, or federal supervised release structure (Taxman, 2002). Taxman (2002) also tells us that supervision success is enhanced through frequent risk assessments of offenders. By assessing risk on a regular basis, the officer can gauge offender progress and determine which offenders are viable candidates for more intensive programming. It has been shown that high-risk offenders make more progress in intensive programming than lower-risk offenders (Taxman, 2002). Through risk assessment, it is possible to target the offenders who will best be served through intensive programming in order to maximize the investment.

### Drug Courts and Reentry Courts

The Accelerated Community Entry (ACE) program in the Western District of Michigan, which the authors examine in this paper, was modeled after the reentry court structure. The ACE program has utilized the reentry court model in order to provide more structure to offenders reintegrating into the community, and reentry courts are modeled after the drug court structure. Drug courts are defined by Huddleston et al. (2005) as:

...a specialized court docket designed to handle cases involving nonviolent, substance abusing offenders. The intention of these courts is to increase the offenders' likelihood of successful rehabilitation through a comprehensive, judicially supervised program of community supervision, mandatory drug testing, treatment services, and immediate sanctions and incentives (p. 10).

Reentry Courts are a variation of drug courts that use the typical drug court model to facilitate reintegration of offenders into the community upon their release from correctional facilities. These courts also provide ancillary services that are needed to assist the participant in reentry into his or her community (Huddleston et al., 2005). The first drug court was developed in Miami, Florida in 1989 in response to the crack cocaine epidemic (Huddleston et al., 2005). By 2004 there were 1,621 drug courts operating in the United States and more than 70,000 drug court clients being served through this forum (Huddleston et al., 2005).

According to the National Association of Drug Court Professionals (NADCP, 1997) the following are some of the key components to any successful drug or reentry court model:

- Integration of alcohol and other drug treatment services with justice system case processing.
- Use of a non-adversarial approach where prosecution and defense counsel promote public safety while they also protect the due process rights of the participant.
- Monitoring of substance abstinence by frequent alcohol and drug testing.
- Employment of a coordinated strategy that governs the drug court's responses to participant compliance.
- Ongoing interaction with the court.
- Monitoring and evaluation of the achievement of program goals to gauge effectiveness.
- Implementation of interdisciplinary education that promotes effective drug or reentry court planning, implementation, and operations.
- Partnerships among courts, public agencies, and community-based organizations to generate local support that enhances effectiveness.

As these components indicate, drug and reentry court models operate on the premise that

collaboration amongst community partners is needed to support offender stability and change. According to Huddleston et al. (2005), simple control and punishment approaches have been shown to be ineffective at reducing recidivism. Supplementing therapeutic interventions, such as substance abuse and mental health treatment, with usual control and punishment tactics is more useful across the board (Taxman, 2002). Through agency collaboration, the drug or reentry court model allows the court to implement swift, consistent, and behaviorally relevant consequences for probation or supervised release violations. These consequences can be therapeutic and can target the thinking errors that led to the behavioral violation. Further, Lindquist, Hardison, & Lattimore (2003) tell us that informal controls, such as family, peers, and community, have been shown to be more effective at influencing long-term change in offenders than the court or the probation officer. Engaging communities that are significantly impacted by reentry may allow for resources to be leveraged there in order to deliver well-integrated services to the offender (Lindquist et al., 2003).

In addition to collaboration and use of informal controls, Taxman (2002) also recommends that treatment efforts and interventions be at least 18 months in duration to truly reinforce the change process. Prochaska and DiClemente's (1986) stages-of-change model supports this lengthy intervention period. Their non-linear model addresses readiness to change by acknowledging stages such as pre-contemplation, contemplation, action planning, maintenance, and relapse. Each of these stages targets an individual's acknowledgement of the problem he or she is facing and the factors that he or she believes must be altered in order to create better outcomes for his or her future. Many offenders do not enter a treatment facility, drug court program, or reentry court program recognizing the changes that could be made to allow the individual to avoid future legal issues or personal obstacles. It often takes a substantial amount of time for an offender to adopt the plans for change that are created by the legal system or treatment provider. Failure to account for the lengthy nature of the change process will result in a failure to recognize the factors inhibiting immediate compliance with supervision expectations or drug and reentry court procedures.

The structure described above has been effective in reducing recidivism and supporting offender change. Research completed by Huddleston et al. (2005) indicated that recidivism rates for state-level drug court participants in 2003 were as low as 16.4 percent nationally one year after graduation. This is substantial when compared to the 38 percent recidivism rate of non-drug court participants (Kelly and Stemen, 2005). Drug courts are said to reduce recidivism by 15-20 percent when participants are compared to their peers not participating in drug courts (Marlowe, Heck, Huddleston, & Casebolt, 2006). In general, Marlowe, DeMatteo, and Festinger (2003) tell us that drug courts outperform virtually all other recidivism reduction strategies that have been attempted with drug-involved offenders. It is essential to note, however, that high-risk offenders performed substantially better on supervised release when required to attend frequent hearings before a judge, (Marlowe, Festinger, and Lee, 2004). This indicates that reentry court models may be well suited to high-risk offenders during their transition from prison into their communities.

The transition from prison to community is an especially critical time for offenders. Travis (2003) explains that nearly 30 percent of released prisoners are rearrested within the first six months after leaving prison. The cumulative total rises to 44 percent after one year and nearly 60 percent within two years. These early months following release are critical to ensuring the safety of the public as well as the success of the releasing offender. Travis (2003) questions the current practice of allowing offenders to fend for themselves during this crucial time. He suggests that community corrections offices realign goals to address early risk factors such as: lack of transportation to their community immediately following release from prison; lack of safe housing; lack of access to treatment and structured programming; and lack of positive peers that encourage pro-social norms. He discussed that current practice often places offenders in environments where they are tempted to use drugs and engage in illegal activity for lack of better options. If parole and supervised release officers assisted offenders by providing intensive programming to address these needs during the first month following release, they might be able to prevent rearrests during that time and beyond. One method for establishing intensive

programming that meets these expansive needs is reentry court participation immediately following release from a correctional institution.

### **The Accelerated Community Entry Program (ACE)**

The United States Probation and Pretrial Services Office in the Western District of Michigan established ACE in October 2005. The goal of this program is to increase the opportunity for success by significantly addressing the criminogenic factors related to recidivism in offenders releasing from prison to Berrien County in the western district of Michigan. Berrien County, Michigan was identified as a location that presented significant challenges to returning prisoners with regards to employment and prosocial peer groups. The creators of the ACE program identified criminogenic factors as follows according to Gendreau and Andrews (1990):

- history of anti-social behavior
- anti-social personality
- anti-social attitudes and values
- criminally deviant peers
- substance abuse
- dysfunctional family relationships

One approach adopted by ACE creators is that regular contact with the judge is instrumental in bringing about change. Through frequent court appearances the court is better able to address the criminogenic factors that often lead to relapse into drug use and recidivism.

ACE is based on the reentry court model and the creators established a set of policies for the implementation and management of the program. These policies are detailed as follows:

#### *Identifying Participants*

The United States Probation Officer identifies offenders who are releasing to Berrien County, Michigan and calculates the Risk Prediction Index (RPI) score (as developed by the Federal Judicial Center) to determine if it falls between six and nine, which is the highest range one can score.

#### *Orienting Participants to ACE*

The U.S. probation officer will meet with a potential participant while he or she is in the pre-release halfway house setting in order to orient that person to potential benefits of the ACE program prior to release from the halfway house. Program acknowledgment paperwork (participatory contract) will be given to the potential participant at that meeting for him or her to review.

While attending the first ACE hearing, the participant will be introduced to the ACE Team, review the program acknowledgment, and sign the program acknowledgment. This form explicitly defines the conditions of supervision for the participant while participating in the ACE program. It also states potential sanctions and rewards for program violation or compliance and delineates expectations for program completion. If an offender refuses to sign the acknowledgment then he or she must appear before the judge to explain his or her decision. The judge is the only team member who can rule that a participant is excused from ACE participation.

#### *Intensive Reentry Team Roles*

The ACE team is made up of court personnel, government, defense counsel, and treatment providers.

The judge is the convener of the team and makes final decisions on rewards and sanctions in response to offender behavior.

The U.S. probation officer provides information regarding the conduct of the participant as well as recommendations for rewards and sanctions as aligned with the mission of the ACE program. The U.S. probation officer also encourages the attendance of family, employers, and significant others at court hearings.

Treatment providers contribute information and recommendations regarding the substance abuse and/or mental health treatment of the participant, whereas halfway house case managers provide information regarding the conduct of the participant and recommendations regarding placement at halfway house.

Government counsel assures that proper court procedures are maintained and assists in the presentation of evidence to the court when necessary. Further, government counsel notifies victims of hearings as required by the *Justice for All Act*. In contrast, defense counsel assures that participants' rights are protected, represents participants effectively during modification or revocation hearings, and provides recommendations to the court to align with the mission of the ACE program and the best interests of the participant.

### *Monthly Hearings*

Monthly hearings take place in the Berrien County Courthouse. In attendance at each hearing are members of the ACE Team, the participant, and any members of the participant's support system, such as employers, family, significant others, clergy, and others.

The judge calls individual participants to the front of the court and asks them to introduce support people accompanying them. The judge then reviews the individual's progress. This includes a review by the U.S. probation officer of the participant's status and progress in the program over the course of the previous month. Remarks on the offender's progress can come from the ACE Team and the participant's support people. After this review the judge provides necessary rewards or sanctions, and the goals to be addressed prior to the next hearing are set forth. A signed copy of the monthly report is distributed. This process is repeated for each offender.

### *Violation Reporting*

Violations can be reported orally in court if the violation is minor in nature. Examples of minor violations include: missing a treatment appointment, failure to report information to the U.S. probation officer, and other minor technical violations. More serious violations may be addressed in court prior to the ACE hearing if there is a significant danger to the community as a result of the offender's behavior. Results of all hearings taking place outside ACE hearings will be announced at the next monthly hearing for ACE regardless of whether the violating participant is in attendance.

Sanctions for serious violations can range from modification of supervised release conditions to revocation and imposition of a new term of supervised release following a term of imprisonment. Halfway house sanctions should be imposed as quickly as possible after the hearing that determined the sanction. A participant cannot fail out of the ACE program. If supervision is revoked, the participant must return to ACE and begin anew following incarceration.

### *Program Completion*

Upon accumulating 12 monthly rewards the participant is eligible to graduate. A graduation ceremony is held during the monthly hearing, and the court awards a certificate of completion to the participant. Following the final monthly hearing, the participant is transferred to traditional supervised release for an additional 12 months. Should this period of time be satisfactorily completed, a request for early termination of supervision is made by the probation officer.

The amount of reduction in supervised release time will vary based on the participant's original sentence. Violations that occur while under traditional supervision will usually result in the forfeit of early termination afforded through ACE. Revocations at any point in the supervised

release term result in imprisonment and the expectation that the offender will begin anew the 12 months of intensive ACE participation upon completion of imprisonment.

### *Evaluation*

The policies, as they are written here, were intended to provide structure and direction to the ACE program. However, in order to examine the outcomes of the ACE program in terms of effectiveness, it is essential to examine the methods through which the program was implemented in a practical sense. Dehar, Casswell, and Duignan (1993) assert that there is often a naiveté that program plans match actual program operation, despite the fact that there is often substantial slippage from the original program model when one examines the actual program process. Although measuring outcomes is necessary, knowing the method of implementation that actually occurred gives far more insight into the tactics that influenced the outcomes measured. In order to gain these broader insights into the ACE program, a process evaluation was performed by surveying and interviewing offenders who participated in ACE as well as professionals and individuals from the offenders' support systems. A process evaluation, as defined by Stufflebeam and Shinkfield (1985) is a comparison of program plans to actual operations as a means to monitor the degree to which a program is implemented as planned. Specific functions of the process evaluation are as follows:

- Measures the extent to which a program reaches the population targeted.
- Monitors the program dose, specifically the delivery or participation in program activities that actually takes place.
- Monitors the organizational context or situational variability within which the program is implemented.
- Measures the extent to which the program and its services are implemented to achieve the specified goals of the program.
- Identifies the cost of program implementation. (Dehar et al., 1993)

Measuring and monitoring these components of a program's process enhances the utility of outcome measurements. It also demonstrates the relevance of a specific program to its field of practice. Marlowe et al. (2006) encourages deeper research into drug courts specifically because the drug and reentry court movement has been stalled due to skepticism associated with limited evaluation of drug court initiatives. Marlowe et al. (2006) asserts that drug court research to this point has been simplistic and monolithic, focusing mainly on program outcomes, specifically rearrest rates, instead of examining procedures and alternative outcome measures. The research described here attempts to gain insight into procedures so that the effectiveness of the program can be measured through a wider lens.

### **Process Evaluation**

In the spring of 2006, these processes and procedures for the Accelerated Community Entry (ACE) program were evaluated. Face-to-face interviews and surveys were administered to with participating offenders, and participating court personnel also completed surveys. Survey and interview questions inquired as to whether intended program policies were adhered to during the implementation of ACE in its first 12 months. The sample size available for this evaluation was small, with just six of eleven offenders participating and five of six professionals participating in the evaluation. Despite the limited sample size, results demonstrated that offenders and professionals perceived the process used in the implementation of ACE to match the intended procedures of the program. Specifically, protocols related to community participation, substance abuse issues, rewards and consequences, and professional team members' roles were adhered to as expected by the creators of the program. There was also a sense amongst professional respondents that additional research would be useful, after more time has passed, to examine the impact of consequences that were utilized in response to violation behaviors.

Many of the theoretical goals set forth by the creators of ACE were seemingly achieved during the initial stage of programming. For instance, it was a significant goal of the program that the Berrien County community become more involved in the transitional process for federal

offenders returning home from prison. Examining the responses to survey questions regarding support systems tells us that five of six participants had family or other supportive individuals accompany them to ACE hearings. Subjects reported that support system participation at hearings occurred anywhere from three to twelve times during the twelve-month period studied. This indicates that there was ongoing engagement by the community, families, and close friends immediately impacted by ex-offenders returning home from prison. Further, professional respondents indicated on open-ended questions that they were pleasantly surprised by the community response to and support of the ACE program. Specifically, one respondent indicated an initial concern that the community would be too focused on outcomes rather than acknowledging the need for support systems to be developed to enhance transitional functioning. This respondent expressed surprise and satisfaction with the manner in which the community engaged in ACE. Finally, speakers from the community frequented ACE hearings and offered insight into many different aspects of the transitional process. Although responses regarding the helpfulness of these speakers were somewhat varied, more than half of respondents specified that the participation of community speakers provided useful information and a sense of support during initial participation in the ACE program.

Another theoretical goal that was seemingly achieved during the initial stages of ACE relates to the usefulness of simple rewards and consequences. ACE rewarded participants by providing encouragement and support as a primary means for establishing minimum behavioral requirements. The program included no financial or material rewards. Instead, simple rewards like applause, certificates, and opportunities to report successes to peers and the court were paired with the eventual prospect of reduced length of the supervised release sentence to provide incentive for program compliance. Although two of six participants indicated that material rewards would have also been gratifying, and nearly all subjects indicated significant value in early termination from supervision as an eventual reward of the program, all but one subject specified that the camaraderie amongst participants and the court was a very effective reward. The opportunity to share success and experience positive interactions within the courtroom proved to be encouraging and validating to participants of ACE.

On the other hand, a theme of opposition to authority was present throughout many of the discussions with participants. Many individuals mentioned a history of struggling to conform to rules and expectations. Several participants willingly acknowledged the impact that opposing authority and typical social norms has had on their lives, focusing on the discomfort associated with interacting with authority figures. The creators of ACE had a strong desire to reframe participants' experiences with the court in order to provide positive interactions to counter memories of negative experiences. Although participants desired to avoid this apparently inevitable discomfort associated with court hearings, the discomfort seems to have created an external motivator to avoid the negative feedback of the court. Strategies used during monthly hearings, such as publicly acknowledging personal issues or mistakes, seem to have provided incentive for participants to avoid the embarrassment provoked by disclosing mistakes.

Employment was another primary theme observed throughout the data collected from both samples. It is important to acknowledge the impact that employment status has on individuals as they transition from prison, in order to appreciate the impact of underemployment in communities where disproportionate numbers of felons reside, such as Berrien County in the Western District of Michigan. Johnson (2007) discusses the value of educational attainment and employment status in his examination of offender recidivism. During the five-year period studied by Johnson (2007), offenders who had attained at least a high-school diploma when they began supervision were more likely to be employed at the start and the end of supervision than offenders who had achieved less than a high-school diploma. This is relevant because more than nine of ten employed offenders successfully completed post-conviction supervision. Shockingly, however, unemployed offenders' supervision is revoked seven times more often than supervision of their employed peers (Johnson, 2007). There is a sense amongst the ACE subjects participating in this research that more leg work can be done by the court and the U.S. Probation and Pretrial Services Office to increase community awareness about the specific employment needs and barriers of felons participating in the ACE program. As these individuals struggle to



become employed, it is clear from Johnson's (2007) research that employment is likely a key factor contributing to offenders' success or failure during the transitional period.

Surprisingly it seems that substance abuse is a peripheral issue for most of the subjects who participated in this initial ACE program. As was mentioned previously, the USDJ (2006) has characterized federal offenders differently from state-level offenders, stating that higher-risk federal offenders tend to engage in criminal behavior in order to profit or gain power as opposed to state-level offenders who are more likely to engage in criminal activity as a means to fuel their addiction to illicit substances. With this characterization in mind, it is possible that these subjects' federal-offender status can explain their seemingly limited concern for addiction-related issues. Although two respondents reported providing a positive urinalysis while participating in ACE, it seems that at least four subjects were willingly abstaining from drug use. Further, the three individuals who participated in treatment to address historical issues with substance abuse or dependency seemed to value the services and the opportunity to gain insight into the thinking and behavioral errors that contributed to substance dependency concerns.

Finally, professional subjects acknowledged the ACE experience as one that has given them greater insight into the difficulties associated with transitioning from prison. The issue of one's felon-status and the variety of barriers that prohibit a fluid transition from prison to community were made clearer to everyone involved in the program, according to one professional respondent. As was mentioned previously, many professionals who participated in the program have experienced ACE as a positive opportunity to engage in the transitional process beyond basic supervisory or punitive functions. There is a sense among professional respondents that ACE has provided an opportunity to contribute to the transitional process in a manner that enhances the offender experience and provides for assistance and support during a difficult time in the lives of the people they serve.

Although useful information was gleaned from this research effort, there were limitations that, if addressed, could provide more thorough and representative data of the ACE program experience.

First, the population from which data could be obtained for this process evaluation was quite small. At the time of the study 12 subjects had participated in the ACE program since it was launched in October 2005. Further, one of the possible 12 subjects is currently incarcerated, prohibiting his involvement in the study. The sample size of the ACE planning team members was also small, as only six individuals have consistently engaged in the professional roles affiliated with ACE. As a result, it was not possible to eliminate the impact of small sample size in order to generalize the results to the remaining participants. In addition to the small population, there was also a low response rate amongst the participant data set. Just over half of possible participants (six of eleven participants) in the research opted to complete the interview and survey. One possible outcome of small sample size is that trends identified by subjects do not manifest as strongly as they might with more subjects reporting their experiences. This is particularly relevant as one considers the traits that may encourage one to participate in research rather than decline participation. For instance, the individuals who chose to offer their feedback about ACE may have experienced the program more positively or negatively than their peers who chose not to offer their feedback. Without a broader perspective from all participants it is difficult to predict factors that might have been important to these non-participating individuals. It is also important to consider the traits that differentiate the 11 participants available for research sampling from the 1 participant incarcerated due to revocation in response to behavioral violations. The reasons that this individual failed to thrive in the ACE program at the outset were not assessed through this research design, and as such cannot be reported here.

Another possible weakness of the study is the survey tools used to gather data from participants. Both the participant survey and the professional survey have not been proven reliable at measuring the data being sought. Since both surveys were created specifically for the purpose of completing the process evaluation of ACE, and as such have not been tested extensively across multiple samples, one cannot assume that the questions reliably elicit the data being sought. Further testing and use of the surveys would be helpful to establish the usefulness of the data obtained. This would allow for the data to be extrapolated further than the survey currently

allows.

## **Recommendations**

Despite the limitations listed here, noteworthy themes were uncovered through data analysis. These themes indicate areas where the ACE program has excelled as well as areas where the program could improve. Some areas to consider for possible improvement are indicated below.

Many of the ACE participants focused significantly on employment. As has been discussed previously, more intensive efforts to locate employers willing to work with ACE participants could enhance the utility of the program and increase success rates for participating offenders. Achieving increased access to employment would likely require face-to-face conversations with potential employers as an opportunity to describe ACE to the employer and develop an ongoing relationship that allows future ACE participants to access interviews and possible employment. Cultivating employment resources could also be an area of focus when developing programs similar to ACE in other districts.

Although just one individual surveyed raised the following issue, it is worth raising again here in order to address variations in the individual offender's responses to required participation in ACE. This particular subject feels that the program moves too quickly and he or she may not be able to complete the goals within the time allotted as a means to accomplish successful completion of the initial 12-month participation. The pressure that this individual feels may not require the actual structure of the program to be changed. However, it could require that special attention be paid to evaluating participants' stress management skills in order to develop goals appropriate to their level of functioning. If goals are created that do not account for stress management deficits, it may be more difficult for the goals to be accomplished in a timely and successful manner. Goals that account for stress management deficits may focus on the smaller steps that assist the participant in achieving the ultimate goal, allowing for gradually increasing complexity in the types of goals set. Although many participants described the current technique for goal setting as providing attainable and manageable monthly goals, it may be necessary to simplify the steps even further for participants struggling to address more complex issues related to their transition.

As with the last issue discussed, just one professional respondent raised the following issue. However, it stood out as potentially useful information for the purpose of a process evaluation. This ACE team member expressed concern over the use of halfway house placement as a sanction. Although this individual is unsure why this pattern is developing, he or she observed that individuals who are sanctioned to the halfway house tend to struggle in the program after they are placed there. Specifically, this individual is observing a correlation between this sanction and the eventual revocation of supervised release. Although it is difficult to know whether residential placement somehow contributes to a revocation outcome or if the individual sanctioned to the halfway house would have been revoked eventually despite receiving this sanction, it is worth monitoring this trend. If the trend continues or there are ongoing issues with this sanction it may be useful for ACE personnel and other districts implementing programs modeled after the ACE structure to consider alternative means of sanctioning substantial behavioral violations.

Despite the issues discussed here, there was a strong consensus amongst participants and professional team members that the ACE program is effectively running as it was planned. Participants expressed positive feelings towards their experiences in ACE and some even stated that ACE is, in fact, a good program. Over time it will be necessary to continue assessing the usefulness and functioning of ACE in order to ensure that it remains aligned with its original theoretical goals as well as the goals and principles that develop over the course of its implementation. Furthermore, an outcome evaluation that examines the success rates of ACE participants compared to traditional probationers should be done in order to gain greater insight into the usefulness of this program.

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## Motivational Interviewing Training in Criminal Justice: Development of a Model Plan

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### **Evidence-Based Practice**

The recent push toward evidence-based practice (EBP) has brought new attention to correctional practice. EBP stresses that the programs and services we offer to offenders should be those that are related to subsequent reductions in recidivism (e.g. rearrest, reconviction, reincarceration). Research suggests that effective correctional programs share similar characteristics in terms of targeting offender risk, needs, and responsivity. For instance, a number of studies show that programs that match higher-risk offenders to more intensive services (e.g., risk) and address dynamic criminogenic factors (e.g., needs) can significantly reduce recidivism (Andrews & Bonta, 2003; Andrews, Zinger, Hoge, Bonta, Gendreau, & Cullen, 1990). However, there has been much less research on the EBP principle of responsivity, which suggests that providers interact with offenders in ways that will effectively engage the offender. In placing Motivational Interviewing (MI) within an EBP framework, MI is best understood in terms of its consistency with the responsivity principle, because it suggests a way of talking with offenders to increase motivation for change.

### **Role of the Probation Officer**

For those placed on supervision, probation officers are the main brokers of the probation process. Probation officers meet regularly with offenders, conduct intake and other assessments, report to the court on progress, and have a degree of latitude on the intensity of monitoring and programs to which offenders are referred. Thus, from a systemic standpoint, probation officers are uniquely situated to function as *change agents* who prepare an offender motivationally to comply with conditions of probation, engage in special programs, and make other positive changes. There has long been evidence that brief interactions can significantly influence client outcome (Miller, 2000; Moyer, Finney, Swearingen, & Vergun, 2002), and recent evidence suggests that the relationship between an officer and the offender can be “a pivotal source of influence on the implementation of treatment mandates” (Skeem, Encandela, and Eno Loudon, 2003, p. 444). The most effective relationship seems to involve a positive working alliance, balanced with aspects of procedural justice (i.e., firm but fair and respectful). In fact, one recent study that looked at the

relationship between the officer and the offender found that probation outcome (probation violations, probation revocation, and new arrests) could be predicted by the quality of the dual-role relationship (Skeem, Eno Louden, Polaschek, and Camp, 2007). This is consistent with many studies in other fields that suggest that the style of the *provider* has a large impact on eventual *client* outcome (e.g., Miller, 2000).

### **Motivational Interviewing in Criminal Justice**

Motivational Interviewing (MI) is a communication style that involves strategic use of questions and statements to help clients find their own reasons for change (Miller & Rollnick, 2002). MI borrows from Client-Centered Counseling in its emphasis on empathy, optimism, and respect for client choice (Rogers, 1961). MI also draws from Self-Perception Theory, which says that people become more or less interested in change based on how they talk about it (Bem, 1972). Thus, an offender who talks about the benefits of change is more likely to make that change, whereas an offender who argues and defends the status quo is more likely to continue in the present behavior. Finally, MI is also logically connected to the Stages of Change model, which says that people go through a sequence of stages when considering change (Prochaska, DiClemente, & Norcross, 1992). Although MI seems to work well throughout the change process, research suggests that it may be particularly useful for clients who are more oppositional or defiant, higher-risk, or otherwise less ready for change.

Because MI is a communication *style*, it is usually introduced as a set of stylistic principles: 1) Express Empathy, which involves a sincere attempt to understand the offender's point of view; 2) Roll with Resistance, which emphasizes avoiding arguments whenever possible and finding other ways to respond when challenged; 3) Develop Discrepancy, which means working to elicit the offender's own reasons for change; and 4) Support Self-Efficacy, which emphasizes positive language and an environment that is supportive of change.

From its beginnings in addiction counseling, MI has been translated into a number of behavior-change areas. MI currently has strong research support in areas such as alcohol and drug use, smoking cessation, medication compliance, HIV risk behaviors, and diet/exercise. Two recent meta-analyses of more than 70 MI outcome studies in different areas suggest an overall significant and clinically-relevant effect (Hettema, Steele, & Miller, 2005; Rubak, Sandboek, Lauritzen, & Christensen, 2005). Across a range of behavioral areas, MI was significantly better than other approaches in three out of four studies, and outperformed traditional advice-giving 80 percent of the time. Even when looking at very brief encounters of 15 minutes or less, 64 percent of studies showed a lasting effect using this method. Overall, one review concluded that MI "outperforms traditional advice giving in the treatment of a broad range of behavioral problems" (Rubak, et al., 2005, p. 305).

Although MI has good support in many areas of behavior change, there has been comparatively little research on the use of MI in criminal justice settings, and even fewer studies that are specific to probation settings. A recent review focusing specifically on MI in criminal justice (McMurran, in press) identified 19 studies where MI was used to target substance-misusing offenders (N=10), domestic-violence offenders (N=3), DWI offenders (N=5) and general offending (N=1). The review concluded that MI improved overall retention in treatment, enhanced motivation to change, and reduced offending, although there were variations across studies. As an example, Ginsburg et al. (2000) randomized prison inmates to MI or control conditions. Compared to control participants, those who received a motivational interview showed increased recognition of their drinking behavior as a problem. In another study, first-time DWI offenders with a 28-day incarceration sentence were randomized to receive or not receive a treatment program that incorporated MI principles (Woodall et al., 2007). At 6, 12, and 24 months after discharge, those who received the program reported greater reductions in alcohol consumption and less drinking and driving, compared to participants who were only incarcerated. In addition, among participants who met criteria for antisocial personality disorder (ASPD), the program resulted in larger gains than those experienced by ASPD participants who did not receive treatment. Finally, in a probation setting, Harper and Hardy (2000) reported greater positive effects on probationers' problem recognition as a result of being assigned to an MI-

trained officer, compared to probationers assigned to a non-MI trained officer. However, it is unclear whether the study used random assignment, and the control group also showed some progress over the course of the study.

In addition to this direct evidence, there are at least three practical reasons to believe that MI might be applicable to a criminal justice setting, and a community corrections setting in particular. First, MI has a strong track record in areas that may be relevant to community corrections, such as preparing clients to engage in alcohol and drug treatment programs (Baker et al., 2002; Daley, Salloum, Zuckoff, Kirisci, & Thase, 1998; Miller, Meyers, & Tonigan, 1999). Further, MI has been shown to be effective in other settings where provider-client interactions may be brief and multi-focused, such as in medical consultations (Heather, Rollnick, Bell, & Richmond, 1996). Finally, large addictions treatment studies such as Project MATCH (Project MATCH Research Group, 1998) have reported similar effects of MI across offending and non-offending clients. Based on this rationale, a recent handbook published by the National Institute on Corrections (Walters, Clark, Gingerich, & Meltzer, 2007) outlines strategies for adapting MI to probation and parole settings. In particular, the handbook discusses ways to integrate the MI style with some of the technical features of community corrections, such as the dual officer role, multiple behavior focus, and time constraints. This effort is consistent with past efforts to adapt MI to healthcare and other brief settings, while still retaining the overall style of the approach (Resnicow, DiIorio et al., 2002; Rollnick & Heather, 1992).

Many criminal justice agencies, convinced of the utility of MI, have begun training officers in MI, most typically through one- to two-day workshop trainings. However, most agencies have not fully appreciated the complexity involved in learning MI. In fact, there is good evidence that the typical one- to two-day training workshop may not be the ideal format for learning MI (Walters, Matson, Baer, & Ziedonis, 2005). Rather, it appears that competency in the MI style is achieved through long-term training that involves skill practice and feedback. This article describes the theoretical underpinnings of learning MI and, based on this model, provides a rationale and plan for implementation of MI training within a criminal justice setting.

### **The Eight Stages of Learning Motivational Interviewing**

In 2006, Bill Miller and Teresa Moyers outlined eight critical stages in learning MI (Miller and Moyers, 2006). These stages are considered sequential and outline the spirit, skills, and strategies necessary to become proficient in MI. Our plan for MI training draws from the training literature (Walters et al., 2005), as well as this stage model.

*Stage 1: The Spirit of Motivational Interviewing.* At its heart, MI is collaborative, evocative, and respectful of autonomy (Miller and Moyers, 2006, p. 5). The officer respects the individual's autonomy (even though he/she may not agree with the choices the offender makes) and approaches the relationship as a collaborative one. This spirit is difficult for some officers, who have been trained to see themselves as the "expert" whose main role is to provide advice or direction. MI focuses on a "strengths" approach, which means that rather than instilling in offenders something they lack, MI assumes that offenders already have the capacity for positive behavior change. Thus an early training focus is on the philosophical underpinnings of the approach; officers work primarily to evoke the individual's own reasons, ideas and solutions about behavior change.

*Stage 2: OARS - Client-centered Counseling Skills.* Because MI focuses on drawing out information from the offender, empathic listening is foundational. In this model, empathy is not "feeling sorry" for offenders nor agreeing with their point of view. Rather, accurate empathy involves a sincere attempt to listen to and understand the offender's point of view. In addition to asking thoughtful questions, the officer demonstrates empathic listening through the use of reflective statements and summaries. For example, consider an unemployed offender who says "I've looked everywhere and can't find a job. Nobody's going to hire a convicted felon." An empathic response might be one that summarizes the statement using similar language (e.g., "You feel that your conviction makes it more difficult to find a job.") or different language (e.g., "You're really frustrated. You feel stuck."). These kinds of statements tell the person that you

have been listening and allow him/her to hear back what has been said. Reflections can serve many purposes, including focusing on offenders = desire for change, or pointing out discrepancies in what they have said. OARS is the acronym used in MI to refer to skills that are used to demonstrate good listening. It stands for Open-ended questions, Affirmations (positive comments about what clients say/do), Reflections, and Summarizations (providing a cohesive picture of what has been discussed). Training at this stage involves practice in basic listening skills—emphasizing open questions, affirmations, reflections, and summaries. In the model implementation plan, we use a simple measure of listening, the Officer Responses Questionnaire (ORQ; Walters, Alexander, & Vader, in press), to evaluate gains in this area of listening skills.

*Stages 3 and 4: Recognizing, Reinforcing, and Strengthening Change Talk.* MI is by definition goal-directed; the goal is to help someone resolve ambivalence about behavior change. But unlike traditional approaches that rely mainly on providing advice or suggestions, the aim is to have the client articulate his/her own reason for change. “Change talk” is client language that expresses a desire to change (e.g., “I really want to stop drinking.”), ability to change (e.g., “I guess my wife would help me.”), reasons for change (e.g., “If I got a job I could pay my child support.”), need to change (e.g., “I need to do something about my drug use. It’s killing my body.”), or commitment to change (e.g., “I’ll go to an AA meeting tonight.”). The skill on the part of the officer is to be able to recognize change talk when it occurs, and reinforce it through questions (e.g., “How would you do that?”) and reflections (e.g., “So, it’s important to you and you’re willing to put in the time to make it happen.”). The goal is to keep a person talking in the direction of change, while minimizing statements in the opposite (non-change) direction. For instance, if an officer asks an open-ended question (e.g., “What are some good things that might happen if you stop drinking?”) that results in more change talk (e.g., “I guess it would get my wife off my back.”), then the officer has successfully elicited change talk. The logic behind this approach is simple: The more people talk about something, the more likely they are to carry through with it. In one striking example, abstinence from illegal drugs at 12 months could be predicted by the strength of a client’s commitment language during a single MI session (Armhein et al., 2003). This skill involves not only responding to and reinforcing change talk, but also may mean not responding to comments about not changing. Otherwise, officers fall into the trap of arguing for change (“If you stop drinking your wife won’t nag you”) while the client argues against change (“She nags about everything, it’s not a big deal”). To practice this skill, initial training involves identifying and responding to simulated client statements. Follow-up training includes viewing audio or videotapes of actual practice to determine which questions and reflections are working to draw out more positive client language.

*Stage 5. Rolling with Resistance.* Resistance refers to talk that is focused against change—the opposite of change talk. The MI strategy of “rolling” with resistance is contrary to some cognitive therapy techniques that focus on directly refuting such verbalizations. MI is neutral on the question of whether there are indeed “thinking errors” that are common to people who break the law. What it does suggest is that calling attention to these errors in a pushy, confrontational style is likely to evoke the opposite of what the officer is hoping for; the harder the officer confronts, the harder the offender resists. MI stresses that denial, argumentation, and resistance, which in the past were assumed to be a hallmark of an unmotivated client, are instead largely a function of the provider’s communication style. To minimize resistance toward change, officers first try to avoid arguments wherever possible. Officers can also use other strategies such as offering reflections (e.g., “It makes you angry, because you don’t like to be told what to do.”), emphasizing the offender’s choice and control (e.g., “Ultimately, it’s your choice. What do you want to do here?”), or reframing the resistance (e.g., “It does bother you that people are in your business, but I appreciate the fact that you’re taking it seriously.”). This skill is probably one of the most difficult ones for officers, because we get stuck in trying to refute client resistance. In training, this skill is emphasized through practice responding to hypothetical client statements. It can be strengthened through examining audio or videotapes to see how and why arguments occur.

*Stages 6 and 7. Developing and Consolidating Commitment to Change.* As clients talk more about change, the officer can move from reinforcing change talk to developing a plan for

change. It can be difficult to know when to push a client toward planning, because moving too early may cause resistance—the client begins to tell you all the reasons they can't change. But when done at the appropriate time, the focus can move from motivation to a concrete plan for change. It again involves careful listening to what clients are saying. One way to “tip the balance” toward change is to ask an action question about change (e.g., “What do you want to do about that? What's your plan?”). Other ways involve asking about change in the hypothetical (e.g., “How would you do that if you wanted to?”) or offering a menu of options (e.g., “There are a few things you might be interested in...Which of these would you like to try?”). Because people are more likely to act on things they themselves have chosen, advice provision takes a back seat as we try to elicit the offender's *own ideas about change* and emphasize his/her *personal responsibility* in the change process. In training, we focus on recognizing and consolidating “commitment talk,” usually in the form of “I will” statements.

*Stage 8. Switching Between MI and Other Approaches.* MI is geared toward motivating behavior change, such as decreasing alcohol or drug use, finding employment, paying fees, or other probation conditions. MI may also be useful for increasing the likelihood that an individual will participate in subsequent interventions. For instance, several studies have shown that use of MI prior to substance abuse treatment increases the retention rate while in treatment (i.e., fewer individuals drop out of treatment). In addition to behavior change, there may be other tasks that the officer needs to accomplish such as assessing progress, conveying information, assessing risk, or dispensing sanctions. Even when focusing more narrowly on behavior change, MI is frequently integrated into other approaches such as cognitive behavioral techniques, skills training, or education. Different tasks might call for different techniques, but the overall *style* need not change (see Walters et al., 2007). Finally, MI also needs to be integrated into overall session management. No matter what the approach, officers have to make decisions about what topics are important at this moment, and what can be left for later. In our opinion, decisions about when to use or not use MI are best addressed through case planning, ongoing supervision and case reviews.

### **Motivational Interviewing Training: A Model Plan**

As might be gleaned from the description above, learning MI can be more difficult than it appears. With the increase in training over the past five years, many officers have now been exposed to at least some of the tenets of MI; however, few have likely used the skills in a comprehensive way. This may be partially due to the training models that are frequently used by agencies. Though some criminal justice agencies have attempted to train officers through discrete one- or two-day workshops, research suggests that such workshops do not often result in long-term skill changes (Walters, Matson, Baer, and Ziedonis, 2005). Although participants often report an increase in *knowledge* or *self-reported skill* following brief workshops, measures of *actual* interactions show much more modest gains (e.g. Miller and Mount, 2001). If the goal is to have officers who are using MI in a comprehensive, effective way, a more useful training format appears to be a workshop followed by feedback and/or coaching (Miller, Yahne, Moyers, Martinez, and Pirritano, 2004).

To ensure comprehensive training for those districts interested in receiving it, the Administrative Office of the U.S. Courts (AO), with guidance from several expert MI trainers, developed a model implementation plan (see Table 1; the entire plan is available from the first author). The plan begins with a brief overview of evidence-based practice so officers can relate MI to the overall model of EBP and understand its role in effective supervision. Next, officers attend a two- or three-day workshop on basic MI skills. The plan emphasizes that the workshop trainer must be both *qualified to train MI* and *familiar with the criminal justice system*. The Motivational Interviewing Network of Trainers (MINT; [www.motivationalinterviewing.org](http://www.motivationalinterviewing.org)) provides a list of trainers who have demonstrated competence in MI and completed a three-day training for trainers event.

As part of the initial implementation of this training plan, we asked officers to complete the Officer Responses Questionnaire (Walters et al., in press) before and after the initial two-day training, in order to evaluate gains as a result of attending the introductory workshop. On a



sample of 80 officers in five districts, we found that officers increased their overall ORQ score by 68 percent, suggesting that officers did improve their basic listening skills as a result of attending the initial training.

Following the initial training, officers submit audio or videotapes of their use of MI with clients and receive monthly feedback on their skill development. Feedback is given using one of several different rating sheets that have been developed by various MI trainers; the plan includes several example forms for districts to use. Finally, the plan utilizes a formal coding system, the Motivational Interviewing Treatment Integrity (MITI; Moyers, Martin, Manuel, & Miller, 2003) to document when officers reach proficiency in MI. This formal coding process allows districts to adequately document officers' skill level and ensure that they are effectively "doing" MI. Once a district demonstrates officer proficiency in MI, it can then move to evaluating the impact of MI on offender behavior.

**Table 1.**  
Summary of Model Implementation Plan

**Pre-Training:**

1. All districts must go through the Intro to EBP 2-hour presentation.

**MI Trainer Qualifications:**

1. MI Trainer has completed MI training from a MINT certified or reputable trainer. Please contact Scott VanBenschoten or Melissa Alexander for guidance.
2. MI Trainer must have extensive experience training probation/pretrial officers.

**Structure:**

1. If possible, the MI trainer should conduct an overview and strategic planning session with supervisors and managers regarding the District's plan for implementation of MI.
2. Supervisors must be trained in basic MI. This training can occur in advance or in conjunction with officer training.
3. Supervisors must be trained to coach/supervise others learning MI.
4. All officers participating in MI should attend at least 2 days of initial MI training.
5. Following initial training, officers should receive monthly coaching/feedback. Sessions should include review of an audio and/or videotape of officer-defendant/offender interactions that include the use of MI to facilitate behavior change. Officers should be encouraged to review the tape themselves prior to the coaching session.
6. Booster MI sessions for both supervisors and officers should occur at both the 6 and 12 month milestones. It is preferable to use the original trainer for these sessions.
7. The monthly feedback sessions should be led by someone proficient in MI. Ideally, districts will utilize their MI trainer to train an internal supervisor and/or officer mentor to become proficient in coaching MI.
8. Monthly feedback sessions should focus on building MI skills, utilizing a format such as the ones included.
9. Informal ratings of MI skills can be made and used as feedback during the monthly sessions, using one of the attached formats.
10. Once an officer appears to have reached proficiency in MI, he/she should submit a taped interaction for formal MITI coding. The coding must be done by someone other than the original trainer or monthly coach. If the

officer achieves a rating of beginning proficiency on the MITI, he/she may opt to discontinue monthly coaching. However, it is strongly recommended that officers continue receiving coaching until they reach the MITI “competency” standard.

11. Once minimum standards are achieved, it is still recommended that coaching sessions occur at least quarterly.

**Measurement:**

All officers will complete the Officer Responses Questionnaire before and after all MI training sessions (initial and boosters).

The Model Implementation Plan and accompanying resources (i.e. feedback sheets, coding systems) were distributed to those districts receiving Research to Results grant funding from the AO, and grantees were required to follow the plan. However, the plan is considered a work in progress, and thus it is continuously revised based on feedback from the districts utilizing the plan. For instance, the original plan called for first-line supervisors to provide coaching/feedback to officers. However, we discovered that many supervisors did not have the experience to provide competent MI supervision. Thus, the plan was revised to indicate that feedback sessions should be provided by someone already qualified to supervise MI. Additionally, districts were encouraged to develop internal capacity for MI coaching/mentoring. The AO has supported this effort by providing additional trainings to grant districts focused on developing MI coaches.

**Future Directions**

MI is intended as an additional tool for officers to use as they provide supervision and services to offenders. MI is not a replacement for everything officers currently use, nor is it appropriate for all situations. In many ways MI is still in its infancy as it relates to criminal justice, though many research projects underway are focused on better understanding the role and effectiveness of MI in criminal justice settings (see Walters et al., 2007). The training plan outlined here was developed to ensure quality training of federal probation officers, in order to increase the likelihood that officers become proficient in their use of MI. The authors hope that the plan will continue to be informed by the experience of districts utilizing the plan, with modifications occurring as needed. There are also plans to develop outcome measures to determine what impact MI has on the supervision process. Ultimately, the goal of all EBP is to increase the safety of the community by providing the most effective supervision and programs available.

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## The Officer Responses Questionnaire: A Procedure for Measuring Reflective Listening in Probation and Parole Settings

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**MOTIVATIONAL INTERVIEWING (MI)** is a style of interaction intended to help individuals resolve ambivalence about behavior change (Miller & Baca, 1983; Miller & Rollnick, 2002). It involves a collaborative partnership between the provider and client, a focus on drawing out internal motivation for change, and a respect for the client's right and capacity to choose what to do about his/her problematic behavior. Although originally developed as a counseling intervention for substance abuse, MI has broadened into areas such as HIV risk behaviors, medication compliance, criminal justice, and other behavioral areas (Hettema, Steele, & Miller, 2005; Rubak, Sandboek, Lauritzen, & Christensen, 2005). Two recent meta-analyses found an overall significant effect of MI (Hettema et al., 2005; Rubak et al., 2005). In 70 published studies, MI was significantly better than other approaches in three out of four studies, and outperformed traditional advice-giving in 80 percent of studies (Rubak et al., 2005).

In the push toward evidence-based practice, MI has gained attention in the criminal justice arena, as practitioners recognize the need to actively engage offenders in order to encourage behavior change. Broadly speaking, MI is consistent with the responsivity principle because it suggests an interaction style that helps motivate clients for change (Walters, Clark, Gingerich, & Meltzer, 2007). Among the more than 180 published trials of MI ([www.motivationalinterviewing.org](http://www.motivationalinterviewing.org)), there are also a handful of studies suggesting that MI can improve criminal justice outcomes (McMurrin, in press). However, in translating research into practice, some have questioned whether MI needs to be modified to meet the unique role of probation officers. One difficulty has to do with the dual role of the probation officer. Specifically, in contrast to counselors and healthcare workers who are mainly concerned about the well-being of a client, probation officers are tasked with two sometimes competing roles—protecting society and working collaboratively with the offender. Another difficulty in translating MI into a probation setting involves the kind of interactions that officers tend to have with probationers. Compared to counseling interactions, probation interactions tend to be brief, multi-focused, and balanced with an assessment of progress. Finally, there is a need to identify the most effective ways of teaching and assessing the specific skills that are most valuable in this setting.

In their MI training model, Miller and Moyers (2006) propose an eight-stage learning model, starting with a foundation in the spirit of MI and then moving to client-centered counseling skills, most importantly the skill of accurate empathy, followed by other stages (recognition of client speech, eliciting/strengthening change talk, rolling with resistance, negotiating change plans, consolidating client commitment, switching flexibly between MI and other styles). They stress that the ability to listen empathically is a foundational skill of MI, no matter what the setting. In the MI model, empathic listening involves an active interest in understanding what the client is saying, including drawing out the client's own motivations, thoughts, or plans for change. Empathy is specifically differentiated from warmth, approval or genuineness; rather, it involves a curiosity and deep understanding of the client's perspective. Although some probation officers may come to the table with a natural ability to listen empathically, there is also evidence that accurate empathy is a skill that can be learned (e.g., Miller & Baca, 1983). Along these lines, several instruments have been developed to rate reflective listening and other aspects of MI practice (see Madson & Campbell, 2006 for a review). These instruments can be used to measure gains after training or for ongoing supervision or quality control. Some instruments ask providers to respond to written (Miller, Hedrick, & Orlofsky, 1991) or videotaped (Rosengren, Baer, Hartzler, Dunn, & Wells, 2005) scenarios, while others rate audio or videotapes of actual client interactions (Miller, 2000; Moyers, Martin, Manuel, & Miller, 2003). However, none have been specifically designed to rate probation interactions.

The Helpful Responses Questionnaire (HRQ) was developed by Miller and colleagues to measure the ability to respond empathically (Miller et al., 1991). The HRQ presents six hypothetical client statements and asks the respondent to "write the next thing that you would say if you wanted to be helpful." The responses are then rated for depth of reflective listening. Since its development, the HRQ has been used to evaluate the effectiveness of training in several studies (e.g., Baer, Rosengren, Dunn, Wells, Ogle, & Hartzler 2004; Miller, Yahne, Moyers, Martinez, & Pirritano, 2004). Although the HRQ does not match the quality of other assessments that rate actual interactions (see Madson & Campbell, 2006 for a review), HRQ scores are modestly related to actual MI skills in practice (Miller & Mount, 2001).

## Methods

The purpose of this project was to develop a brief measure of reflective listening that was specific to the work of probation officers: the Officer Responses Questionnaire (ORQ). (For a formatted copy of the questionnaire and scoring procedures, contact Scott Walters, University of Texas School of Public Health, 5323 Harry Hines Blvd., V8.112, Dallas, TX 75390 . [Scott.walters@utsouthwestern.edu](mailto:Scott.walters@utsouthwestern.edu)) We started with the HRQ and, with the permission of the authors, modified the scale to address situations that were more common to probation and parole officers.

We began by identifying situations that officers might face in their daily interactions with individuals on probation/parole. These scenarios were compiled by two of the authors (MA and SW) who had extensive experience training probation officers and with feedback from probation officers in an urban probation department. The five scenarios depict relatively common situations in probation: substance use, aggressive behavior, drug testing, and employment (see Table 1).

Table 1. Officer Responses Questionnaire Items

Item 1: A 22-year-old man tells you: "I do want to stay clean and sober, but I can't get a job because of this court thing, and so I have to live with my brother who drinks all the time."

Item 2: A 30-year-old woman tells you: "I like to smoke weed. The way I see it, I never hurt anyone, so people should just leave me alone. I'll stay clean while I'm on probation, but after I'm off, I'm going to do what I want."

Item 3: A 41-year-old man tells you: "The cops always take the woman's side. Sure, we got in a fight and I yelled at her, but she was the one who grabbed the

knife. What am I supposed to do? This is so typical. It's always the man's fault.”

Item 4: A 24-year-old man tells you: “I know I was supposed to take care of the UA. I tried to get there, but my car was in the shop. I waited for the bus, but for some reason all the bus times had changed.”

Item 5: A 24-year-old woman tells you: “I've been looking for work, but it's impossible for someone on probation to find a good job.”

After each paragraph, a space was provided for the respondent to write a response. Instructions for the questionnaire were:

The following statements are things that a probationer might say during a probation interaction. Think about each statement as if you were really in the situation, with that person talking to you. For each statement, write the *next thing* you would say if you wanted to let the person know that you were listening. Write only one or two sentences for each statement.

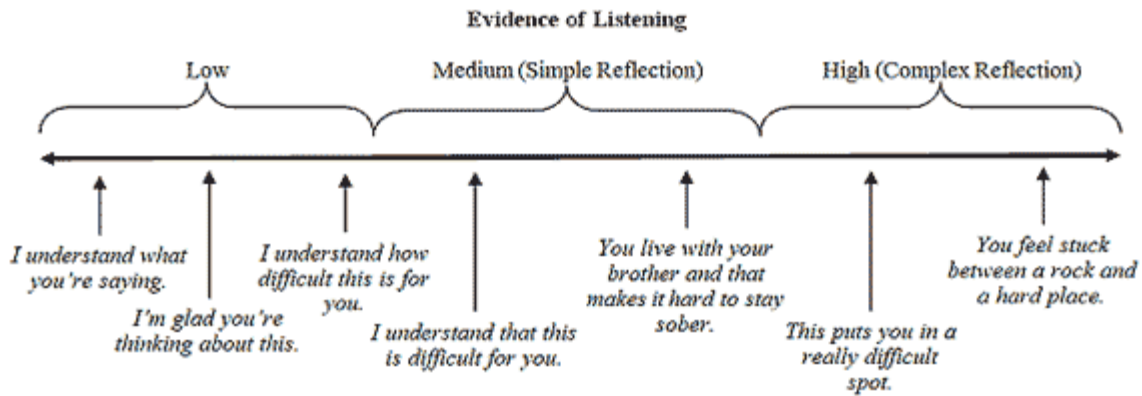
Each officer response was rated on depth of reflection and ability to avoid communication roadblocks (Gordon, 2003). We maintained the 5-point ordinal scoring scale developed by Miller, Hendrick, & Orlofsky (1991), but made significant modifications to accommodate some of the unique tasks of the officer. First, we separated closed from open questions, and truncated the HRQ's three levels of reflection into two basic levels—simple vs. complex. We also did not penalize officers for asking questions alongside reflections, provided that they did not include a communication roadblock. We made these accommodations because, compared to counseling interactions, probation officer interactions tend to be briefer, multifocused, and contain more questions to assess probation progress and risk to the community. We retained the HRQ's roadblock category as the lowest score. Thus, a response is given a score of 1 if it contains any roadblock response such as ordering, disagreeing, or giving advice without permission. A response is given a score of 2 if it contains a closed question, affirmation, offers of help, or other non-reflective response. A response is given a score of 3 if it contains an open question. A response is given a score of 4 if it contains a “simple” reflection that restates the basic content of the original statement. A response is given a score of 5 if it paraphrases or infers a deeper meaning from the original statement. If a response contains multiple elements (e.g., open question and simple reflection), it receives the score of the highest elements (4 for the simple reflection), unless it contains a roadblock, in which case it receives a score of 1.

Following initial development of the ORQ, we began utilizing the questionnaire in trainings as a pre/post measure of reflective listening. The questionnaires were administered as part of two-day MI training provided by various trainers in several federal districts throughout the United States. Trainings used a similar format, including lecture, role play and feedback, and were conducted by members of the Motivational Interviewing Network of Trainers who had extensive experience training probation officers. IRB approval was obtained from the University of Texas Health Science Center at Houston. Officers were asked to complete the questionnaires at the beginning of the training and again at the end of the two days. Several districts allowed the officers to turn in questionnaires after the end of training (ranging from several days to several weeks later).

Two of the authors (MA and AV) independently scored an initial sample of six questionnaires. Questionnaires were randomly selected from both pre- and post-training responses. Interrater reliabilities of these initial questionnaires were quite poor. The authors discussed the scoring discrepancies, many of which were due to answers that did not seem to fit in any category. Most often, the discrepancies involved responses that did not qualify as reflections, but were still intended to let the offender know the officer was listening (e.g., “I understand what you are saying.”). As a general rule, we considered responses that focused on the probationer's statement to be evidence of reflective listening (e.g., “It makes you angry.”), while those that focused more on the officer's reaction or affect were considered to be neutral responses (e.g., “I understand how angry that makes you.”). Based on discussions with other MI experts, the scoring rules were further modified and several examples were provided in the scoring scheme. The authors scored two

additional rounds totaling 23 questionnaires, again discussing discrepancies and further modifying scoring. The final scoring provides direction and examples incorporating common responses from officers. Additionally, we included a continuum diagram to assist scorers in making decisions about responses (see Figure 1).

Figure 1.



## Results

Once the scoring criteria were finalized, two of the authors independently scored 125 questionnaires. Intraclass correlations (ICCs) were calculated for each of the five ORQ items. As noted by Miller et al. (2004), ICCs are a more conservative estimate of interrater reliability than Pearson's correlations, as it adjusts for chance agreement and systematic differences. The ICCs for the five ORQ items are displayed in Table 2. Using Cicchetti's (1994) proposed categories for ICCs in clinical instruments, all items were in the *excellent* range (.75 to 1.00) except item 1, which at .73 was in the *good* range.

Table 2. Intra-class Correlations by Item

| Item | Single Measures ICC | F-Value | Significance |
|------|---------------------|---------|--------------|
| 1    | .726                | 6.307   | .000         |
| 2    | .757                | 7.223   | .000         |
| 3    | .790                | 8.508   | .000         |
| 4    | .890                | 17.211  | .000         |
| 5    | .856                | 12.929  | .000         |

As the ORQ was given as a pre/post training measure to officers completing an initial 2-day training in MI, we were also able to compute changes in scores following training. Pre/post scores were obtained for 80 officers in five districts. Paired t-test analyses indicated that officers significantly increased their scores on all items (see Table 3), with post-training mean scores nearing a score of 4, indicating moderate use of reflective listening. These scores reflect a 68 percent increase, suggesting that officers did benefit from the training.

Table 3. Officer Responses Questionnaire Mean Scores Pre/Post-Training

|  | N | Pre-test | Post-test | T-Value | Significance |
|--|---|----------|-----------|---------|--------------|
|--|---|----------|-----------|---------|--------------|

|        |    | Mean | Mean |         |      |
|--------|----|------|------|---------|------|
| Item 1 | 80 | 2.5  | 3.9  | -8.894  | .000 |
| Item 2 | 80 | 2.2  | 3.6  | -8.805  | .000 |
| Item 3 | 80 | 2.7  | 4.1  | -8.292  | .000 |
| Item 4 | 79 | 2.1  | 3.8  | -10.220 | .000 |
| Item 5 | 80 | 2.1  | 3.9  | -10.793 | .000 |

## Discussion

The ORQ was designed to be a brief measure of reflective listening within the framework of Motivational Interviewing. The ORQ focuses on written empathic responses to scenarios that depict common situations seen in community corrections settings. Our initial analyses suggest that the ORQ can be reliably scored and that officers improve their ability to generate reflective responses as a result of attending a two-day introductory workshop in MI. As part of a training evaluation effort, the ORQ is being used as one skill measure in the federal probation system.

It should be noted, however, that the ORQ is not a measure of overall MI skill, nor should it be used in lieu of actual observations of clinical skill. Reflective listening is an important building block of MI, but there are additional skills, such as the ability to identify and respond to self-motivational statements, that probably account for the excellent track record of MI (Armhein, Miller, Yahne, Palmer, & Fulcher, 2003). Also, prior research has suggested that paper-and-pencil measures may not be good predictors of responses within actual sessions with clients/offenders, and as mentioned previously, are not a substitute for direct observation of skills (Miller & Mount, 2001; Walters, Matson, Baer, & Ziedonis, 2005). Written measures such as the ORQ may provide evidence of an officer's capacity to provide empathic responses, but they do not tell us whether officers can or will use such skills in actual interactions with offenders. Rather, a comprehensive assessment of MI skill should include multiple measures of officer skill (either audio/videotaped or via direct observation). As previously mentioned, several measures that involve coding of actual interactions have been developed to assess MI skills (see Madson & Campbell, 2006 for a review). Combining the ORQ with these more in-depth measures of MI skill will give agencies a more accurate picture of officer skill as it relates to use of MI during interactions with offenders.

Research on MI skill attainment also highlights the importance of focusing on the underlying spirit of MI and a "learning-to-learn" model, which involves paying attention to offender responses as a sign of whether MI is occurring (Miller et al., 2004). Officers must not only use new skills connected with MI, but also suppress prior habits that are inconsistent with MI (Miller & Mount, 2001). As noted in the eight-stage learning model, the authors hope that officers will be able to blend the skillful use of MI with other effective interventions that will allow them to fulfill their multiple duties to the offender, court and community.

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## Offender Workforce Development: A New (and Better?) Approach to an Old Challenge

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**THERE IS LITTLE** disagreement that employment is a critical issue for offenders, both for adults and for those juveniles who have left school. Offenders under probation or post-incarceration supervision (parole or supervised release in the federal system) are required by the conditions of their sentence or release order to hold legitimate, full-time employment. Work is also a core value in our society, and able-bodied adults are expected by the citizenry to work and pay their own way. From a purely practical point of view, probation, parole and pretrial services officers (PPOs) will testify from their experience that offenders who are working are far more likely to be successful under supervision and will require a good deal less work by the officer. It is not hard to see why there is such an emphasis on employment in community corrections.

### **The Evidence on Employment and Crime**

Notwithstanding the broad support for offender employment noted above, it is important in this time of concern for evidence-based practices that we also look at the empirical evidence on the issue of offender employment and crime. Unfortunately, our recent history contains a number of examples of initiatives and programs that had broad political, public and professional support that ultimately proved to be ineffective. Programs like “Scared Straight” and boot camps are just two examples that did not live up to the widely held expectations.

Fortunately, the broad expectations concerning employment and offenders are supported by the empirical research. Employment is a critical variable in the process of dissuading offenders from crime in several ways. First, not being employed is a risk factor for reoffending. A quick review of risk assessment instruments in use in probation and in post-incarceration supervision shows that most include employment as a variable in determining the risk of future crime. In their meta-analysis of risk factors, Gendreau and his colleagues found that employment is a “moderately strong predictor of recidivism” (Gendreau, et al., 1998). The second aspect of the relationship between employment and crime is the impact of obtaining and maintaining employment. As part of the massive review of crime prevention programs conducted by the University of Maryland, Bushway and Reuter (1997) found that “employment remains one of the most important vehicles for hastening offender reintegration and desistance from crime.” Sampson and Laub (1993) found that obtaining a job was one of the most powerful factors in reducing future criminal behavior. In a study of federal offenders, Johnson (2007) found a high

correlation between employment and the outcome of supervision. Unemployed offenders were more likely to be revoked, while nine out of ten employed offenders completed supervision successfully.

The research is thus fairly clear on one of the primary goals of supervision B offenders should be employed. Accomplishing that goal is a challenge, one where the research has much less to tell us about the effectiveness of employment programs. Nonetheless, Uggen and Staff (2002) state “Y we find enough evidence of program effectiveness to conclude that employment remains a viable avenue for reducing crime and recidivism” (p. 14). The challenge remains B developing and evaluating programs to determine “what works” at increasing the employment rate of offenders under supervision.

### **Addressing This Challenge**

The broad-based support for offender employment described at the outset of this article has existed for many years. As a result, PPOs have been working at this challenge for a good long while. While there have been some impressive innovations in recent years, the traditional approach to offender employment has often been passive on the part of the officer.

The *passive approach* is characterized by the officer telling the offender that employment is a condition of supervision and that he or she has to get a job. The onus is on the offender, and the PPO monitors and may take enforcement action if employment isn't secured within a reasonable period of time. Offenders might be required to file a specific number of job applications per week and provide evidence to their officer. Some officers keep a current copy of the classified ads in their office and have unemployed offenders look through them. Other officers might review the classifieds and pick out likely jobs. Some officers would visit likely employers and ask, or even beg for a chance for one of their offenders. Many times, offenders are referred to the local labor department, although only some of these are interested in and/or effective in working with offenders.

In this passive approach, there is an assumption that offenders have the skills to look for, compete for, and secure employment on their own, or with a minimal amount of assistance. What they need is the motivation, and the requirement of the conditions of supervision, enforced by the probation officer, will provide sufficient motivation. This assumption has not been borne out in reality. Many offenders do not have the necessary skills or experience to find, compete for, and secure legitimate, full-time employment, even if they are sufficiently motivated.

In recent years, a perceptible shift has occurred in the assumptions held about offenders and employment, and in the way that community corrections agencies and staff have approached the challenge. This has resulted in a much more *active approach* for the probation officer and the agency. The roots of this shift can be seen in those agencies that in the past pushed beyond the passive role and established employment programs, designated staff as employment specialists and reached out to the employment community to locate potential jobs. That pioneering work is being built upon and expanded in innovative ways. The adoption of evidence-based practices (EBP) by agencies has replaced the surveillance-only supervision that was so popular in the 1980s. The emphasis of EBP on assisting offenders to change their behavior has given new impetus to employment- oriented services by community corrections.

This shift is characterized first in the assumptions about this employment challenge. Probation and parole staff are realizing that many offenders under supervision simply do not have the experience and skills necessary to find, secure, and maintain quality, career-oriented employment. Expecting them to accomplish that goal with their current skills and resources will lead to frustration all around. The second assumption is that the role of probation and parole includes active efforts to both *prepare* offenders for the world of work and to *assist* them in finding appropriate work. The onus of finding employment is shared between the officer and the offender.

Two additional assumptions about offenders and employment are starting to take root. The third

assumption is that probation and parole agencies and staff can help to cultivate the marketplace to make employers more inclined to hire the offender. Outreach efforts to employers can educate them about the potential advantages to their firm of hiring an offender. The last assumption is that a prepared and motivated offender is a marketable commodity in today's labor market. PPOs don't have to go begging and pleading for employers to hire their clients. When these two assumptions are factored in, the focus of the work of probation and parole expands beyond the boundaries of the office and begins to engage the community. In traditional economic terms, officers are working on the *supply side*, increasing the supply of attractive applicants for jobs and also working on the *demand side* with employers to increase the likelihood of hiring the offender.

### **An Active Probation Office**

The United States Probation and Pretrial Services Office for the District of Delaware has bought into these assumptions and developed a multi-faceted collaborative program to enhance the employment of the probationers and prison releasees under their supervision. The Delaware office is small, with 16 probation officers and a total staff of 26. The total case load is 317 offenders, of which 17.7 percent are pretrial and 82.3 percent are post-conviction (probation and post-incarceration supervision). The gender breakdown is fairly typical, with 75.7 percent male and 24.3 percent female (see figure 1). The age distribution tends somewhat toward older offenders, with 35.2 percent between 26 and 35 years of age and just over half at 36 years or older (see figure 2). The racial composition of the caseload is 60 percent black and 37.4 percent white (see figure 3). The offense of conviction for post-conviction cases is dominated by cocaine offenses (possession, sale or distribution), fraud, and firearms offenses, which comprise 62.7 percent of the cases (see figure 4). The district's caseload is a higher-risk group, scoring 12 percent or higher on the federal RPI risk assessment than the national average.\* This trend is expected to continue as the impact of a major anti-firearms initiative begins to be felt.

Figure 1

| Total Supervision Caseload |      |      |        |      |       |       |
|----------------------------|------|------|--------|------|-------|-------|
| Status                     | Male |      | Female |      | Total |       |
|                            | #    | %    | #      | %    | #     | %     |
| Pretrial                   | 40   | 71.4 | 16     | 28.6 | 56    | 17.7  |
| Post-Conviction            | 200  | 76.6 | 61     | 23.4 | 261   | 82.3  |
| Total                      | 240  | 75.7 | 77     | 24.3 | 317   | 100.0 |

Figure 2

| Offender Age and Gender |          |      |        |      |                 |      |        |      |       |       |
|-------------------------|----------|------|--------|------|-----------------|------|--------|------|-------|-------|
| Status                  | Pretrial |      |        |      | Post-Conviction |      |        |      | Total |       |
|                         | Male     |      | Female |      | Male            |      | Female |      |       |       |
| Age                     | #        | %    | #      | %    | #               | %    | #      | %    | #     | %     |
| 18-25                   | 4        | 57.2 | 3      | 42.8 | 24              | 64.9 | 13     | 35.1 | 44    | 13.9  |
| 26-35                   | 16       | 84.2 | 3      | 15.8 | 76              | 81.7 | 17     | 18.3 | 112   | 35.3  |
| 36-45                   | 10       | 66.6 | 5      | 33.3 | 59              | 77.6 | 17     | 22.4 | 91    | 28.7  |
| >45                     | 10       | 66.6 | 5      | 33.3 | 41              | 74.5 | 14     | 25.4 | 70    | 22.1  |
| Total                   | 40       | 71.4 | 16     | 28.6 | 200             | 76.6 | 61     | 23.4 | 317   | 100.0 |

Figure 3

| Racial Composition<br>Post Conviction Caseload |     |      |
|--|-----|------|
| Race/Ethnicity                                 | #   | %    |
| Black/Non-Hispanic                             | 152 | 60.6 |
| Black Hispanic                                 | 1   | 0.4  |
| White Non-Hispanic                             | 94  | 37.4 |
| White Hispanic                                 | 2   | 0.8  |
| Asian  | 1   | 0.4  |
| Indian   | 1   | 0.4  |

Figure 4

| Most Common Offense of Conviction |      |       |        |      |       |      |
|-----------------------------------|------|-------|--------|------|-------|------|
| Offense                           | Male |       | Female |      | Total |      |
|                                   | #    | %     | #      | %    | #     | %    |
| Cocaine                           | 57   | 83.8  | 11     | 16.2 | 68    | 26.5 |
| Fraud                             | 38   | 76.0  | 12     | 24.0 | 50    | 19.3 |
| Firearms                          | 41   | 93.2  | 3      | 6.8  | 44    | 16.9 |
| Embezzlement                      | 4    | 26.7  | 11     | 73.3 | 15    | 5.8  |
| Counterfeit                       | 7    | 58.3  | 5      | 41.7 | 12    | 4.6  |
| Robbery                           | 11   | 100.0 | 0      | 0.0  | 11    | 4.2  |

The Delaware district’s Workforce Development Program (WFD) began as an initiative of five probation officers, who believed that offenders need skills to secure employment and that it was part of their (the officers’) responsibilities to help the offender acquire these skills. With the support of the district’s judges, the program began with careful planning and development work.

The goals of WFD are clear and straight-forward:

- Reduced recidivism - defined as a reduction in new arrests.
- Increased employment of offenders.
- Increased earnings of offenders.
- Increased levels of skill training and education.
- Enhanced employment opportunities.

The project was laid out in a series of three phases. Phase I started with outreach to the many vocational program providers in the community. In addition to the traditional GED classes, these programs provide training and skills development in areas as diverse as training for commercial driver's license, cosmetology, welding, electrical skills, forklift training, hazardous waste removal, office skills, and auto mechanics. The goal of the outreach was to strengthen existing relationships with programs and forge new ones.

Phase I also involved the development and analysis of the target offender population. A target group was identified, consisting of all those offenders under supervision who had a minimum of three years remaining on their term. This would form the study group, with a baseline analysis being done in July 2006. The offenders were classified according to educational level, employment status, monthly gross income, re-arrest, and drug usage (see figure 5). Through this process unemployed offenders were identified, as were those considered to be under-employed.

**Figure 5**  
**Target Group Profile as of June 2006**  
 N=64

| <b>Education</b>                          |        |
|---|--------|
| College Graduate                          | 6.25%  |
| Some College                              | 17.18% |
| H.S Graduate                              | 39.06% |
| Some H.S.                                 | 29.56% |
| K-8                                       | 7.81%  |
| Unknown                                   | 3.12%  |
| <b>Employment</b>                         |        |
| Full Time                                 | 73.43% |
| Part Time                                 | 6.25%  |
| Unemployed                                | 20.31% |
| Student                                   | 0.00%  |
| <b>Monthly Income in Dollars</b>          |        |
| 0-1,000                                   | 40.62% |
| 1,001 to 2,000                            | 46.87% |
| 2,001 to 3,000                            | 9.37%  |
| 3,001 to 4,000                            | 1.56%  |
| 4,001 to 5,000                            | 0.00%  |
| 5,001 to 6,000                            | 1.56%  |
| <b>New Arrest While Under Supervision</b> |        |
| No  | 89.1%  |
| Yes                                       | 10.9%  |
| <b>Drug Use in Last 6 mos.</b>            |        |
| No  | 90.6%  |
| Yes                                       | 9.4%   |

Phase II began with a public kickoff event on December 7, 2006, in a courtroom reserved for public events. Present were all the judges in the District of Delaware, representatives from Delaware's Congressional delegation, the U.S. Attorney, the Federal Public Defender, representatives from nearly all the social service agencies, state correctional officials, and the media. Special guests included an ex-offender honored for his exemplary efforts and an employer, a former basketball star at the University of Delaware, who was recognized for his commitment to giving felons a second chance. A local newspaper did a front-page article on the event and a Philadelphia television station did a segment on its evening news program. One of the intended benefits to the public kickoff was to provide information on the benefits of hiring an offender (see figure 6). Through a purely practical analysis, it may well prove financially advantageous for an employer to hire an offender over someone who applies for the job right off

the street. In addition, the employer may be getting an employee who will work harder as the result of getting a second chance, perhaps a last chance at succeeding in the community.

Figure 6

| <b>Benefits to Employers of Hiring Probationers and Parolees</b>   |
|--|
| 1. Confirmed Identity at No Cost To Employer<br>Particularly important with emphasis on Illegal Immigrants |
| 2. Complete and Accurate Criminal History,<br>at No Cost to Employer                                       |
| 3. Regular Drug Testing at No Cost to Employer   |
| 4. Tax Credits to Employer for Hiring Offenders  |
| 5. Federal Bonding Program to Protect Employer Against Loss,<br>at no Cost to Employer                     |
| 6. Workforce Investment Act Training Funds   |
| 7. Probation Officer Available for Problems or if Offender Starts to Slip                                  |

During Phase II, the work of the probation officers began to change. They began to focus on securing skilled labor positions as an avenue for good jobs with benefits, at which offenders might be successful long term. The trade unions are strong in northern Delaware. The first productive contact with the skilled trade unions occurred when a WFD probation officer attended a job fair to assess the range of available jobs in this field. The Delaware Trades and Constructions Unions, an umbrella organization for about 15 trade unions, was a participant at the event. The executive director quickly came on board and shared the program's vision. He facilitated a presentation by the WFD team to union leaders, which was repeated in a presentation to the group's general membership.

The trade unions have apprenticeship programs that provide paid positions with the certainty of permanent jobs upon successful completion. A partnership has been created with a remedial program known as the Preparatory Apprentice Instruction & Development Program (PAID) for those offenders having difficulty passing the apprenticeship test.

Another manifestation of the changing role of the federal probation officers in Delaware is the completion by one officer of a three-week training program on offender employment development conducted by the National Institute of Corrections (see: <http://www.nicic.org/OES>). The officer is now certified as an Employment Specialist. The change in the probation office's philosophy has been accompanied by physical changes in the probation office. In the waiting area, employment-related reading material and posters have replaced sports and general interest magazines. An office has been converted to house the WFD program, and mock interviews and resume writing classes are held there. Another portion of the office was converted into a clothing closet, where donated suits and other business clothing are available for offenders, both male and female, to wear to job interviews and to work.

The practices of the probation office have also changed. Acting on the recognition that offenders are not prepared to find, compete for and secure good jobs, the probation staff are running job preparation classes. The curriculum for the classes includes, among other activities, employment and skill inventories, resume preparation, mock job interviews and viewing of job preparation

video tapes.

### **Enhancing the Workforce Development Program**

As the probation staff developed and implemented the program, they began to see additional opportunities. Working within the existing resources and collaborating with a variety of community partners, the staff had been able to create and launch the program. Taking advantage of these additional opportunities required additional resources. The probation office was able to secure funding from the Administrative Office of the United States Courts under an evidenced-based practice grant, also known as *Research to Results*, R2R. There are 16 pilot districts in the federal system that have been awarded funding for various evidence-based practices, and the District of Delaware was awarded a workforce development grant in 2007, which was renewed in 2008.

The funding supported the hiring of a part-time community resource specialist whose duties are cultivating additional job opportunities and assisting with job preparation. The additional funding was also used to enable selected offenders to receive vocational services. The offenders have to submit an application for the program, and must be in compliance with the conditions of their supervision in order to be considered.

One recent example of a job placement involves a man who was convicted of bank robbery, which was his first offense of any kind. He served four years in prison and came out to a halfway house with no job prospects and no place to live. While the offender was still in the halfway house, the probation officer linked him up with the WFD community resource specialist, who in turn arranged a job interview for a position as an electrician. The offender got the job at a starting pay of \$16 per hour. Another probation officer is helping the offender secure an apartment. In a recent letter, this offender writes, in part: "Even the receptionist working the Friday I was interviewed for the job gave me a 'thumbs up' sign as I was leaving. Your whole office seems to be involved."

### **Additional Challenges**

As the program evolved, the probation staff noticed that despite the many opportunities to secure and enhance employment, there were offenders who were not motivated to take advantage of them. Some offenders were suspicious that the offers of employment were genuine, or lacked confidence in their ability to perform, or were fearful of failure. To address these issues, the probation office will be implementing the "Thinking for a Change" cognitive behavioral intervention curriculum with classes held in the probation office. (Bush, et al. 2001) This curriculum may also be of use in dealing with chronically underemployed offenders. These individuals are in compliance with the condition of supervision that requires them to work and with the other general conditions. However, the jobs they hold are low level, with little or no career potential and no skills base to develop future potential. These jobs are vulnerable when economic stress hits an industry or employment sector. Offenders are being encouraged to accept the calculated risks that are associated with employment changes when it affords them a better chance for permanent conversion to a law-abiding lifestyle.

The additional resources have enabled the probation office to consider contracting a faith-based organization to mentor ex-offenders. The pilot initiative is being discussed with a church in a high-crime area. The target population is young offenders from dysfunctional family settings. This pilot would support the belief that most offenders will internalize more when the message is received from someone in their own community. Selected community members can be uniquely positioned to crack through resistance and/or to assist with job retention. If this initiative takes shape, it will begin with a small group and will be carefully monitored as there are insufficient evidence-based studies conducted at the present time to support the effectiveness of faith-based mentoring.

### **Going the Next Step: A Public-Private Sector Collaboration**

The U.S. Probation Office in the District of Delaware has been persistent in its outreach to the

community, meeting with as many people and organizations as possible to spread the word about the WFD program and the benefits of hiring from the offender population. This outreach has facilitated the formation of a unique partnership between the U.S. Probation Office, the State of Delaware, the City of Wilmington, and the Delaware Riverfront Development Corporation. Through efforts with these community partners, the probation office established a partnership with the Preparatory Apprenticeship Incentive Program (PAID) in a targeted area. The unions have a great deal of skilled labor working on the projects along the riverfront, yet some residents, including offenders, were not able to pass the test to be accepted into the apprenticeship programs. To remedy this situation, PAID was expanded, funded in part by a major developer working on the riverfront projects. The PAID program works on remedial academic skills in the hope that students will be able to pass the entry test and gain admission to the apprenticeship programs, eventually leading to good jobs in the unions. Over the past year, this office has placed three federal offenders in this program.

### **Preliminary Results**

It has been 23 months since the probation office's first WFD meeting and only 13 months since R2R funding was received. It is premature to make empirical conclusions regarding outcomes; however, statistics are being compiled to make a comparison from the July 2006 study group that created a baseline to compare to the July 2008 results.

In terms of employment, there was a 30 percent reduction (from 13 to 9) in the number of unemployed in the study group from July 2006 to July 2007. In June 2006, 40.62 percent offenders grossed less than \$1,000, which clearly could be defined as underemployed. One year later, there were 7.32 percent fewer offenders in this group earning less than \$1,000, but 4.83 percent more offenders earning between \$1,001 and \$2,000, and 1.74 percent more earning between \$3,001 and \$4,000. These preliminary results are modest but encouraging.

Anecdotally, the probation office is seeing the possibility of a real breakthrough with employers. One example in Delaware is a family-owned grocery store chain that is very willing and eager to hire ex-offenders and has recently offered six positions starting at \$10 per hour to offenders with the promise of six more positions in the very near future. Two offenders are being placed at a local steel mill. Positions for twelve offenders have just been arranged with a local construction company. These positions pay \$14.00 per hour.

### **Future Efforts**

In the fall of 2007, the probation office began working closely with the Delaware Riverfront Development Corporation and the Hope Commission, a group chartered by the City of Wilmington to increase opportunities and bring hope to the residents of the city. The primary goal of this joint effort is to create a joint federal, state, and private sector program called "One Stop." The concept is to identify inmates for inclusion in the One Stop program while they are still in prison. The One Stop would have a state and federal probation presence, as well as involvement of the state Department of Labor.

Once released from prison, an inmate would immediately report to One Stop for an employment inventory. The individual's strengths, weaknesses, and motivation would be assessed so the program could be tailored to individual needs. One central component of the program would be job preparedness classes, mock interviews and resume writing run by the Department of Labor. The cognitive behavioral curriculum *Thinking for a Change* would be conducted on as-needed basis. Many of the barriers to assimilation into the community would be addressed at this One Stop. Agencies such as the Department of Motor Vehicles would come in to issue identification cards. A medical outreach van would also visit, as many ex-offenders do not have medical insurance. Other speakers would be brought in, such as representatives from First State Community Loan Fund, which has a program that helps offenders purchase a home or start their own business.

Once a person is declared job ready, the design calls for the Riverfront Development



Corporation to assist in placing the individual in a job on the riverfront or in a targeted area of Wilmington known as Southbridge. The target is to place 100 people in jobs through this program once the infrastructure is in place.

More concretely, the immediate future provides an opportunity to strengthen local partnerships. The federal probation office will be hosting a three-day NIC Offender Employment Specialist training program at the convention center along the riverfront for approximately 65 participants. The participants will be the office's state partners (Department of Labor, state probation and parole, faith-based organizations, juvenile probation, the Department of Housing and Urban Development and the Wilmington Housing Authority) as well as the Federal Bureau of Prisons. Participants will become certified Employment Specialists upon completion of the session. The joint training will enhance the collaboration of all these entities. This will be an opportunity in a very visible way to demonstrate the private-public sector link that is working in Delaware.

## **Conclusion**

While the WFD is still in its early stages, the preliminary results are promising, if not yet significant. The Delaware probation office is firmly convinced that WFD will in time substantially reduce recidivism. However, it is not an initiative that can be instituted overnight. It requires a long-term commitment.

The critical challenges for those considering a WFD initiative include:

1. Changing the philosophy and mission of the agency and the staff. PPOs have to learn new skills and take on new responsibilities. Collaboration with community partners is critical.
2. Changing employer attitudes about hiring offenders. They have to see the advantages of taking a chance on an offender, working with the probation or parole agency. The experiences of the Delaware WFD suggest that this is possible.
3. Changing offender attitudes about work, developing a commitment to work and giving them the skills to locate, secure, and maintain gainful employment.

The Workforce Development Program (WFD) transcends philosophies and political positions. Liberals favor it for its commitment to helping offenders change their lives while conservatives appreciate that it moves ex-offenders into gainful employment and paying taxes. From this perspective, it seems to have no opponents. The challenge lies in the hard work and commitment needed to make it succeed.

\*Administrative Office of the United States Courts. Compilation of National Risk Assessment Data. n.d.

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## A Changing Role: Perspectives from Two Officers

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### ***Supervision Practices Before EBP***

Prior to the adoption and implementation of Evidence Based Practices (EBP) in the Northern District of Iowa, the practice of supervising offenders often felt unrewarding, mundane, and restricted. Officers struggled in their attempts to manage directionless caseloads. It occurred to us on more than one occasion that we were, as an organization, reactive in nature. It was also apparent that our supervision practices were having little, if any, effect on reducing the rate of recidivism in our offender population. Something needed to be done to alleviate the pressures officers were experiencing.

In the Northern District of Iowa, we began our journey of change by challenging our professional barriers and examining our existing supervision practices. We asked ourselves some difficult questions. What was keeping us from doing our job in a way that would bring about personal and professional satisfaction? What could we do to enhance safety in the community and to implement proactive change in our offender population? How could we best support the Court and be more effective in our duties?

Others have examined these introspective issues. For example, Guy Bourgon, James Bonta, Tanya Ruge, Terri Scott, and Annie Yassine presented Strategic Training Initiative Community Supervision, Technology Transfer of What Works to Probation at the November 2007 American Society of Criminology Annual Meeting in Atlanta, Georgia. They presented a study that had been conducted in Manitoba, Canada, on probation case management in which probation officers were videotaped to see how they used risk/need assessments to formulate their case plans and manage their cases. This study netted five major findings regarding the “status quo” of supervision at the time (Bourgon 27-29):

1. Contacts with probationers appeared to be limited;
2. Intervention plans are not driven by risk assessment;
3. Identified needs were not being addressed in supervision;
4. Probation officers could be more active; and
5. Positive changes in the offenders were ambivalent.

The closing statement of this study indicated that the researchers felt as though they had simply created a “starting line for a race” to provide better supervision to offenders, stating: “In that race, it is clear that training and changes in “the way we do business” are required. Probation officers can learn to do more and do it better. Managers can alter policies and procedures and

seek the resources probation officers need to be more effective. The beneficiaries of such an effort will be the staff, the offenders, and the community” (Bourgon 29).

This study reflects that, previously, probation officers were having minimal, if any, effect in changing the lives of the people they were supervising. Clearly, our instincts that changing the way we do business was needed and supported by others’ experiences. The following reference supports what sort of changes were necessary to invoke positive change.

Brad Bouge, Jennifer Diebel, and Tom O’Conner wrote an article in the Journal of the American Probation and Parole Association Perspectives, volume 32, number 2, Spring 2008, entitled “Combining Officer Supervision Skills.” They concluded that, if a model for community corrections is to be helpful, it must be emotionally meaningful, easily understood, logical, and practical for officers to carry out in the midst of large, challenging caseloads within agencies that are constantly struggling to secure enough resources (Bouge 31). It was clear that changes needed to be brought about, yet critical to keep the approach simplified.

In the Northern District of Iowa, the catalyst for the transformative change came with bold new leadership and staff realignment, in conjunction with a renewed emphasis on the values and principles embodied in the Charter for Excellence. With this renewed energy, we strategically planned, prioritized, researched, trained, and budgeted for the knowledge and implementation of the tools and skill sets associated with the principles of evidence-based practices. We collaborated with other criminal justice agencies who had experience in EBP implementation. We changed the term “offender,” previously used to define a person under our supervision, to “criminal justice client” - realizing that something as simple as referring to a person that is being encouraged to change as an “offender” is not necessarily supportive of the impression we were hoping to achieve. We restructured caseloads and determined treatment dosages for those cases. We assessed the risks and needs of criminal justice clients and matched treatment services to their individual characteristics. We processed, intervened, and learned how to measure our work. By adopting and implementing the concepts learned from EBP, officers in the Northern District of Iowa became more proactive, fulfilled, and purposeful. Staff rededicated themselves to the mission of our core purpose - to reduce recidivism through proactive change.

### ***The Purpose of EBP in Federal Probation***

*If one throws a rock in a pond, the ripples created by the rock breaking through the water’s surface stretch out around the point of impact, thus affecting and disrupting everything in its path.* This analogy can be applied to the commitment of a crime. The crime itself does not only affect the perpetrator and victim, but also affects their families, their children, their neighborhood, their community, and society as a whole.

Through the implementation of EBP, our primary purpose is to reduce crime. We do this by providing criminal justice clients with an opportunity to address the most significant and profound issues that led them to seek out criminal solutions to their problems. The probation officers’ primary goal in supervising criminal justice clients is to prevent recidivism, or system re-entry, thereby protecting the community while enhancing the criminal justice clients’ lives and the lives of their families.

Thomas F. White, Director of Operations of the Court Support Services Division, State of Connecticut Judicial Branch, authored a report in April 2005, entitled: Re-Engineering Probation Towards Greater Public Safety: A Framework for Recidivism Reduction through Evidence-Based Practice. His report studied crime causation and treatment and concluded that recidivism can be predicted by using validated risk assessments to identify and address criminogenic needs and that recidivism can be reduced through programs that target criminogenic needs (White 3).

In searching for more specific methods to achieve our goal of reducing crime, we again reference Bourgon, Bonta, Rugge, Scott, and Yassine’s presentation of the Manitoba, Canada, study regarding how probation officers used risk/needs assessments to formulate their case plans and manage their cases. There are four major findings in this study regarding recidivism (Bourgon

2):

1. The length of the interview/contact was unrelated to recidivism;
2. The more topics covered in the interview/contact, the higher the recidivism;
3. The more time devoted to one or two criminogenic needs, the lower the recidivism; and
4. The more time devoted to specific conditions of probation, the higher the recidivism rate.

We have learned that using evidence-based scientific research to assess and then pinpoint one or two main objectives, we can effect positive change in the lives of the people we supervise. Our probation profession has become more aligned with science by understanding the research, utilizing such tools as the COMPAS risk/needs assessment, and then targeting the information gathered to each criminal justice client specifically. The information gleaned from our assessment process now guides our supervision strategies by matching focus areas through evidence-based treatment modalities and programs geared to their individual need areas. This logical and sequential case management approach provides criminal justice clients with an opportunity to realize their potential for positive change in a targeted, productive manner and examine the impact their behavior has had on their family, neighborhoods, and communities.

*Yes, the small things do matter!* By using the scientific data relating to predictable, successful outcomes in our work, we have become proactive in determining the root of the problems in the lives of criminal justice clients. We attempt to act prior to the potential occurrence of violations. We intervene when *indications* of violations occur. Thus, we attempt to create ambivalence in their thinking to eventually change their behavior. We attempt to motivate criminal justice clients to make changes in their lives, linking them to cognitive-behavioral programs and freeing them from the stranglehold of criminal activity. An important tool in this process consists in the techniques found in Motivational Interviewing (MI).

### ***The Role of Motivational Interviewing in Federal Probation***

*It is not what you said, it's how you said it.* This statement is no more powerful than in the profession of federal probation and the work that we do as probation officers. Motivational Interviewing used in conjunction with targeted intervention, is a research based method of directing conversations, which places emphasis on previously determined targeted issues in the lives of criminal justice clients. Its techniques have been practiced in various modalities throughout the world. Motivational Interviewing is an officer led but client driven conversation, in which the practitioner or probation officer constructively listens to and appropriately responds to the content of the conversation through a series of open-ended questions, affirmations, reflections, and summaries. The MI conversation is geared and directed toward a point of decisional balance when the criminal justice client describes ambivalent behavior. The goal is that, in response to the verbal challenge of the officer, the criminal justice client will choose a path of positive change to move forward instead of continuing in their status quo lifestyle. This empowers and challenges criminal justice clients to change in a non-confrontational method and is a critical component of evidence-based strategies.

The implementation of MI in the world of federal probation is arguably one of the most significant shifts in methodology and practice that we have experienced. Change can be implemented simply through the conversations we have. The criminal justice client's relationship with the probation officer should assist them in deciding to make positive life changes for themselves. MI complements and supports a positive and professional relationship with criminal justice clients so that rapport is sustained with value and dignity.

One of the most significant points in Bourgon, Bonta, Rugge, Scott, and Yassine's presentation was that probation officers can be more influential in the lives of the people we supervise. In explaining this, they found that establishing a good relationship with the criminal justice client and then providing them with structured, meaningful conversations which target one or two criminogenic needs were the most effective approaches in reducing recidivism (Bourgon 2-4). The variable is not dependent on procuring or securing additional financial resources, it simply means working "smarter" and being more effective in what we do as officers in the lives of the

criminal justice client. This concept of evidence-based practices provides us with the roadmap we need and a direction for our work.

### ***The EBP Effect***

*Bringing back the passion.* Officers in the Northern District of Iowa were introduced and have become familiar with the eight guiding principles of EBP as outline in Using in Integrated Model to Implement Evidence-Based Practices in Corrections, a compilation by Joplin, Bogue, Campbell, Carey, Clawson, Faust, Florio, Wasson, and Woodward. These principles are critical in guiding our approaches in Federal Probation (Joplin 4):

1. Assess actuarial risk/needs.
2. Enhance intrinsic motivation.
3. Target interventions.
4. Skill train with directed practice.
5. Increase positive reinforcement.
6. Engage ongoing support in natural communities.
7. Measure relevant processes/practices.
8. Provide Measurement Feedback.

By implementing techniques driven by the eight guiding principles of EBP and connecting the strategies together, the probation staff in the Northern District of Iowa have been rewarded with a greater sense of accomplishment and passion for their profession. A different culture exists in which we regularly share and celebrate our success cases.

*So, how do we measure success?* Even our concept of success has changed subsequent to the implementing of EBP in federal probation. Success is now measured through quality conversations that we, as probation practitioners, have with criminal justice clients, challenging their thinking, their behavior, and ultimately, their way of life. Success is through identifying need areas and targeting interventions specific to those need areas so that we can provide criminal justice clients with an opportunity to realize and achieve their own success.

Success is not only measured by a reduction in recidivism but, more than this, in the small steps criminal justice clients take in their lives by making clear choices not to return to the criminal justice system. Measuring these types of successes in the hearts and minds of the criminal justice clients we supervise can be elusive, even microscopic. It is recognizing, once again, that the small things do matter and even the smallest decision or choice towards behavior change can be considered a giant feat in their lives. If probation practitioners simply provide a mental alternative to a criminal justice client's thinking and then target that alternative to a specific need area, we can assist him/her in changing their behaviors and effect change in their lives thus providing them with an opportunity to change. Opportunity is how success is measured by probation practitioners.

### ***EBP: An ongoing process...***

The implementation of EBP has created a win-win environment in the field of probation at a time when change was desperately needed for the individuals that we serve, the communities we protect, and the profession we strive to become both more effective in and satisfied with. The probation officer must be goal oriented, empathetic, understanding, and encouraging to the criminal justice client in an attempt to bring about positive change. In implementing EBP, the weight of the case requirements are taken off of the probation officer and rest more squarely on the criminal justice client - it is a true shift of responsibility. We as probation officers become allies of the people that we supervise in their journey to change, no longer telling them what they need to do or should do, but asking them what they think they should do and guiding them in that process of inner discovery. Probation officers can become creative, while remaining vigilant in holding criminal justice clients accountable.

During our journey of implementing evidence-based principles of supervision and through the use of tools such as risk/needs assessments, targeted cognitive-behavioral programming, re-entry

involvement, and Motivation Interviewing, the role of the probation officer in the Northern District of Iowa has evolved over the past two years. The effects of EBP have altered the landscape of the probation field in which we work. We have found ourselves changing in the workplace as much as, if not more than, the criminal justice clients we supervise in the community. As our profession evolves toward the future and as we continue to apply the evidence presented to us in research, we strive to invoke positive changes in the lives of the people we supervise and the community in which we all live.

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## Research 2 Results (R2R) - The Pretrial Services Experience

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### **Introduction**

I have been asked to share my Research to Results (R2R) experience from the perspective of pretrial services. This is a distinct privilege and a humbling responsibility as the lone pretrial services chief contributing to this edition of *Federal Probation*. As a field, pretrial services is entering the domain of evidence-based practices equipped with limited research and many questions. Any hesitancy or appearance of caution by pretrial services in implementing the interventions and practices proven to work for the post-conviction population is not due to lack of cooperation or desire to fully embrace evidence-based principles. Rather, the simple explanation is that there is less known, less researched, and less field tested for pretrial services. As our system focuses on becoming results oriented, we have an obligation to define the precise results or outcomes that we seek to achieve. “What works” for post-conviction does not necessarily “work” for pretrial services, as the desired outcomes are not necessarily the same. This R2R grant has provided several pretrial services districts with the opportunity to become more informed about evidence-based practices, to seek answers to questions, and explore strategies and interventions that produce the intended results for which pretrial services will be held accountable.

Less than two years ago, the concept of “evidence-based practices (EBP)” was relatively foreign to me. I had read about the eight evidence-based principles for effective intervention [\[1\]](#) and I tried to reconcile them with my 25 years of criminal justice experience and “intuition” that had seemingly served me well. While the principles were persuasive for post-conviction offenders, they did not seem to be a perfect fit pre-conviction, and I wondered how defendants’ rights would be protected in light of some of the suggested practices. Although a research-based and risk-centered approach made sense, I also questioned whether the “outcomes” of recidivism reduction and “long-term change” were appropriate and achievable for pretrial services. As I read more articles and further researched evidence-based practices, I found very little that addressed pretrial practices or outcomes. What research was available focused on risk assessment instruments for pretrial investigations which, admittedly, made me skeptical.

Not until April 2007, in an article published by the National Institute of Corrections (NIC) and the Crime and Justice Institute (CJI) [\[2\]](#), was attention focused on evidence-based principles in the context of pretrial services. This article analyzed the issues unique to pretrial services such as the presumption of innocence and other legal protections, and evaluated the eight principles of effective intervention and their applicability prior to conviction. While this article did not necessarily provide “answers” to all relevant questions, it created an opportunity for thoughtful dialogue and encouraged pretrial services to move forward as a field to become more strategic in

its approach. It also addressed the need to define pretrial specific outcomes which, in my opinion, is the most important next step in the development and implementation of evidence-based practices for pretrial services.

Although it would be easier and more expeditious to simply impose post-conviction evidence-based practices on pretrial defendants, these practices would not truly be “evidence based” without the corresponding research and validation to show they produce the precise outcomes for which they are intended to achieve. All 93 judicial districts that administer pretrial services have an opportunity, as well as a responsibility, to be pioneers for the pretrial services field and assume an instrumental role in the research and development of practices for pretrial defendants that are truly evidence-based.

### ***Research to Results (R2R)***

The R2R grant solicitations for fiscal years 2007 and 2008 cite the objective of “advancing the federal probation and pretrial services systems by encouraging the development and implementation of evidence-based and best practices.” The grant application further notes the purpose of these practices as the “reduction of recidivism for offenders and defendants.” The application includes four broad categories of services: (1) risk/needs assessment and case planning; (2) Motivational Interviewing; (3) manualized cognitive behavioral therapy; and (4) other offender intervention.

The sections below provide background information and note the questions and concerns that arose while formulating my R2R requests. The following sections also offer a sense of the complexities and distinctions to consider in moving pretrial services forward in the direction of research-supported and outcome-oriented practices. The final section shares some of the pretrial specific projects that have been supported through the R2R grants. Please note that this article is not intended to be a comprehensive and exhaustive review of all evidence-based and R2R pretrial services initiatives implemented throughout the 93 districts. Rather, this represents one district’s experience and perspective with the hope that additional dialogue and participation will ensue.

### ***Defining Outcomes for Pretrial Success***

In April 2004 in a series of three articles, the National Institute of Corrections and the Crime and Justice Institute provided significant guidance on the implementation of evidence-based principles in community corrections <sup>[3]</sup>. The articles distinguished among three terms often used interchangeably: (1) “best practices,” which are not scientifically tested or tied to outcomes but represent collective experience and wisdom; (2) “what works,” which link practices to general but not specific outcomes; and (3) “evidence-based practices,” which tie practices to specific results <sup>[4]</sup>.

Evidence-based practice was further defined as a “trend throughout human services fields that emphasize outcomes. <sup>[5]</sup>” As explained by NIC, outcomes must be *definable, measurable, and consistent with practical realities* (recidivism, victim satisfaction, etc. <sup>[6]</sup>). For the field of corrections, NIC described effective interventions as those proven to “*reduce offender risk and subsequent recidivism and therefore make a positive long-term contribution to public safety.*” <sup>[7]</sup> (Emphasis added.)

For pretrial services, seeking specificity of outcomes that are definable, measureable, and consistent with pretrial realities appears to be the most important next step in the design, implementation, and evaluation of evidence-based practices that produce the intended results for defendants. Are these outcomes the same as those articulated by NIC for the corrections field? Or, is there a need to identify different ones for pretrial services? While this issue must ultimately be resolved on a national level, it is likely that the end result could incorporate elements of both. Pretrial services outcomes are sufficiently unique to warrant separate consideration: release/detention, non-appearance risk, and compliance with pretrial release are not addressed through any post-conviction practices. By the same token, under certain circumstances



and when not inconsistent with the mission of pretrial services, pretrial services may be able to effectively contribute to the reduction of recidivism and long-term change.

Looking at the objective of “reduction of risk,” this outcome appears consistent with the statutory mandate of addressing the pretrial risks of non-appearance and safety to the community [8](#). However, as noted in the statute, risk mitigation is to be through the imposition of the least restrictive condition or combination of conditions of release [9](#). Unlike post-conviction, there is a balancing act that must take place at pretrial services when addressing risk that recognizes public safety and other concerns while simultaneously respecting the presumption of innocence and additional legal protections afforded to defendants [10](#). While interventions that support risk reduction can be applied to the post-conviction population without any consideration of legal constraints, such interventions may not always be appropriate, or legal, for pretrial defendants. Likewise, conditions and programs implemented in an across-the-board manner may violate the principles of individualized risk and least restrictiveness which serve as cornerstones for the tenets of bail reform.

Defining the risk of non-appearance, which is statutorily unique to pretrial services, seems straightforward on its surface: it is the failure to appear for trial, sentencing, or any court hearing. Realistically, however, non-appearance risk can manifest itself through events unrelated to court hearings such as walking away from a halfway house or treatment program, being non-responsive to supervision, or even failing to voluntarily surrender to the Bureau of Prisons (BOP). Absconding supervision is also a concern for the post-conviction offender, yet there is currently no predictive measurement of non-appearance risk and no known research-supported intervention. Somewhat unique to pretrial services is non-appearance risk related to suicide for certain defendants following their arrest. Post-conviction best practices are silent on how to predict and prevent this risk issue, leaving detention, rather than release, as the plan of action in these cases.

Non-appearance is currently captured in two distinct pretrial data fields: AFTA (failure to appear) violations” [11](#) and “fugitive” rate [12](#). The FTA rate is calculated using open supervision cases who commit a FTA violation during the preceding 12 months, although a precise definition of what events should be included is lacking. The general rule is that these violations involve missed court hearings, with a warrant issued by the judicial officer. The fugitive rate is based upon cases closed during a 12-month period; cases attain fugitive status if, after 90 days of the issuance of a bench warrant, no arrest has occurred. A fugitive need not have missed a court date and the outstanding warrant could have been issued for any reason or violation, most often upon the petition of the supervising officer. Fugitive status does not reflect what efforts, if any, were made by the U.S. Marshals Service to apprehend the defendants. Remaining consistently under two percent nationwide, the low “fugitive” rates have been touted as an indication of pretrial services’ “success.” Against the backdrop of high national detention rates [13](#), however, one wonders if the low fugitive and FTA numbers reflect the existence, or perhaps the absence, of best practices of pretrial services. Having the benefit of research to determine the acceptable level of risk inherent in the business of reducing unnecessary detention could assist our system in striking an appropriate risk aversion balance and help identify those who pose the highest non-appearance risk based on relevant factors.

“Community safety” risk, although not precisely defined, has been associated with re-arrest rates and violation statistics which provide insight on whether a defendant complied with the conditions of release during pretrial supervision [14](#). While the re-arrest data provides a valid measurement of risk, technical violations may or may not denote community safety concerns, depending upon the type and nature of the non-compliance.

As illustrated above, the desired outcome of “defendant risk reduction” appears seemingly straightforward at first glance. However, it lacks specificity in both definition and measurement. How can we determine our effectiveness in reducing non-appearance and safety risk when we are not sure what we are measuring? Does our current data provide any insight into the characteristics and circumstances of the defendants who fail to appear for court or abscond supervision, or those who commit new offenses or violations? What research exists that

identifies the risk variables for both non-appearance and danger, and what evidence-based interventions have been proven to reduce said risk? Is the violation rate truly reflective of defendant risk or is it skewed by overly restrictive conditions, differing methods of interpreting and reporting violations, or merely a link between increased workload credit and the number of violations reported? Through dialogue and research, the specificity concerns can be resolved. However, the risk area of non-appearance must be explored further as the federal system has no predictive tools or evidence-based practices that address this outcome specifically.

With regard to the remaining two outcomes identified by NIC - recidivism reduction and long-term contribution to public safety - are these achievable results for pretrial services? While generally consistent with pretrial's mission (every judicial and criminal justice entity seeks to reduce future crime), there are certain inconsistencies with the "practical realities" of pretrial services. One reality is the defendant's legal status pending conviction which presumes him/her innocent and precludes programming and interventions that could lead to self-incrimination. Many of these legal protections continue through sentencing due to the adversarial nature of the process. Another reality is pretrial services' focus on the outcomes of court appearance and community safety which are more immediate and short-term in nature. Pretrial defendants must first address the "trauma" of the arrest, uncertainty regarding their future, and any imminent needs such as loss of employment, negative publicity, and family turmoil before they can begin to plan for the distant future. Pretrial services supervision may last for only months, providing limited opportunity to address long-term goals. Even if there were adequate time to take action at the pretrial stage to impact recidivism and contribute to long-term change, what interventions would be effective? Research is lacking. Evidence-based interventions outlined by NIC may or may not be effective when the intervening events of sentencing and incarceration have yet to occur. Finally, how would pretrial's impact on recidivism and long-term change be defined and measured? Pretrial services cannot control for the length of sentence the defendant receives notwithstanding satisfactory adjustment to pretrial supervision, and prison itself will play a role in shaping the defendant's experience.

Additionally, is there a correlation between pretrial detention/pretrial release and recidivism? With over 50 percent of pretrial defendants detained nationally, do we know if a detained defendant will be more or less likely to re-offend in the future than a released one? What are the factors that explain the results and what evidence-based interventions could be introduced to detained defendants to influence the outcome?

Assuming recidivism and long-term change can be positively impacted at the pretrial stage and assuming that legal protections can remain intact, are there currently pretrial practices that leave a lasting positive effect on defendants? As the "front door" of the system, pretrial services stands uniquely positioned to set the tone for all phases to come. What missed opportunities for intervention, if any, are not being pursued? Where should pretrial services focus its attention and resources in order to be the most effective in achieving the desired outcomes? Shouldn't pretrial outcomes related to release and reduction of non-appearance and pretrial failure be addressed first before looking to impact long-term change for which pretrial services practices may or may not be effective? What research exists and what research needs to be done to enhance the results?

Finally, given our focus on actual results, what does the research say about the impact on recidivism and long-term change of sentencing alternatives like diversion, deferred sentences, or probation that allow defendants to continue with interventions commenced while on pretrial release? Are defendants more motivated to change if they have the incentive of remaining out of prison as well as the consequences of supervision, community service, or other community-based sanctions? Does pretrial diversion or a sentence of probation yield better long-term results than incarceration for certain defendants? With sentencing guidelines advisory in nature, coupled with the opportunity to consider mitigating factors, can evidence-based pretrial interventions (as opposed to pretrial supervision status alone) become a legitimate reason for alternative sentences? If we as a system are committed to moving towards research-supported practices, why limit our research and attention to post-conviction interventions that impact recidivism? Why not have pre-conviction drug courts or expand pretrial diversion if research demonstrates a

correlation between these alternatives and future “success” (i.e., decreased recidivism)?

In summary, the desired outcomes for community corrections as articulated by NIC - risk reduction, recidivism, and long-term change - are not a perfect match for pretrial services. This does not mean they should be rejected outright, however, as these objectives and the corresponding evidence-based interventions can provide meaningful models for pretrial services. To apply these outcomes blindly, however, without consideration of the practical realities, the specific definitions, and the methods of measurement unique to pretrial services would be a short-sighted and non-scientific approach.

It is therefore critical that pretrial services first and foremost identify and define the desired outcomes that are consistent with, and promote the statutory mission of, reducing unnecessary detention and facilitating pretrial release, and subsequently implement practices that produce these desired results. Secondly, “pretrial success” requires a clear definition. Outcomes such as facilitating court appearance, mitigating community safety risk, and enhancing compliance with the conditions of release must be easily understood and measurable, with interventions linked to support these goals. Once this has been accomplished, pretrial services can explore ways to enhance its contributions to the objectives of recidivism reduction and long-term change through pretrial supervision, pretrial diversion and other alternative sentencing options, to the extent they are deemed effective and appropriate. Finally, all pretrial services outcomes must operate within the existing legal framework, be consistent with the principles of “least restrictive,” and honor the presumption of innocence.

### ***Research - What Exists for Pretrial Services?***

Three years after the National Institute of Corrections and the Crime and Justice Institute published their series of articles on the implementation of evidence-based principles for the field of corrections, the same entities published the article, *Legal and Evidence Based Practices: Application of Legal Principles, Laws, and Research to the Field of Pretrial Services* [15](#). This article provides context to the discussion of pretrial services evidence-based practices and acknowledges that research related to pretrial services is significantly limited.

According to the article, pretrial relevant research conducted outside the federal system has demonstrated the following. Please note that it is not known to what extent federal data would yield the same results.

#### **1. Detention Pending Trial**

Research demonstrates that detention pending trial can lead to negative implications for defendants. For one, pretrial detention can reduce a defendant’s ability to prepare an adequate defense. Detention before trial has also been shown to result in a higher frequency of guilty pleas and more severe sentences as compared with defendants who are released. Pretrial detention can also be disruptive to family, employment, and community ties and negatively stigmatize the defendant. Even after controlling for relevant factors such as the current charge, prior criminal history, family ties, and type of counsel, these disparate outcomes did not change [16](#).

#### **2. Risk Assessment**

Research supports the use of a risk assessment instrument that uses research-based objective criteria to identify the likelihood of failure to appear for court appearance and danger to the community pending trial. Common factors have been identified as good predictors of court appearance and danger to the community including: current charge(s); outstanding warrants at time of arrest; pending charges at time of arrest; active supervision at time of arrest; history of criminal convictions; history of failures to appear; history of violence; residence stability; employment stability; community ties; and history of substance abuse [17](#).

It should be noted that the Risk Prediction Index (RPI), currently utilized by the federal pretrial services system as a predictive tool for investigation and supervision does not include any of the above-noted risk factors in its instrument with the exception of

substance abuse history. The RPI does include criminal arrests (not convictions) and asks about current residence and employment status although it does not necessarily measure stability in these areas.

To be credible, risk assessment instruments should be validated for their ability to predict the likelihood of failure to appear and danger to the community to which it is applied; it should equitably classify defendants regardless of race, ethnicity, gender, or financial status; and must be consistent with the relevant statutory and legal authority [18]. Further, unless risk factors demonstrate a relationship to predicting pretrial risk (court appearance or danger to the community), they should not be included when related solely to predicting recidivism or criminogenic needs for post-conviction offenders [19].

### 3. **Bail Recommendation**

Research affirms the importance of the bail recommendation, noting that when recommendations are based on explicit, objective, and consistent policy for identifying appropriate release conditions, they have the effect of reducing disparity [20].

### 4. **Financial Conditions**

Historical studies of the bail system revealed that financial terms of release resulted in the disproportionate pretrial detention of the poor regardless of actual risk factors. This disparate outcome resulted in the de facto racial and ethnic discrimination of defendants, as Hispanic and black defendants were less likely to have the means to post the required monetary bail as compared with white defendants. Concern over this disparity gave rise to the bail reform movement and the creation of the field of pretrial services [21].

### 5. **Pretrial Supervision**

There is a shortage of research on the most effective frequency and types of contact needed to monitor the conditions of pretrial release. However, studies have shown that overly frequent contact with defendants/offenders may be more detrimental than positive. Therefore, contacts should be required at a frequency that is reasonably necessary to monitor the conditions of release. Another study concluded that pretrial supervision generally made a positive contribution to minimizing pretrial failure, although variations in the frequency of contact seemed to have limited effect on success. Additional research is recommended to assess the impact of the type of frequency of defendant contact on effective pretrial supervision [22].

### 6. **Court Appearance**

Research shows that defendants should be reminded of their court dates in order to reduce the incidence of failure to appear [23].

The article also cites six controlling legal principles unique to pretrial services: presumption of innocence, right to counsel, right against self-incrimination, due process, equal protection under the law, and right to bail that is not excessive [24].

Finally, the article opines that there are three primary distinctions between community corrections and the pretrial services field: (1) the legal status of a defendant vs. the convicted status of an offender; (2) pretrial outcomes should be limited to impacting criminal behavior and court appearance during the pretrial phase vs. emphasis on strategies to effectuate long-term change; and (3) pretrial services' evidence-based practices must be consistent with the legal foundation and defendants' rights. Coining the term "legal and evidence based practices (LEBP)," the article defines evidence-based practices for pretrial services as interventions and practices proven effective in decreasing failures to appear and danger to the community during the pretrial stage that are consistent with the pretrial legal foundation and applicable laws. [25]

## **Eight Evidence-Based Principles for Effective Intervention in Community Corrections**

Based upon the above analysis and definition of LEBP, the article considered the eight evidence-based principles of effective intervention proven to reduce recidivism for post-conviction offenders in the context of pretrial services. The article also made recommendations for their applicability to pretrial services as summarized below: [26]

|  |  |  |
|--|--|--|
|  |  |  |
|--|--|--|

| Principle No. | Research Supported Intervention (Community Corrections)   | Research Supported Intervention (Community Corrections)   |
|---------------|---|---|
| 1             | Assess actuarial risk/needs   | Develop a validated pretrial risk assessment instrument   |
| 2             | Enhance intrinsic motivation, use motivational interviewing rather than persuasion tactics  | Motivational interviewing may be effective to enhance motivation for compliance; however, exercise caution to honor presumption of innocence and avoid self-incriminating statements                            |
| 3             | Target interventions (prioritize risk, target criminogenic needs, be responsive, structure high-risk offenders' time for 3 - 9 months, integrate treatment) | Make modifications to target interventions (prioritize risk, target criminogenic needs only when related to pretrial failure, be responsive, structure time and impose treatment if related to identified risk) |
| 4             | Skill train with directed practices (use cognitive behavioral treatment methods)  | Use cognitive behavioral treatment methods to the extent there is no requirement of an admission of guilt related to the current charge   |
| 5             | Increase positive reinforcement (ratio of 4 positive to every 1 negative) and use appropriate graduated consequences  | Positive reinforcement is okay but any modifications of conditions and imposition of any consequences should have approval of the Court   |
| 6             | Engage ongoing pro-social support for offenders in natural communities  | Confidentiality considerations preclude notification about arrest to community members without defendant's or Court's permission  |
| 7             | Measure relevant processes and practices  | Measure pretrial specific processes and practices   |
| 8             | Provide measurement feedback  | No special considerations required  |

In conclusion, the article states that the principles of effective intervention developed for community corrections can generally be applied to pretrial services with the appropriate modifications. In addition, the article recommends that additional research be conducted to determine if the practices, as applied or modified, produce the intended pretrial outcomes. To date, the information and discussion in Dr. Marie VanNostrand's article, *Legal and Evidence Based Practices: Application of Legal Principles, Law, and Research to the Field of Pretrial Services*, provides the most relevant, compelling, and helpful guidance to assist pretrial services in moving forward with the development and implementation of evidence-based practices.

#### ***District of Hawaii - Research to Results (R2R)***

The District of Hawaii has actively pursued R2R funding in order to begin exploring and implementing those interventions that are relevant to the pretrial setting. The following describes the practices that were considered and/or implemented.

#### **Risk Assessment Instrument**

The process of risk assessment is one that is appropriate to pretrial services and should be

pursued. There is at least one instrument, the Virginia Pretrial Risk Assessment Instrument (VPRAI), known as the “Virginia Model,” which has been developed on a pretrial population. The VPRAI is a research-based instrument that has been adopted by numerous pretrial programs nationwide. In addition to assisting the Court in the release/detention decision, the VPRAI assists in the determination of the appropriate level of supervision and defendant services. The District of Hawaii had originally proposed to field test this instrument on the federal level, however the Office of Probation and Pretrial Services (OPPS) has instead begun the process to create a pretrial services risk assessment instrument on a national level.

It should be noted that the topic of “risk assessment” and a description of the various types of available tools and instruments were outlined in the September 2006 edition of the *Federal Probation*. The issue discussed clinical vs. actuarial risk assessments; available research and evidence linking these tools to offender outcomes; and debated risk classification vs. risk reduction, short-term offender control and long-term offender change, and the appropriate definition of “risk.” Although an informative overview of risk assessment was provided, there was no mention of pretrial services, pre-conviction, or “defendant” risk throughout the journal.

#### Motivational Interviewing (MI)

In fiscal years 2007 and 2008, the U.S. Pretrial Services Office and the U.S. Probation Office for the District of Hawaii submitted a joint funding request to train officers and staff on motivational interviewing (MI), which was granted. Training in MI requires adherence to certain fidelity requirements as established by OPPS, which are intended to ensure quality training and adoption of MI principles and strategies. One of these requirements is audio-taping of sessions between officers and defendants. Because of the nature of the pretrial setting, a special sensitivity is required when considering the audio-taping of defendants. The District of Hawaii has ensured the protection of pretrial defendants’ legal rights by establishing a formal process for obtaining consent for audio-taping. First, officers are asked to identify the defendants to be taped. Next, telephone calls are placed to the respective defense attorneys in advance of any taping. Defense attorneys are individually informed of the purpose of the audio-taping (MI training) and reassured that the offense will not be discussed. In our experience, concerns expressed by the attorneys primarily related to the retention of the audio-tapes, to which assurances were provided that the tapes are erased once training is completed. Attorneys are allowed to decline participation for their defendants. For those attorneys who consent, a letter is provided which outlines information about MI and a copy of the required release form.

Because of our continued concern regarding the use of MI in the pretrial setting, in fiscal year 2008 the District of Hawaii requested and received R2R funding to develop a MI training curriculum customized for pretrial services which will take into consideration the legal principles and rights that apply to defendants prior to conviction. The project intends to produce a training guide that addresses pretrial-related issues such as the presumption of innocence, and training videos and exercises using pretrial specific scenarios.

Although post-conviction MI training appears to focus on increasing the offender’s motivation to make long-term change in one or more of the six criminogenic risk areas, the use of MI at the pretrial stage appears effective at targeting more immediate needs such as increasing motivation to obtain employment, stabilize the defendant’s living situation, or address risks related to non-appearance or danger. Increasing motivation to address substance use/abuse through MI appears to be an appropriate targeted risk for both defendants and offenders. Use of MI on pretrial defendants should never lead to the solicitation of information about the offense or related behavior.

#### Other Defendant Intervention - *Ho’okele* Pre-entry Services

The translation of the Hawaiian term, *Ho >okele*, means “to navigate your course.” Developed in fiscal year 2007 with R2R funds, the *Ho >okele* program is designed as a pre-entry service to empower defendants pending sentencing or self-surrender to successfully “navigate” their journey from the community into the Bureau of Prisons (BOP). The program seeks to educate defendants about BOP so they can be proactive and transform their prison terms into constructive time. It also addresses stress and anxiety through counseling services to decrease relapse and acting out

behavior, thereby reducing the risks of nonappearance and danger.

The *Ho'okele* program consists of the following components:

a.a - Monthly information/education sessions open to convicted defendants (pending sentencing or self-surrender) and members of their support system such as attorneys, family members, etc. Attendance is on a voluntary basis.

a.b - Participation on a voluntary basis, but with the authorization of the Court, in stress/anxiety management counseling.

a.c - Enhanced effort by the supervising officer to counsel and prepare defendants for a prison sentence (when applicable) by sharing relevant information, gathering important documents, and referring them to other components of the *Ho >okele* program.

a.d - Tours of twelve BOP institutions where Hawaii defendants are most frequently designated in order to learn more about these facilities.

a.e - Development of an Internet website that provides information and links to relevant resources for defendants.

R2R funding was requested but not granted in fiscal year 2008, although the program has been continued through the use of local funds.

The components of the *Ho >okele* program are viewed as consistent with the mission of pretrial services. Focusing on outcome measures, the defendants who participate in *Ho >okele* are tracked to determine if their participation in the pre-entry program or counseling services impact the rates of violations and failures to appear/fugitive statistics.

### ***Conclusion***

In partnership with OPPS, it has been a privilege to be involved in the initial efforts to shape, develop, and implement evidence-based practices in the federal system, especially for pretrial services where no model exists. More research is needed, however, in order to achieve the desired results that comport with the mission, legal constraints, and realities of pretrial services. Through the focus on evidence-based practices and the R2R grants, a unique opportunity currently exists to identify and build specific practices based on research that are effective in enhancing pretrial services' success in reducing unnecessary detention, predicting and mitigating non-appearance risk, protecting the community through supervision strategies, and honoring the legal rights of defendants.

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## Evidence-Based Practices in Federal Pretrial Services

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**THE APPLICATION** of evidence-based practices (EBPs) could potentially revolutionize the field of pretrial services. Pretrial services programs across the country are looking to apply these practices in hopes of seeing tangible results in the form of increased release rates, while maintaining or improving appearance and safety rates. Yet the revolution seems stalled as pretrial services agencies ponder questions about the applicability of post-conviction EBPs to achieving their outcomes: ensuring a defendant's appearance in court and protecting the community from crime. There are significant issues to consider: Do post-conviction evidence-based practices that were developed to reduce long-term recidivism rates impact these unique pretrial outcomes? And does the application of post-conviction supervision EBPs infringe on the constitutional rights of individuals not convicted of a crime?

The numerous potential problems of applying post conviction EBPs in a pretrial setting are easy to envision:

- an officer places a defendant in a post-conviction EBP program and subjects the defendant to situations where he or she must admit to criminal behaviors or risk program failure.
- an officer employs motivational interviewing in an effort to resolve the defendant's ambivalence about his or her drug use, resulting in the defendant's admission of heroin use, which was previously undocumented.

Given possible scenarios such as these, the *carte blanche* application of post-conviction supervision EBP strategies in pretrial services may be dangerous. [1](#)

How does federal pretrial services address this shift toward relying on evidence in a proactive manner? The answer lies in going back to the basics to develop evidence-based practices that are specific to pretrial services outcomes. Pretrial services must develop specific EBP practices that fit into the context of being least restrictive and "reasonably necessary" to assure a defendant's appearance in court and the safety of the community pending trial. Drifting from this core mission toward a focus on changing defendant behavior over the long term is simply outside of the scope of the Bail Reform Act of 1984. The system must refocus on the core mission and both develop and disseminate proof that specific practices being employed by officers optimize pretrial outcomes.

Cullen, Myer, and Latessa capture the essence of the problem quite nicely in "Eight Lessons From Moneyball." Pretrial services and baseball "share the common plight of being social domains in which irrational practices, based on unsystematic observation and common sense, have been enshrined with legitimacy." [2](#) If it doesn't "feel right" or "pass the smell test," it's dismissed no matter the level and degree of data to support it. The opposite caution is warranted, however, since the importance of data quality cannot be overstated. If we're going to make decisions using our data, that data needs to be accurate to within acceptable industry standards: between 98 and 99 percent accuracy, depending on the



importance of the variable. Failure to get the data accurate dooms any initiative that purports to employ data as the basis for program decisions.

What are the first steps? The federal pretrial services system must develop methods to make bail recommendations to judges that are nationally consistent and backed by evidence. Who conducts the interview or in what district a defendant finds himself or herself charged with a crime in should not affect the bail recommendation as much as the risk the defendant poses to the community. The initial focus of any pretrial services EBP effort should be the development of a risk prediction tool that is empirically based. The federal system has begun the process of developing a risk prediction device and should be able to test that device in 2009.

Three pretrial services offices ( Hawaii, Michigan Eastern, and Oregon) in the federal system are currently working towards implementing evidence-based practices in their districts. Each office is focusing on different pieces. For example, Hawaii has been trying to integrate motivational interviewing into the pretrial services program and Michigan Eastern has been working on an ongoing methodology to obtain judicial feedback on pretrial services reports. Those initiatives are part of a larger effort in the federal system known as Research 2 Results (R2R). The R2R program provides 18 federal probation and pretrial services offices extra funding in an effort to “pilot” these processes for the system. One of the early lessons learned is the need for an organizational assessment: Is the office in a position to take on this endeavor and if so, what areas do they most need to work on to prepare them for the initiative?

For the most part, federal pretrial services offices have achieved the organizational assessment by employing an outside contractor, experienced in implementing evidence-based practices in a pretrial services setting, to perform the assessment and provide the office with feedback on the readiness of the office to proceed. Generally, those reports include recommendations for the office to follow to prepare for implementation.

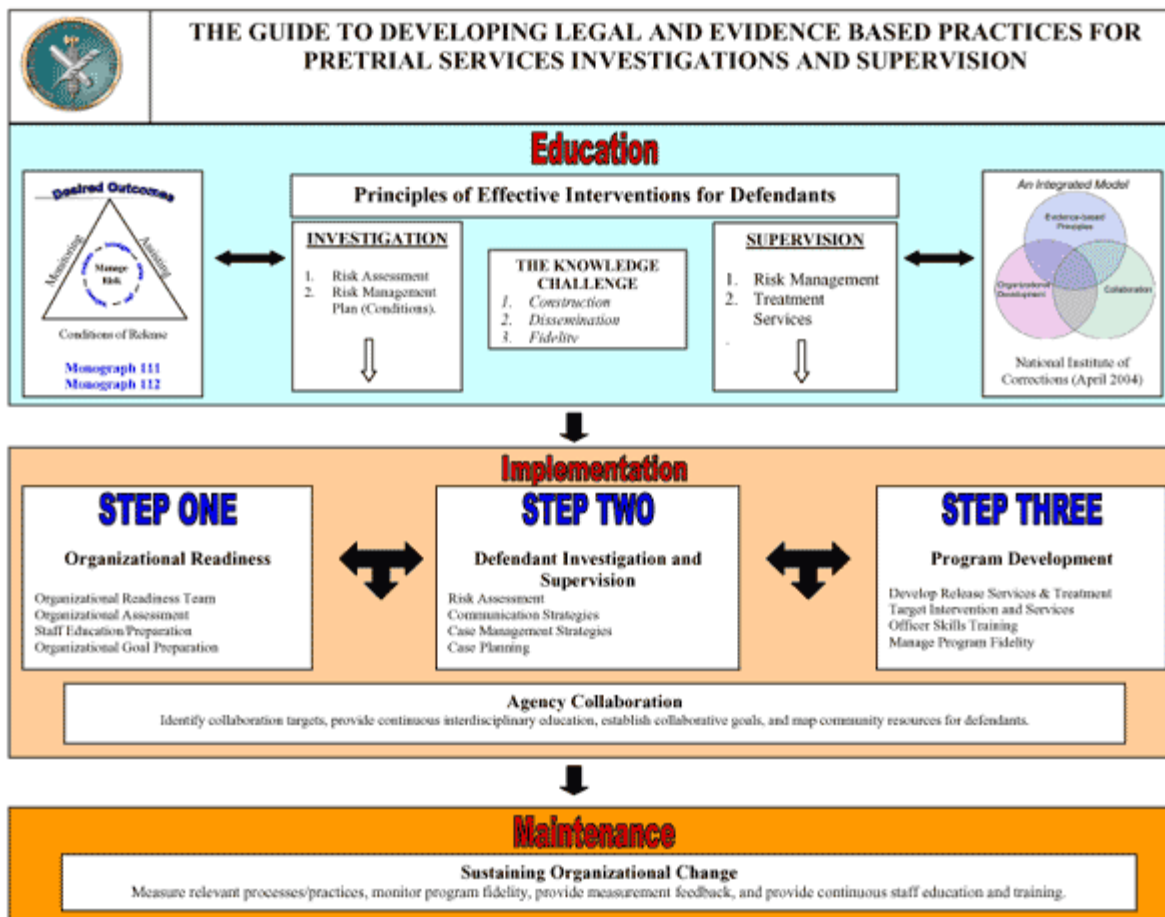
Below is an excerpt from an organizational assessment report that identifies key components and activities to achieve readiness <sup>3</sup>:

The purpose of the assessment was to examine the efficiency and effectiveness of the district with an emphasis on the organization culture and consistency with Legal and Evidence Based Practices (LEBP). LEBP are interventions and practices that are consistent with the legal and constitutional rights afforded to accused persons awaiting trial and methods research have proven to be effective in decreasing failures to appear in court and danger to the community during the pretrial stage. The organization assessment included the following components of a district’s readiness:

- assess the organization culture through the administration of an organization culture survey, conduct on-site interviews, and observe the climate/culture of the agency;
- identify other potential areas of improvement relating to organization development, including but not limited to, leadership development, organizational performance, succession planning, diversity management, and process improvement;
- conduct Pretrial Services Legal and Evidence Based Practices (LEBP) training;
- examine the current operations of the agency in relation to LEBP for pretrial services; and
- lead a session to guide the LEBP committee through a preliminary planning process intended to address any identified issues related to organization development and to begin the implementation of LEBP.

Performing 90 more of these visits to cover all districts could be time consuming and costly. The question, then, is whether other methodologies could assist the federal pretrial services system in determining the readiness of its district offices for evidence-based practices. One solution that comes to mind is the program review process. The federal system currently conducts staggered program reviews of its probation and pretrial services district offices. The Office of Probation and Pretrial Services attempts to complete 20 reviews annually. A written report is prepared for each review and submitted to the chief judge with a copy to the chief pretrial services/probation officer. Could those program review reports be mined to identify potential issues of concern for pretrial services in implementing evidence-based-practices?

The federal system is embarking on a unique opportunity and needs to approach that opportunity without preconceived ideas or limitations. To enable the federal system to better navigate these uncharted waters we need to employ a compass rather than a map. Soon after we embark on our journey the wind will blow and sands will shift and our carefully planned map to EBP nirvana could be worthless. However, our compass will still work in the changed environment. Therefore, we should not limit ourselves to the map of evidence-based practices, but employ the compass of R2R. This embodies the essence of what we are trying to accomplish, making programmatic decisions using research as the only yardstick. A given practice either works to achieve our goals and mission or it does not; if the latter is the case, it should be discontinued.



“The Guide to Developing Legal and Evidence based Practices for Pretrial Services Investigations and Supervision”, above, is an attempt to provide a pictorial representation of some of the same concepts, goals, and steps provided in this text.

### Mission, Goals, and Outcomes

What is the primary mission of pretrial services? While it may seem clear to those of us who have been around for 20 years, we need to do a better job of inculcating in new staff the mission of our program. The Pretrial Services Agency in Washington DC offers an excellent example of such inculcation. This agency provides the pretrial services function to all cases in the District of Columbia; therefore, although they are a federal agency, their caseload range is quite unique. One of the things they have done outstandingly well is educate their staff in the mission of their agency. Staff know what they are about. Their mission is conceived in a sense as a “calling” and something anyone would be proud to participate in.

A number of other functions for pretrial services officers have bubbled up, and we need to consider whether these are functions that pretrial services should be performing or whether they distract from the core mission:

- Is pretrial services an opportunity to get a jump start on the presentence investigation?
  - obtain verification of employment, education, etc.
  - obtain written prior criminal record information
  - obtain prior presentence reports.
- Is pretrial services an opportunity to prepare the defendant for his period of incarceration?
- Is pretrial services an opportunity to set, process and pay for mental health evaluations of detained defendants?

This list is by no means exhaustive, and many other mission-creep functions are being performed by various pretrial services offices. The point is that all of these non-core tasks must be considered, evaluated, and prioritized in light of their impact on the primary mission and goals of the pretrial services program. An excellent place to start is with the Pretrial Services Act of 1982 (ACT).

The Pretrial Services Act of 1982 began a process of getting pretrial services into the fabric of the federal criminal justice system. The subject matter of the vast majority of text in committee and subcommittee reports and testimony concerns the reduction of unnecessary detention. In fact, several senators and congressmen influential in ultimately passing the ACT, including Biden, Kennedy, and Hughes, cited the reduction of unnecessary detention as their primary motivation in voting for the Act and subsequently passed legislation that included the Bail Reform Act of 1984.

The federal pretrial services system—and pretrial services generally for that matter—has published, monitored, and based its operations on crucial outcome measures since its inception in the 1960s and 1970s. While we have not yet performed the requisite formal studies of our practices to fully qualify as evidence-based, we are by no means subordinate in the area of evidence-based practices to our post-conviction colleagues. However, we place ourselves in that subordinate position with the current mentality of adopting post-conviction evidence-based practices, rather than embarking on the testing and documentation of our own successful pretrial services practices.

The fourth and final report on the *Implementation of Title II of the Speedy Trial Act of 1974* was published on June 29, 1979. That report, based on the initial research that demonstrated the documented evidence of the effectiveness of pretrial services practices, concluded that pretrial services was a good thing and should be expanded in the federal system. Unfortunately it was not followed up in any meaningful way with continued research. In fact, a brilliant time series research design prepared by Roger LeBouef for that report was never performed. If it had been performed, it would have provided hard data on the effectiveness of pretrial services in the federal system.

To successfully implement R2R, the federal system needs to refocus itself on its core mission of increasing release rates while maximizing appearance and safety rates. If we agree that these should be our mission and goals, we need outcomes to measure our progress. While we were preparing data for a study of the federal system to be published in 2009, it became readily apparent that our outcome data is faulty. Lack of documentation and clear definitions, ambiguity and a host of other factors have contributed to the situation and need to be rectified.

Doing so may seem straightforward, but there are a myriad of obstacles to be overcome. Let's use the example of failure-to-appear, a common pretrial services outcome. This is complicated right off the bat as the federal system is apparently one of the only systems that doesn't routinely set a next court date for every defendant who appears. Please code the following scenarios given the above fact:

The defendant absconds from supervision, with no court date set;

The defendant does not appear for sentencing on Friday at 10 but comes to the courthouse on Monday at 3 pm.; and

The defendant cuts off his location monitoring equipment in his San Diego home and heads for the border, only to be arrested within hours by the Border Patrol.

Of the examples, which are FTAs and which are not? Should the lapsing of time have an impact on determining if a particular behavior is in fact an FTA? As soon as you settle on those rules, a scenario can be envisioned that we would feel was clearly a FTA but is outside the identified parameters. Simply

put, there is no perfect solution to operationalizing or defining such nebulous concepts. Great care must be taken in developing those definitions, which should continue to be open to revision, but at some point the program needs to adopt the best definition it can and live with it and its imperfections.

Other complications surround the issue of technical violations. Are they successes? Are they failures? Or perhaps they are something in between. There are arguments to be made on each side. Identifying drug use through testing, which leads to drug treatment and ultimately the defendant achieving and maintaining a sober lifestyle could be considered a positive, if the outcome line is drawn at the end; it could be considered negative if the outcome line is drawn at the time of substance use. The response of the judicial officer also comes into play, as behavior that is tolerated in one court is not tolerated in another court. In analyzing our treatments and programs in the future, we will need to develop a methodology that successfully categorizes technical violations, since they account for approximately 20 percent of our outcomes.

## **Conclusion**

A research-to-results approach has much to offer pretrial services offices and the federal system generally. Fully achieving that potential requires significant work to be done in preparing for implementation. The most important part of that work is achieving buy-in of staff to the mission of increasing release rates while maintaining appearance and safety rates. There are significant factors that have caused the release rate to decline so dramatically. In all likelihood a substantial percentage of the pretrial services population cannot and probably should not be released. However, there is a group in the middle of our population in terms of risk of appearance and safety that could and should be released. We as a system need to begin to identify those individuals and develop the necessary tools and programs so that judicial officers are comfortable in releasing those defendants. Using a research focus to improve our treatments and programs will help us develop a pretrial services system that provides judicial officers with strong recommendations for release, backed by a proven supervision program to “reasonably assure” appearance and the safety of the community, and detention cost savings for our system and our defendants.

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### **Results-Based Management in Federal Probation and Pretrial Services**

Aos, S., Miller, M., & Drake, E. *Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates*. Olympia: Washington State Institute for Public Policy. October 2006.

Taxman, F., Young, D., Byrne, J.M. (2003) *Offender's Views of Reentry: Implications for Processes, Programs, and Services*. Washington, DC: National Institute of Justice.

*Strategic Assessment*, Federal Probation and Pretrial Services System, Final Summary Report, IBM Business Consulting Services, the Urban Institute, and Wooten Associates, Inc., September 2004).

### **The Evolution of Supervision in the Federal Probation System**

Andrews, D.A. & Bonta, J.A. (1998). *The psychology of criminal conduct*. Ohio: Anderson Press.

Barnoski, R. (2004). *Outcome evaluation of Washington state's research-based programs for juvenile offenders*. Olympia, WA: Washington State Institute for Public Policy.

Byrne, J. & Taxman, F. (2005). Crime (control) is a choice: Divergent perspectives on the role of treatment in the adult corrections system. *Criminology and Public Policy*, 4A (A2), 290-309.

Dowden, C. & Andrews, D. A. (1999). What works in young offender treatment: A meta-analysis. *Forum on Corrections Research*, 11(2), 21-24.

Farley, C. and Hackman, S. (2006). Ready4Work In Brief: Interim Outcomes are in: recidivism at half the national average. *Public/Private Ventures In Brief*, 4.

Light, P. C. (2005). *The four pillars of high performance: How robust organizations achieve extraordinary results*. New York, NY: McGraw-Hill.

Lowenkamp, C.T., Latessa, E., & Holsinger, A. (2006). Risk principle in action: What have we learned from 13,676 offenders and 97 correctional programs? *Crime and Delinquency*, 52(1), 77-93.

Lowenkamp, C., Pealer, J., Smith, P. and Latessa, E. (2006). [Adhering to the risk and need principles: Does it matter for supervision-based programs?](#) *Federal Probation*, 70 (3).

Miller, W. R. & Mount, K.A. (2001). A small study of training in motivational interviewing: Does one workshop change clinician and client behavior? *Behavioural and Cognitive Psychotherapy*, 29, 457-471.

National Research Council (2007). Committee on community supervision and desistance from crime, committee on law and justice, division of behavioral and social sciences and education. *Parole, desistance from crime, and community integration*. Washington, DC: The National Academy Press.

National Institute of Corrections (2005). Implementing evidence based practice in community corrections: The principles of effective interventions. Washington, D.C.: National Institute of Corrections. Retrieved September 21, 2007 from [http://www.lhc.ca.gov/lhcdir/AOD\\_Review/NationalInstituteofCorrections.pdf](http://www.lhc.ca.gov/lhcdir/AOD_Review/NationalInstituteofCorrections.pdf)

National Institute of Justice (2006). Drug Courts: The Second Decade. Special Report: U.S. Department of Justice, Office of Justice Programs. Retrieved May 7, 2007, from: <http://www.ojp.usdoj.gov/nij>, Ncj # 211681.

Rogers, E.M. (1995). *Diffusion of innovations*. New York: Free Press.

Rogers, E.M. (1995). The challenge: Lessons for guidelines from the Diffusion of innovations. *Journal on Quality Improvement*, 21, 324-8.

Rubak, S., Sandbaeck, A., Lauritzen, T. and Christensen, B. (2005). Motivational Interviewing: A Systematic Review and Meta-Analysis. *British Journal of General Practice*, April.

Sachwald, J., Eley, E., & Taxman, F. (2006). An ounce of prevention: Proactive supervision reduces violation behavior. Topics in Community Corrections. Community Corrections Division. National Institute of Corrections, 31-38.

Taxman, F.S. (2002). Supervision—Exploring the dimensions of effectiveness. *Federal Probation*, 66(2), 14-27.

Taxman, F. (2006). Assessment with a flair: Offender accountability in supervision plans. *Federal Probation*, 70(2), 2-7.



Taxman, F., Shepardson, E., & Byrne, J. (2004). *Tools of the trade: A guide for incorporating science into practice*. Washington, D.C.: Community Corrections Division, National Institute of Corrections.

Walters, S.T., Clark, M.D., Gingerich, R., and Meltzer, M.L. (2006). *Motivating offenders to change: A guide for probation and parole*. National Institute of Corrections.

### **Constructing an EBP Post-Conviction Model of Supervision in United States Probation, District of Hawaii: A Case Study**

Andrews, D.A., Kiessling, J.J., Robinson, D., and Mickus, S. (1986). "The Risk Principle of Case Classification: An Outcome Evaluation with Young Probationers" in *Canadian Journal of Criminology* 36: 377-384.

Andrews, D.A., Bonta, J., and Hoge, R.D. (1990). "Classification for Effective Rehabilitation: Rediscovering Psychology" in *Criminal Justice & Behavior* 17: 19-52. Austin, J. (2003). *Findings in Prison Classification and Risk Assessment*. National Institute of Corrections.

Byrne, J.M. (2006). *Assessing the Role of Clinical and Actuarial Risk Assessment in an Evidence-Based Community Corrections System: Issues to Consider*. Federal Probation Newsletter, September 2006.

Crime and Justice Institute. (2006). *Evidence-Based Practices: A Framework for Sentencing Policy*. Located at:  
[www.maine.gov/corrections/caac/SupMat/FinalReportSentencingPracticesSubcommitteeForPrinting.pdf](http://www.maine.gov/corrections/caac/SupMat/FinalReportSentencingPracticesSubcommitteeForPrinting.pdf)

Cullen, F.T., and Gendreau, P. (2001). "From Nothing Works to What Works: Changing Professional Ideology in the 21 st Century" in *The Prison Journal* 81:313-338.

Department of Justice. (2004a). *Implementing Evidence-Based Practice in Community Corrections: The principles of Effective Intervention*. Department of Justice, Crime & Justice Institute. No author listed.

Department of Justice. (2004b). *Implementing Evidence-Based Practice in Community Corrections: Leading Organizational Change and Development*. Department of Justice, Crime & Justice Institute. No author listed.

Department of Justice. (2004c). *Implementing Evidence-Based Practice in Community Corrections: Collaboration for Systemic Change in the Criminal Justice System*. Department of Justice, Crime & Justice Institute. No author listed.

Dow, E., Jones, C., and Mott, J. (2005). "An Empirical Modeling Approach to Recidivism Classification" in *Criminal Justice & Behavior* 32:223-247.

Ekstrand, Laurie E. (2001). *Prisoner Releases:Trends and Information on Reintegration Programs*. United States General Accounting Office.

Gardner, S. (2002). "From Prison to Home: Reentering the Community" in *Research in Review* 5: 4-12. Commonwealth of Pennsylvania, Department of Corrections.

Gendreau, P., Little, T., Goggin, C. (1996). "A Meta-Analysis of the Predictors of Adult Offender Recidivism: What Works!" in *Criminology* 34:575-607.

Gottfredson, M.R. (2005). "Offender Classifications and Treatment Effects in Developmental Criminology: A Propensity/Event Consideration" in *The Annals of the American Academy* 602:46-56.

Gregoire, N.B. (2006). "Evidence-Based Practices: How Do They Fit in the Federal System?" in *News & Views*, 1-4.

- Holsinger, A.M., Lurigio, A.J., and Latessa E.J. (2001). "Practitioners' Guide to Understanding the Basis of Assessing Offender Risk" in *Federal Probation* 65: 46-51.
- Johnson, K. D., Austin, J., and Davies, G. (2002). *Low-Risk Offenders: Is it a Good Investment?* The Institute on Crime, Justice, and Corrections, Submitted to the National Institute of Justice.
- Jones, D. A., Johnson, S., Latessa, E., and Travis, L.F. (1999). "Case Classification in Community Corrections: Preliminary Findings from a National Survey" in *Topics in Community Corrections*, 4-10. National Institute of Corrections.
- Joplin, L., Bogue, B., Campbell, N., Carey, M., Clawson, E., Faust, D., Florio, K., Wasson, B., and Woodward, W. (2004). "Using an Integrated Model to Implement Evidence-Based Practices in Corrections." Publication of the International Community Corrections Association and American Correctional Association.
- Latessa, E.T., Cullen, F.T., and Gendreau, P. (2002). "Beyond Correctional Quackery-Professionalism and the Possibility of Effective Treatment" in *Federal Probation* 2:43-50.
- Lowenkamp, C. T. and Latessa, E.J. (2004). "Understanding the Risk Principle: How and Why Correctional Interventions Can Harm Low-Risk Offenders" in *Topics in Community Corrections*, 3-8. National Institute of Corrections.
- Matthews, B., Hubbard, D.J., and Latessa, E. (2001). "Making the Next Step: Using Evaluability Assessment to Improve Correctional Programming" in *The Prison Journal* 81:454-472.
- Mitchel, C., Parent, D.G., & Barnett, L. (2002). *Transition from Prison to Community Initiative*. National Institute of Corrections & Abt Associates Inc.
- Modeling Systems, LLC. (2007). Risk Management System Users Manual. Modeling Solutions, LLC.
- Pearson, F.S., Lipton, D.S., Cleland, C.M., and Yee, D.S. (2002). "The Effects of Behavioral/Cognitive-Behavioral Programs on Recidivism" in *Crime & Delinquency* 48: 476-496.
- Petersilia, J. (2003). *When Prisoners Come Home: Parole and Prisoner Reentry*. Oxford: Oxford University Press.
- Sampson, R.J. and Laub, J.H. (2005). "A Life-Course View of the Development of Crime" in *The Annals of the American Academy of Political and Social Sciences* 602:12-45.
- Seiter, R. P., Karen R. Kadela (2003). "Prisoner Reentry: What Works, What Does Not, and What is Promising" in *Crime & Delinquency* 49:360-388.
- Simon, J. (1993). *Poor Discipline: Control of the Underclass*. Chicago: University of Chicago Press.
- Taxman, F.S., Shepardson, E.S., and Byrne, J.M. (2004). *Tools of the Trade: A Guide to Incorporating Science into Practice*. National Institute of Corrections, U.S. Department of Justice and Maryland Department of Public Safety and Correctional Services.
- Travis (2000). "But They All Come Back: Rethinking Prisoner Reentry" *Sentencing and Corrections: Issues for the 21 st Century*. National Institute of Justice, U.S. Department of Justice.
- Uggen, C. (2000). "Work as a Turning Point in the Life Course of Criminals: A Duration Model of Age, Employment, and Recidivism" in *American Sociological Review* 67:529-546.
- White, T.F. (2005). *Re-Engineering Probation Towards Greater Public Safety: A Framework for Recidivism Reduction Through Evidence-Based Practice*. Court Support Services Division, State

of Connecticut, Judicial Branch.

Woodward, W. (2007). *Report of Evidence-Based Principles: Findings and Recommendations*. William Woodward Associates, LLC, Report to the District of Hawaii United States Probation Office.

### **Organizational Change in the Heartland of Opportunity**

Alston, Kathleen H., Thompson, Michael J., "Adaptability: The Hallmark of a Good Probation/Pretrial Services Supervisor in the 1990s," *Federal Probation*,

Administrative Office of the U.S. Courts, Washington, D.C., March 1996.

Barker, Joel Arthur, *Paradigms - The Business of Discovering the Future*, Harper Collins, New York, NY, 1992.

Block, Peter, *The Empowered Manager*, Jossey-Bass Inc., Publishers, San Francisco, CA, 1987.

Block, Peter, *Stewardship*, Berrett-Koehler Publishers, San Francisco, CA, 1993.

Bogue, Campbell, Carey, Clawson, Faust, Florio, Joplin, Keiser, Wasson, Woodward; *Implementing Evidence-Based Principles in Community Corrections: Leading Organizational Change and Development*, National Institute of Corrections, Community Corrections Division; Crime and Justice Institute; 2004.

Charvaria, Frederick R., "Building Synergy in Probation," *Federal Probation*,

Administrative Office of the U.S. Courts, Washington, D.C., September 1994.

Conger, Jay A., "How Generational Shifts Will Transform Organizational Life," in *The Organization of the Future*, The Drucker Foundation Future Series, Jossey-Bass Inc., Publishers, San Francisco, CA, 1997.

Covey, Stephen, R., *Principle-Centered Leadership*, Simon & Schuster, New York, NY, 1991.

DePree, Max, *Leadership is an Art*, Dell Publishing, New York, NY, 1989.

Fisher, Kimball, *Leading Self-Directed Work Teams*, McGraw-Hill, New York, NY, 2000.

Gardner, John W., *On Leadership*, The Free Press, New York, NY, 1990.

Hamel, Gary, *The Future of Management*, Harvard Business School Press, Boston, MA, 2007.

Harmon, Frederick G., "Future Present," in *The Organization of the Future*, The Drucker Foundation Future Series, Jossey-Bass Inc., Publishers, San Francisco, CA, 1997.

Kotter, John P., "Leading Change: Why Transformation Efforts Fail," *Harvard Business Review*, Harvard Business School Publishing Corporation, Boston, MA, March-April 1995.

Kotter, John P., *The Heart of Change*, Harvard Business School Press, Boston, MA, 2002.

Kouzes, James M.; Posner, Barry Z., *The Leadership Challenge*, Jossey-Bass Publishers, San Francisco, CA, 1987.

Maxwell, John C., *The 21 Irrefutable Laws of Leadership*, Thomas Nelson Publishers,

Nashville, TN, 1998.

Zemke, Ron; Raines, Claire; Filipczak, Bob; *Generations at Work*, AMACOM, New York, NY, 2000.

## **Risk/Needs Assessment: Is This the Best We Can Do?**

Andrews, D. A., Bonta, J., & Hoge R. D. (1990). Classification for effective rehabilitation: Rediscovering psychology. *Criminal Justice and Behavior*.

Bonta J., Andrews, D.A. (2007) Risk-Need Responsivity Model for Offender Assessment and Rehabilitation (2007-06) Ottawa: Public Safety Canada.

Bonta, J., T. Ruge, B. Sedo & R. Coles (2004). *Case Management in Manitoba Probation* (Users Report 2004-01). Ottawa: Public Safety Canada.

Campbell, M. A., French, S., & Gendreau, P. (2007) Assessing the Utility of Risk Assessment Tools and Personality Measures in the Prediction of Violent Recidivism for Adult Offenders. Ottawa: Public Safety Canada.

Champion, D. (1993) Measuring Offender Risk: A Criminal Justice Sourcebook, Greenwood Publishing Group.

Connelly, M., M. (2003). Critical Examination of Actuarial Offender-Based Prediction Assessments: Guidance for the Next Generation of Assessments. Dissertation: University of Texas at Austin, US Department of Justice Document Number 202982.

Harris, P. (2006). What Community Supervision Officers Need to Know About Actuarial Risk Assessment and Clinical Judgment. *Federal Probation*, September 2006, V. 70(2).

Hoffman, P. B., & Beck, J. L. (1974) Parole decision-making: A Salient Factor Score. *Journal of Criminal Justice*, 2, 195-206.

Hubbard, J D., Travis, L. F., Latessa, E. J., (2001). Case Classification in Community Corrections: A National Survey of the State of the Art. Washington, DC: National Institute of Justice, US Dept. of Justice.

Latessa, E. J., Cullen, F. T., Gendreau, P. (2002). Beyond Correctional Quackery. *Federal Probation*, Vol.66 (n.2).

Lombard, P., & Hooper, L. (1998). *RPI Facts Bulletin* Washington, DC: Federal Judicial Center.

Lowenkamp, C. T., Latessa E. G. & Holsinger, A. M. (2006). "The Risk Principle in Action: What Have We Learned from 13,676 Offenders and 97 Correctional Programs?" *Crime & Delinquency*, 52, 77-93.

Lowenkamp, C. T., & Latessa, E. G., (2004) Understanding the Risk Principle: How and Why Correctional Interventions Can Harm Low Risk Offenders, *Topics in Community Corrections*, Washington, DC: National Institute of Corrections.

Soderstrom, I. R., & Leitner, D. W. (1997). *The Effects of Base Rate, Selection Ratio, Sample Size and Reliability of Predictors on Predictive Efficiency Indices Associated with Logistic Regression Models*. Presented at the Annual Meeting of Mid-Western Educational Researchers Association. Chicago, IL

Wilson, N. J., (2003). The Utility of the Psychopathy Checklist-Screening Version For Predicting Serious Violent Recidivism in a New Zealand Sample. Unpublished Dissertation: University of Waikato.

## **Cognitive-Behavioral Interventions: Where They Come From and What They Do**

Allen, N. B. (2006). Cognitive psychotherapy. In S. Bloch (Ed.). *Introduction to*

*Psychotherapies*. (4 th ed., pp. 141-166). New York: Oxford University Press.

Arbuthnot, J., and Gordon, D. (1988). Crime and cognition: Community applications of sociomoral reasoning development. *Criminal Justice and Behavior* 15(3), 379-393

Barren, M. (2007). Pliny the Elder. *World of Scientific Biography*. Retrieved April 13, 2008, from <http://scienceworld.wolfram.com/biography/PlinytheElder.html>.

Bureau of Justice Statistics. (2007). *Probation and parole in the United States, 2006*. Washington, DC: Bureau of Justice Statistics, U. S. Department of Justice.

Champion, D. J. (1999). *Probation, parole, and community corrections*. Upper Saddle River, NJ: Prentice Hall.

Dobson, K. S. (1988). *Handbook of cognitive-behavioral therapies*. New York: The Guilford Press.

Drummond, L. M., & Kennedy, B. (2006). Behavioural psychotherapy. In S. Bloch (Ed.), *Introduction to Psychotherapies*. (4 th ed., pp. 167-196). New York: Oxford University Press.

Ellis, A. (1989). The history of cognition in psychotherapy. In A. Freeman, K. M. Simon, L.E. Beutler, & H. Arkowitz (Eds.), *Comprehensive handbook of cognitive therapy* (pp. 5 - 21). New York: Plenum Press.

Freeman, A., & Dattilio, F. M. (1992). *Comprehensive casebook of cognitive therapy*. New York: Plenum Press.

Freeman, A., Felgoise, S. H., Nezu, A. M., Nezu, C. M., & Reinecke, M. A. (2004). *Encyclopedia of cognitive behavior therapy*. New York: Springer Science + Business Media.

Goldstein, A. P., & Glick, B. (1994). Aggression replacement training: Curriculum and evaluation. *Simulation & Gaming*, 25(1), 9-26.

Harris, B. (2002). Whatever happened to little Albert. In W. E. Pickren, & D. A. Dewsbury. (Eds.), *Evolving perspectives on the history of psychology* (pp. 239-254). Washington, DC: American Psychological Association.

Hubbard, D. J., & Latessa, E. J. (2004). *Evaluation of cognitive-behavioral programs for offenders: A look at outcome and responsivity in five treatment programs*. Ohio Office of Criminal Justice Services.

Korchin, S. J. (1976). *Modern clinical psychology: Principles of intervention in the clinic and community*. New York: Basic Books.

Kuehlwein, K. T., Rosen, H. (1993). *Cognitive Therapies in action: Evolving innovative practice*. San Francisco: Jossey-Bass.

Landenberger, N.A. and Lipsey, M.W. (2005). The positive effects of cognitive behavioral therapy for offenders. *Journal of Experimental Criminology*, 2005.

Little, G. L. (2000). Cognitive-behavioral treatment of offenders: A comprehensive review of MRT outcome research. *Addictive Behaviors Treatment Review*, 2(1). 12-21.

Little, G. L., & Robinson, K. D. (1988). Moral reconnection therapy: A systematic step-by-step. *Psychological Reports*, 62(1), 135-151.

Little, G. L., & Robinson, K. D. (2006). Recidivism outcome research on Moral Reconnection Therapy in prisons-based therapeutic communities: A comprehensive review. *Cognitive-Behavioral Treatment Review*, 15(2), 14-17.

- Lipsey, M. A., Landenberger, N. A., & Wilson, S. J. (2007). *Effects of cognitive-behavioral programs for criminal offenders*. Nashville: Center for Evaluation Research and Methodology Vanderbilt Institute for Public Policy.
- MacKenzie, D. L. (2006). *What works in corrections: Reducing the criminal activities of offenders and delinquents*. New York: Cambridge.
- Mahoney, M. J. (1993). Introduction to special section: Theoretical developments in the cognitive psychotherapies. *Journal of Consulting and Clinical Psychology*, 61(2), 187-193.
- Marks, I. M. (1981). *Cure and care of Neuroses*. New York: Wiley.
- Marks, I. M. (1986). *Behavioural psychotherapy: Maudsley Pocket Book of Clinical Management*. Bristol, UK: IOP Publishing Limited.
- Maultsby, M. and Wirga, M. (1998). Behaviour therapy, *Assesment and Therapy: Specialty Articles from the Encyclopedia of Mental Health*. Ed. Howard Friedman
- Meyer, V., & Chesser, E. S. (1970). *Behavior therapy in clinical psychiatry*. New York: Science House.
- Milkman, H. B., & Wanberg, K. W. (2005). *Criminal conduct and substance abuse treatment for adolescents: Pathways to self-discovery and change*. Thousand Oaks, CA: Sage.
- Milkman, H. B., & Wanberg, K. W. (2007). *Cognitive-Behavioral Treatment: A review and discussion for corrections professionals*. Washington, DC: National Institute of Corrections.
- Parks, G. A., & Marlatt, G. A. (2000). Relapse Prevention Therapy: A cognitive-behavioral approach. *The National Psychologist*, 9(5). 2-3.
- Pearson, F. S., Lipton, D. S., Cleland, C. M., & Yee, D. S. (2002). The effects of behavioral/cognitive-behavioral programs on Recidivism. *Crime & Delinquency*, 48(3) 476-496.
- Przybylski, R. (2008). *What works: Effective recidivism reduction and risk-focused prevention programs*. (PS7/2.2/R24/2008). Colorado Division of Criminal Justice.
- Ross, R. R., & Fabiano, E. A. (1985). *Time to think: A cognitive model of delinquency prevention and offender rehabilitation*. Johnson City, TN: Institute of Social Sciences and Arts.
- Rush, A. J., Beck, A. T., Kovacs, M., & Hollon, S. D. (1977). Comparative efficacy of cognitive therapy and pharmacotherapy in the treatment of depressed outpatients. *Cognitive Therapy and Research*, 1(1): 17-37.
- Schultz, D. P. (1969). *A history of modern psychology*. New York: Academic Press.
- Skinner, B. F. (1953). *Science and human behavior*. New York: The Macmillan Company.
- Stanley, D.T. (1976). *Prisoners among us: The problem of parole*. Washington, DC: Brookings Institution.
- Stern, R. S., & Drummond, L. M. (1991). *The practice of behavioural and cognitive psychotherapy*. New York: Cambridge University Press.
- Van Dieten, M. (1997). *Cognitive-behavioral programs: A resource guide to existing services*. Washington, DC: National Institute of Corrections.
- Warren, J. (2008). *One in 100: Behind bars in America 2008*. Washington, DC: The Pew Center on the States.
- Washington State Institute for Public Policy (2006). *Evidence-based public policy options to*

reduce future prison construction, criminal justice costs, and crime rates. Retrieved March 1, 2008, from [http://www.wsipp.wa.gov/rptfiles/06\\_10\\_1201.pdf](http://www.wsipp.wa.gov/rptfiles/06_10_1201.pdf).

Weishaar, M. E. (1993). *Key figures in counselling and psychotherapy*, Aaron T. Beck. Thousand Oaks, CA: SAGE,

Wilson, D. B., Bouffard, L. A., & MacKenzie, D. L. (2005). A quantitative review of structured, group-oriented, cognitive-behavioral programs for offenders. *Criminal Justice and Behavior*, 32(2), 172-204.

Wolpe, J. (1969). *The practice of behavior therapy*. New York: Pergamon

Wolpe, J. (1990). *The practice of behavior therapy*, 4th ed. New York: Pergamon NY.

### **Making “What Works” Work for Rural Districts**

Andrews, D.A., and Bonta, J. (2006). *The Psychology of Criminal Conduct*. Cincinnati: Anderson Publishing Company.

Andrews, D.A., Bonta, J., & Hoge, R.D. (1990). Classification for Effective Rehabilitation: Rediscovering Psychology. *Criminal Justice Behavior*, Vol 14, 33-37.

Archambeault, William (2006). Imprisonment and the American Indian Medicine Ways: A Comparative Analysis of Conflicting Cultural Beliefs, Values and Practices in *Native American and the Criminal Justice System*. (ed) Larry Gould and Jeffrey Ian Ross.

Cebulak, Wojciech (2004). Why Rural Crime and Justice Really Matter. *Journal of Police and Criminal Psychology*, Vol 19, 71-81.

Cullen, F.T., and Gendreau, P., Assessing Correctional Rehabilitation: Policy, Practice and Prospects. *Criminal Justice* 2000.

Kuhn, Danny R. (1995). Appalachians on Probation: Cultural Considerations for the Officers Who Supervise Them. *Federal Probation*, Vol 59, No 3, 3-9.

Listwan, S.J., Sperber, K.G., Spruance, L.M. & P.V. Voorhis. (2004). High Anxiety Offenders in Correctional Settings: It's Time for Another Look. *Federal Probation*, Vol 68, No. 1.

Milkman, H and Wanberg, K (2007). Cognitive-behavioral Treatment: A Review and Discussion for Corrections Professionals. United States Department of Justice, National Institute of Corrections

Robertson, Elizabeth B. (1997). “Introduction: Intervention and Services.” Pp 246-249 in *Rural Substance Abuse: State of Knowledge and Issues*, edited by E. B. Robertson, Z. Sloboda, G..M. Boyd, and L. Beatty. Rockville, MD: National Institute on Drug Abuse.

State of Connecticut. Re-engineering Probation for Greater Public Safety: A Framework for Recidivism Reduction Through Evidence-Based Practice. April 2005. URL [http://nicic.org/downloads/pdf/misc/ReEngineeringProb\\_ct1105.pdf](http://nicic.org/downloads/pdf/misc/ReEngineeringProb_ct1105.pdf)

Taxman, F.S.; Shepardson, E.S., and Byrne, J.M. (2005) Tools of the Trade: A Guide to Incorporating Science into Practice, National Institute of Corrections/Maryland Department of Public Safety. URL: <http://training.nctasc.net/toolsofthetrade/page3a.htm>

Tomlin, K; Walker, R; Grover, J; Arquette, W and P. Stewart. (2006) *Motivational Interviewing: Enhancing Motivation for Change-A Learner's Manual for the American Indian/Alaska native Counselor*. Downloaded from <http://www.oneskycenter.org>

Venner, K.L., Feldstein, S.,W., and Tafoya, N. *Native American Motivational Interviewing: Weaving Native American and Western Practices*. 2006.

Villanueva, M., Tonigan, J., S., and Miller, W., R. A Retrospective Study of Client Treatment Matching: Differential treatment responses of Native American Alcoholics in Project Match. *Alcoholism: Clinical and Experimental Research*, 26, (Abstract), 2002.

Walters, S.T., Clark, M.D., Gingerich, R., and M. Meltzer (2007) *Motivating Offenders to Change: A Guide for Probation and Parole*. U.S. Department of Justice, National Institute of Corrections.

Weisheit, R., Falcone, D., & L.E. Wells. (1994). *Rural Crime and Rural Policing*, National Institute of Justice, Research in Action, September.

Weisheit, R., Falcone, D., & L.E. Wells. (1999). *Crime and Policing in Rural and Small Town America*. Waveland Press Inc., Prospect Heights, Illinois .

Weisheit, R., & Donnermeyer, J.F. (2000) Change and Continuity in Crime in Rural America. From: *The Nature of Crime: Continuity and Change. Criminal Justice 2000*, Vol 1, pp. 309-357

Wilson, D., Bouffard, L.A. & D.L. Mackenzie (2005) A Quantitative Review of Structured, Group-Oriented Cognitive-Behavioral Programs for Offenders. *Criminal Justice and Behavior*, Vol 32, No. 2.

Wodahl, Eric, J., (2006). The Challenges of Prisoner Reentry from a Rural Perspective. *Western Criminology Review*, Vol 7, No. 2.

### **Community Reentry Following Prison: A Process Evaluation of the Accelerated Community Entry Program**

Attorney General's Opinion 96029. (1996). <http://ago.nol.org/local/opinion/index.html?topic=details&id=1811>

Dehar, M., Casswell, S., & Duignan, P. (1993). Formative and Process Evaluation of Health Promotion and Disease Prevention Programs. *Evaluation Review*, 17, 204-220.

Eaglin, J.B., Gilbert, S., Hooper, L., & Lombard, P. (1997). RPI Profiles: Descriptive Information About Offenders Grouped by Their RPI Scores. *Federal Judicial Center*, 1-24.

Gendreau, P. & Andrews, D.A. (1990). Tertiary prevention: What the Meta-Analysis of the Offender Treatment Literature Tells us About "What Works." *Canadian Journal of Criminology*, 32, 173-184.

Huddleston, C.W., Freeman-Wilson, K., & Marlowe, D.B. (2005). Painting the Current Picture: A National Report Card on Drug Courts and Other Problem Solving Court Programs in the United States. *National Drug Court Institute*, 1(2).

Kelly, P. & Stemen, D. (2005). Probation Reform: Is Zero Toleranc a Viable Option? *Research and Practice Forum*, 1-8.

Johnson, J.L. (2007). Does Employment Help Reduce Recidivism for Federal Offenders. *News & Views*, 32(3), 1-8.

Lindquist, C., Harrison, J., & Lattimore, P.K. (2003). Reentry Courts Process Evaluation Phase 1. RTI International Health, Social, and Economics Research, Research Triangle Park, NC .

Marlowe, D.B., DeMatteo, D.S., & Festinger, D.S. (2003). A Sober Assessment of Drug Courts. *Federal Sentencing Reporter*, 16(1), 113-128.

Marlowe, D.B., Festinger, D.S., & Lee, P.A. (2004). The Judge is a Key Component of Drug Court. *Drug Court Review*, IV (2), 1-34.

Marlowe, D.B., Heck, C., Huddleston, C.W., Casebolt, R. (2006). A National Research Agenda



for Drug Courts: Plotting the Course for Second-Generation Scientific Inquiry. *Drug Court Review*, V(2), 1-27.

National Association of Drug Court Professionals. (1997). *Defining Drug Courts: The Key Components*. Washington, DC: Drug Courts Program Office, Office of Justice Programs, U.S. Department of Justice.

National Drug Court Institute. (2006). *Local Drug Court Research: Navigating Performance Measures and Process Evaluations*. Alexandria, VA: Bureau of Justice Assistance, Office of Justice Programs, U.S. Department of Justice.

Office of Probation and Pretrial Services: Administrative Office of the United States Courts. (2005). *The Supervision of Federal Offenders, Monograph 109*.

Petersilia, J. (2004). What Works in Prisoner Reentry? Reviewing and Questioning the Evidence. *Federal Probation*, 68(2), 4-8.

Prochaska, J.O. & DiClemente. (1986). Toward a Comprehensive Model of Change. In W.R. Miller & N. Heather (Eds.), *Treating Addictive Behaviors: Processes of Change*. New York: Plenum Press.

Stufflebeam, D.L. & Shinkfield, A.J. (1985). *Systematic Evaluation: A Self-Instructional Guide to Theory and Practice*. Boston: Kluwer-Nijhoff.

Taxman, F. S. (2002). Supervision-Exploring the Dimensions of Effectiveness. *Federal Probation*, 66(2), 14-26.

Travis, J. (2003). In Thinking About "What Works," What Works Best? *The Margaret Mead Address at the National Conference of the International Community Corrections Association*. Speech.

United States Department of Justice. (2006). *Report to Congress on the Feasibility of Federal Drug Courts*.

### **Motivational Interviewing Training in Criminal Justice: Development of a Model Plan**

Andrews, D. A., & Bonta, J. (2003). *The psychology of criminal conduct* (3rd ed.). Cincinnati: Anderson Publishing Co.

Andrews, D. A., Zinger, I., Hoge, R. D., Bonta, J., Gendreau, P., & Cullen, F. T. (1990). Does correctional treatment work? A clinically relevant and psychologically informed meta-analysis. *Criminology*, 28(3), 369-404.

Armhein, P. C., Miller, W. R., Yahne, C. E., Palmer, M., & Fulcher, L. (2003). Client commitment language during motivational interviewing predicts drug use outcomes. *Journal of Consulting and Clinical Psychology*, 71, 862-878.

Baker, A., Lewin, T., Reichler, H., Clancy, R., Carr, V., Garrett, R., et al. (2002). Evaluation of a motivational interview for substance use within psychiatric in-patient services. *Addiction*, 97(10), 1329-1337.

Bem, D. J. (1972). Self-perception theory. In L. Berkowitz (Ed.), *Advances in Experimental Social Psychology* (Vol. 6, pp. 1-62). New York: Academic Press.

Daley, D. C., Salloum, I. M., Zuckoff, A., Kirisci, L., & Thase, M. E. (1998). Increasing treatment adherence among outpatients with depression and cocaine dependence: results of a pilot study. *The American Journal of Psychiatry*, 155(11), 1611-1613.

Ginsburg, J. I., Weekes, J. R., & Boer, D. P. (2000). *Assessing treatment motivation in alcohol abusing offenders following a motivational interview*. Paper presented at the 61st Annual

Convention of the Canadian Psychological Association, Ottawa, ON, Canada.

Harper, R., & Hardy, S. (2000). An evaluation of motivational interviewing as a method of intervention with clients in a probation setting. *British Journal of Social Work, 30*(3), 393-400.

Heather, N., Rollnick, S., Bell, A., & Richmond, R. (1996). Effects of brief counselling among male heavy drinkers identified on general hospital wards. *Drug and Alcohol Review, 15*(1), 29-38.

Hettema, J., Steele, J., & Miller, W. R. (2005). Motivational Interviewing. *Annual Review of Clinical Psychology, 1*, 91-111.

McMurrin, M. (in press). Motivational interviewing with offenders: A systematic review. *Legal & Criminological Psychology*.

Miller, W. R. (2000). Rediscovering fire: small interventions, large effects. *Psychology of Addictive Behaviors 14*(1), 6-18.

Miller, W. R., Meyers, R. J., & Tonigan, J. S. (1999). Engaging the unmotivated in treatment for alcohol problems: A comparison of three strategies for intervention through family members. *Journal of Consulting and Clinical Psychology, 67*(5), 688-697.

Miller, W. R., & Mount, K. A. (2001). A small study of training in motivational interviewing: Does one workshop change clinician and client behavior? *Behavioural and Cognitive Psychotherapy, 29*, 457-471.

Miller, W. R., & Moyers, T. B. (2006). Eight stages in learning motivational interviewing. *Journal of Teaching in the Addictions, 5*, 3-17.

Miller, W. R., & Rollnick, S. (2002). *Motivational interviewing: Preparing people for change* (2nd ed.). New York: Guilford Press.

Miller, W. R., Yahne, C. E., Moyers, T. B., Martinez, J., & Pirritano, M. (2004). A randomized trial of methods to help clinicians learn motivational interviewing. *Journal of Consulting and Clinical Psychology, 72*, 1050-1062.

Moyer, A., Finney, J. W., Swearingen, C. E., & Vergun, P. (2002). Brief interventions for alcohol problems: a meta-analytic review of controlled investigations in treatment-seeking and non-treatment-seeking populations. *Addiction, 97*(3), 279-292.

Moyers, T. B., Martin, T., Manuel, J. K., & Miller, W. R. (2003). The Motivational Interviewing Treatment Integrity (MITI) code. *Unpublished manuscript*.

Prochaska, J. O., DiClemente, C. C., & Norcross, J. C. (1992). In search of how people change: Applications to addictive behaviors. *American Psychologist, 47*(9), 1102-1114.

Project MATCH Research Group. (1998). Matching alcoholism treatments to client heterogeneity: Project MATCH three-year drinking outcomes. *Alcoholism, Clinical and Experimental Research, 22*(6), 1300-1311.

Resnicow, K., DiIorio, C., Soet, J. E., Borrelli, B., Ernst, D., Hecht, J., et al. (2002). Motivational Interviewing in medical and public health settings. In W. R. Miller & S. Rollnick (Eds.), *Motivational Interviewing: Preparing people for change* (2nd ed., pp. 251-269). New York: Guilford Press.

Resnicow, K., Dilorio, C., Soet, J. E., Borrelli, B., Hecht, J., & Ernst, D. (2002). Motivational interviewing in health promotion: It sounds like something is changing. *Health Psychology, 21*(5), 444-451.

Rogers, C. R. (1961). *On becoming a person: A therapist's view of psychotherapy*. Boston:

Houghton Mifflin.

Rollnick, S., & Heather, N. (1992). Negotiating behaviour change in medical settings: The development of brief motivational interviewing. *Journal of Mental Health, 1*(1), 25-37.

Rubak, S., Sandboek, A., Lauritzen, T., & Christensen, B. (2005). Motivational interviewing: A systematic review and meta-analysis. *British Journal of General Practice, 55*(513), 305-312.

Skeem, J., Encandela, J., and Eno Loudon, J. (2003). Perspectives on Probation and Mandated Mental Health Treatment in Specialized and Traditional Probation Departments. *Behavioral Sciences and the Law, 21*, 429-458.

Skeem, J., Eno Loudon, J., Polaschek, D., and Camp, J. (2007). Assessing Relationship Quality in Mandated Community Treatment: Blending Care with Control. *Psychological Assessment, 19* (4), 397-410.

Walters, S. T., Alexander, M., & Vader, A. M. (in press). The Officer Responses Questionnaire: A Procedure for Measuring Reflective Listening in Probation and Parole Settings. *Federal Probation*.

Walters, S. T., Clark, M. D., Gingerich, R., & Meltzer, M. (2007). *Motivating offenders to change: A guide for probation and parole*. Washington DC: National Institute of Corrections, U.S. Department of Justice.

Walters, S. T., Matson, S. A., Baer, J. S., & Ziedonis, D. M. (2005). Effectiveness of workshop training for psychosocial addiction treatments: A systematic review. *Journal of Substance Abuse Treatment, 29*(4), 283-293.

Woodall, W. G., Delaney, H. D., Kunitz, S. J., Westerberg, V. S., & Zhao, H. (2007). A Randomized trial of a DWI intervention program for first offenders: Intervention outcomes and interactions with antisocial personality disorder among a primarily American-Indian sample. *Alcoholism: Clinical and Experimental Research, 31*(6), 974-987.

### **The Officer Responses Questionnaire: A Procedure for Measuring Reflective Listening in Probation and Parole Settings**

Armhein, P. C., Miller, W. R., Yahne, C. E., Palmer, M., & Fulcher, L. (2003). Client commitment language during motivational interviewing predicts drug use outcomes. *Journal of Consulting and Clinical Psychology, 71*, 862-878.

Baer, J. S., Rosengren, D. B., Dunn, C. W., Wells, E. A., Ogle, R. L., & Hartzler, B. (2004). An evaluation of workshop training in motivational interviewing for addiction and mental health clinicians. *Drug and Alcohol Dependence, 73*, 99-106.

Cicchetti, D. V. (1994). Guidelines, criteria, and rules of thumb for evaluating normal and standardized assessment instruments in psychology. *Psychological Assessment, 6*, 284-290.

Gordon, T. (2003). *Teacher Effectiveness Training*. New York: Three Rivers Press.

Hettema, J., Steele, J., & Miller, W. R. (2005). Motivational Interviewing. *Annual Review of Clinical Psychology, 1*, 91-111.

Madson, M. B., & Campbell, T. C. (2006). Measures of fidelity in motivational enhancement: A systematic review. *Journal of Substance Abuse Treatment, 31*, 67-73.

McMurrin, M. (in press). Motivational interviewing with offenders: A systematic review. *Legal & Criminological Psychology*.

Miller, W. R. (2000). The motivational interview skills code (MISC). *Unpublished manuscript*.

Miller, W. R., & Baca, L. M. (1983). Two-year follow-up of bibliotherapy and therapist-directed controlled drinking training for problem drinkers. *Behavior Therapy, 14*, 441-448.

Miller, W. R., Hendrick, K. E., & Orlofsky, D. R. (1991). The Helpful Responses Questionnaire: A procedure for measuring therapeutic empathy. *Journal of Clinical Psychology, 47*, 444-448.

Miller, W. R., & Mount, K. A. (2001). A small study of training in motivational interviewing: Does one workshop change clinician and client behavior? *Behavioural and Cognitive Psychotherapy, 29*, 457-471.

Miller, W. R., & Moyers, T. B. (2006). Eight stages in learning motivational interviewing. *Journal of Teaching in the Addictions, 5*, 3-17.

Miller, W. R., & Rollnick, S. (2002). *Motivational interviewing: Preparing people for change* (2nd ed.). New York: Guilford Press.

Miller, W. R., Yahne, C. E., Moyers, T. B., Martinez, J., & Pirritano, M. (2004). A randomized trial of methods to help clinicians learn motivational interviewing. *Journal of Consulting and Clinical Psychology, 72*, 1050-1062.

Moyers, T. B., Martin, T., Manuel, J. K., & Miller, W. R. (2003). The Motivational Interviewing Treatment Integrity (MITI) code. *Unpublished manuscript*.

Rosengren, D. B., Baer, J. S., Hartzler, B., Dunn, C. W., & Wells, E. A. (2005). The video assessment of simulated encounters (VASE): Development and validation of a group-administered method for evaluating clinician skills in motivational interviewing. *Drug and Alcohol Dependence, 79*, 321-330.

Rubak, S., Sandboek, A., Lauritzen, T., & Christensen, B. (2005). Motivational interviewing: A systematic review and meta-analysis. *British Journal of General Practice, 55*, 305-312.

Walters, S. T., Clark, M. D., Gingerich, R., & Meltzer, M. (2007). *Motivating offenders to change: A guide for probation and parole*. Washington DC: National Institute of Corrections, U.S. Department of Justice.

Walters, S. T., Matson, S. A., Baer, J. S., & Ziedonis, D. M. (2005). Effectiveness of workshop training for psychosocial addiction treatments: A systematic review. *Journal of Substance Abuse Treatment, 29*, 283-293.

### **Offender Workforce Development: A New (and Better?) Approach to an Old Challenge**

Burrell, W.D. Offenders, Employment, and the Workforce. *Community Corrections Report.14* (6).

Bush, J., B. Glick and J. Taymans (2001) *Thinking for a Change: Integrated Cognitive Behavior Change Program*. Washington, DC: National Institute of Corrections. Available at: <http://nicic.org/Library/016672>

Bushway, S., & Reuter, P. (1997). Labor Markets and Crime Risk Factors. In L. Sherman, et al. (Eds.), *Preventing crime: What works, what doesn't and what's promising*. A Report to the U.S. Congress. Washington, DC: Office of Justice Programs.

Gendreau, P., Goggin, C., & Gray, G. (1998). Employment. *Forum on Corrections Research, 10*(3). Available at [http://www.csc.gc/text/pblet/forum/e103/e103ind\\_e.shtml](http://www.csc.gc/text/pblet/forum/e103/e103ind_e.shtml).

Johnson, J.L. (2007). Does employment help reduce recidivism for federal offenders? *News and Views, 32*(3), 1-3.

Sampson, R.J., & Laub, J.H. (1993). *Crime in the making: Pathways and turning points through life*. Cambridge, MA: Harvard University Press.

Uggen, C., & Staff, J. (2001). Work as a turning point for criminal offenders. *Corrections Management Quarterly*,5(4), 1-16.

### **A Changing Role: Perspectives from Two Officers**

Bourgon, Guy; Bonta, James; Rugge, Tanya; Scott, Terri; Yassine, Anne. Strategic Training Initiative in Community Supervision (STICS): Technology Transfer of 'WHAT WORKS' to Probation. Presentation. American Society of Criminology Annual Meeting. Atlanta Georgia. November, 2007.

Bouge, Brad; Diebel, Jennifer; O'Connor, Tom. "Combining Officer Supervision Skills" *Journal of the American Probation and Parole Association Perspectives*. Volume 32. Number 2. Spring 2008. Pages 31-43.

Bonta, James; Rugge, Tanya. "Case Management in Manitoba Probation." Cat. No.: JS42-120/2004E-PDF.ISBN No.: 0-662-35694-2.

Joplin, Lore; Bouge, Brad; Campbell, Nancy; Carey, Mark; Clawson, Elyse; Faust, Dot; Florio, Kate; Wasson, Billy; Woodward, William. "Using an Integrated Model to Implement Evidence-Based Practices in Corrections" *International Community Corrections Association and American Correctional Association*. August, 2004. Pages 1-28.

White, Thomas F., "Re-Engineering Probation Towards Greater Public Safety: A Framework for Recidivism Reduction Through Evidence-Based Practice" April, 2005.

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### [Results-Based Management in Federal Probation and Pretrial Services](#)

#### [Research 2 Results \(R2R\) - The Pretrial Services Experience](#)

#### [Evidence-Based Practices in Federal Pretrial Services](#)

#### **Results-Based Management in Federal Probation and Pretrial Services**

<sup>1</sup>. Statutory duties are set forth at 18 U.S.C. section 3603. The federal probation system was established in 1925; its original mission was to supervise offenders placed on probation by the court. The mission was expanded to include parolees (1930), mandatory releasees (1932), military releasees ((1946), supervised releasees (1987) and conditional releasees (1992).

<sup>2</sup>. There are approximately 375 office sites, including headquarters and branch offices, in 94 districts.

<sup>3</sup>. Management authority, ultimately, is vested in the “court” itself, which is generally defined by statute as the judges for the circuit or district in regular active service. 28 U.S.C. ' ' 43(b), 132(b), 151. This authority is derived both from the court’ s inherent power to control its own operations and from a series of specific powers conferred by statute, including the authority to appoint and remove employees. The Director of the AO has statutory responsibilities for the courts, but has delegated substantial financial and administrative authority directly to chief judges. The chief judges, in turn, may sub-delegate authority to court unit executives, including chief probation and chief pretrial services officers. *Compendium of Chief Judge Authorities* (October 2002). Office of Judges Programs, Administrative Office of the United States Courts.

<sup>4</sup>. Each probation and pretrial services office is led by a chief who is appointed by the district court and is responsible for local office procedures and policy implementation. Chiefs report directly to the chief district judge or another district judge designated by the chief judge. At the district level, probation and pretrial services officers interact with local representatives of the executive branch law-enforcement agencies, state and local law enforcement agencies, federal and state social services agencies, local treatment providers, and community-based organizations.

<sup>5</sup>. The Judicial Conference of the United States makes policy for the administration of the United States courts (Section 331 of title 28). The Chief Justice of the United States is the presiding officer. Membership is comprised of the chief judge of each judicial circuit, the chief judge of the Court of International Trade, and a district judge from each regional judicial circuit. Judicial Conference committees review issues with established jurisdictions and make policy recommendations to the Conference. The probation and pretrial services program falls under the jurisdiction of the Committee on Criminal Law. The Administrative Office of the United States Courts (AO), Washington, DC assists in the development of the judiciary’s policies, and oversees their execution for the Judicial Conference. The AO Director has statutory

responsibilities to make recommendations concerning the work of probation and pretrial services officers to the courts, formulate rules for the proper conduct of their work, and promote the efficient administration of the probation system and the enforcement of probation laws in all United States courts (18 U.S.C. section 3672). The AO's Office of Probation and Pretrial Services (OPPS) has primary responsibility for the probation and pretrial services program, and works in collaboration with probation and pretrial services staff in the courts in working groups and advisory groups. OPPS also provides staff support to the Committee on Criminal Law.

6. The Committee instructed the AO to 1) develop the capacity to empirically measure results and 2) move in a strategic direction that would organize, staff, and fund the probation and pretrial services system in ways that promote mission-critical outcomes. JCUS-SEP 04. The Committee has received progress reports about building the results-based framework, fostering evidence-based practices, improving data quality, or strategic resourcing at each of its meetings since establishing the strategic direction in 2004.

7. The website is called "Research to Results" and includes information about the principles of EBP, implementation guidance, risk and needs assessments, evaluation, and resources available. Our newsletter, *News & Views*, has contained numerous articles about EBP and reentry initiatives in the courts. Also, the Office of Probation and Pretrial Services sends an email containing information of interest to chiefs every Friday. Many of those messages have conveyed information about evidence-based practices.

8. In 2006, we made presentations at the FJC's National Chiefs Conference in San Diego; the AO's Chief and Deputy Chief Administrative Meetings in St. Augustine, Scottsdale, and Redondo Beach; new chiefs orientation; treatment services training; and several district and circuit conferences. In 2007, we made presentations at the AO's Chief and Deputy Chief Administrative Meetings in Chicago, Boston and Las Vegas; the Defendant/Offender Workforce Development Conference in Charlotte; the FPPOA's National Training Institute in Nashville; treatment services training; a conference of chiefs from the 1 st, 2 nd, and 3 rd Circuits in Newport; the 9th Circuit chiefs in Honolulu; the 10th Circuit Conference in Jackson; the Tri-District Florida Conference in Miami; the 6th and 7th Circuit Conference in Lexington; new chiefs orientation; and several district-wide training conferences. In 2008, we made presentations at the FJC's National Chiefs Conference in Chicago; the AO's Chief and Deputy Chief Administrative Meetings in San Antonio and White Fish, MT; the Reentry Conference in Cleveland; the 4th Circuit Leadership Conference in Myrtle Beach; the Western Regional EBP and Treatment Services Conference in Los Angeles; the National Treatment Conference in Charlotte; the Research to Results (R2R) Training in Sioux City, Iowa, and several district-wide training conferences.

9. Among their initiatives, in 2008 the FJC scheduled programs for both district and magistrate judges on "Facilitating Offender Re-Entry to Reduce Recidivism: Innovative and Evidence-based Practices in the Federal Courts"; they have also included materials on Re-Entry and the "Research to Results" Grantee Districts for Evidence-based Practices in conference materials and on their IntraWeb site.

10. There are 16 districts participating: Delaware, Hawaii, Illinois Central, Iowa Northern, Michigan Eastern, Michigan Western, Massachusetts, Minnesota, Missouri Eastern, Nebraska, Nevada, New Hampshire, New York Western, North Dakota, Oregon, and South Dakota. There are 18 sites because both the probation office and the separate pretrial services office in Hawaii and Michigan Eastern are participating.

11. The Federal Judicial Center (FJC) was created by Congress in 1967 as the education and research agency for the federal courts.

12. Of course "nothing works" is a phrase commonly used by "get tough" politicians and others following the publication of *What Works? - Questions and Answers About Prison Reform*, Robert Martinson, *The Public Interest*, Number 35, Spring 1974.

13

13. Participants also agreed on four other goals for the future: the system will require all its components to cooperate for effective continuity of service; collaboration and communication in service to the whole will lead to success; offender supervision should move from the office to the community; and staff should share a commitment to the mission and treat all persons with dignity and respect .

14. from *Summary of the Futures Workshops at the Federal Judicial Center's Chief U.S. Probation and Pretrial Services Officers' 2000 National Conference* (unpublished FJC report).

15. The standing membership of the Charter Committee is: 1) the chair of the FJC's Training & Education Committee, 2) the chair of the AO's Chiefs Advisory Group, 3) one staff member of the AO's Office of Probation and Pretrial Services, 4) one staff member of the FJC's Education Division; and two to four persons selected as at-large members by committee consensus based on demonstrated commitment to implementing the *Charter*.

16. The FJC intranet site contains a Charter Self-Assessment tool, a Charter Implementation Guide, and Ten Tools to Shape District Culture. The ten tools are:

1. Organize regular forums on a regular basis for giving and receiving feedback on the state of the district's culture.
2. Foster horizontal and vertical communication to empower all in decision making.
3. Give positive reinforcement to staff who demonstrate the values.
4. Speak at every annual and district meeting about the values, beliefs, and behaviors that comprise the district's culture.
5. Plan and hold events to celebrate actions and achievements that are true to the district values and beliefs.
6. Make sure that management staff have a clear grasp of and a commitment to the preferred culture in order to ensure continuity at the point of your retirement.
7. Model the values, beliefs, and actions that you want.
8. Involve staff in the development of "culture-defining statements," such as vision, mission, core values, and guiding principles.
9. With all staff, develop a list of the "Ten Cultural Imperatives" that epitomize what must be in place in the district to have an excellent workplace culture.
10. Hire and promote those who share the core values.

17. The Administrative Office of the United States Courts awarded a contract in September 2000 to PricewaterhouseCoopers. In 2002, IBM Global Services purchased the consulting arm of PricewaterhouseCoopers. The staff originally assigned to the project continued to work on it as part of IBM Business Consulting Services. IBM led a team that included The Urban Institute's Justice Policy Center and Wooten Associates, Inc. The lead AO staff member was Senior Policy Analyst Barbara Meierhoefer.

18. There were six focus group sites that were termed "cluster site visits" because in addition to the six "host districts," there were representatives from fourteen more districts in attendance. All circuits were represented, but the focus groups were not considered to be "representative" of the system as a whole. Rather they were selected as examples to illustrate how local differences can affect the issues that officers face and the day-to-day nature of their work. The visits were for two-and-one-half days and were run by the IBM Study Team with the assistance of a staff member from the AO's Office of Probation and Pretrial Services.

19. The surveys were distributed to 155 randomly selected district judges with a return of 110 (71 percent), and to 150 randomly selected magistrate judges with a return of 115 (77 percent).

20. A total of 129 of the 130 chief probation and chief pretrial services officers completed the survey in January 2002. The return rate of 99 percent was described as "astonishing" by the IBM project manager. The survey collected information office organization and case management practices; programmatic and administrative expertise; field equipment and telecommuting; management and communication; planning and assessment; office information systems; staff



recruitment; retention, skills and training; program services; local practices; supervision policies; and support from central agencies, including the AO.

<sup>21</sup>. The Study Team looked at the state systems in New York, California, and Texas, and the national systems of Canada and the United Kingdom.

<sup>22</sup>. The working group was chaired by Chief Probation Officer David Sanders (Nevada). The lead AO staff person was Senior Policy Analyst Barbara Meierhoefer. The working group members were Chief Probation Officer Terry Callahan (Utah); Chief Probation Officer Elaine Terenzi (Florida Middle); Chief Pretrial Services Officer Hence Williams (New Mexico); Deputy Chief Probation Officer Antony San Giacomo (New York Western); Deputy Chief Probation Officer Tom Sanders (Texas Eastern); Assistant Deputy Chief Sandra Fry (Texas Northern); Senior Education Specialist Kate Lynott (Federal Judicial Center). Many others were involved in subcommittees or helped review and comment on drafts.

<sup>23</sup>. With input from the Chiefs Advisory Group, the Study Team was also able to establish preliminary functional goals. For the overall goal of executing the sentence, the group suggested the following operational goals: pay maximum, feasible amount of fines and restitution; complete community service; support dependents; and adhere to other conditions imposed. To bring about offender success the group suggested the following operational goals: improve employment status; reduce substance abuse; improve mental health stability; improve family/community stability; and commit no new crime during or beyond the period of supervision.

<sup>24</sup>. The RPI is a statistical model developed by the Federal Judicial Center and approved by the Judicial Conference of the United States in March 1997. While the model is static and is used only at the beginning of a term of supervision, it has been tested extensively and shown to be a strong predictor of recidivism for federal offenders.

<sup>25</sup>. We posted an implementation package intended for use at the local level on the judiciary's intranet. The FJC produced a broadcast on the Federal Judicial Television Network in March 2003 to introduce the new monograph and explain its significance. Between July and November 2003, the FJC delivered a program called "Supervising for Results" at circuit-wide conferences in all circuits. The FJC also made available an array of training programs in areas that reinforced key principles, including those for supervising substance abusers, sex offenders, and cyber-criminals. The AO established "points-of-contact" (POC) in each district to facilitate and exchange of information. Most communications were by email, but in 2004 and 2005, the AO also brought together groups of POC from across the country for face-to-face training. The POC model proved helpful not only in providing information to the courts about the new monograph, but in obtaining information from the officers trying to implement the new policies.

<sup>26</sup>. The working group was chaired by Chief Probation Officer Elaine Terenzi (Florida Middle). The working group members were Chief Probation Officer Chris Hansen (Nevada); Chief Pretrial Services Officer Holly Renner High (Ohio Southern); Chief Probation Officer Theodore Johnson (Pennsylvania Western); Chief Pretrial Services Officer Donald Ranheim (Nebraska); Chief Probation Officer Valerie Martin (Michigan Western); Chief Probation Officer Vanessa Thurman (Oklahoma Western), Drug and Alcohol Treatment Specialist David Sem (Vermont); and Kate Lynott (Federal Judicial Center). AO staff included Probation Program Administrators Scott VanBenschoten and Michelle Spidell, and Program Services Branch Chief Kimberly Moseley Golder. Many others helped review and comment on drafts.

<sup>27</sup>. The new concepts were introduced at circuit and regional training in the spring of 2008 for substance abuse and mental health treatment specialists. Face-to-face training is planned for circuit and regional conferences in fiscal year 2009.

<sup>28</sup>. The panel members were James Eaglin, Director of Research for the Federal Judicial Center; William Sayler, Director of Research for the Federal Bureau of Prisons, William Burrell from Temple University, and Faye Taxman from Virginia Commonwealth University. Dr. Barbara Meierhoefer, Senior Policy Analyst at the AO, facilitated the discussions. A subsequent

meeting of the panel in July 2005 also included Calvin Johnson, Research Director for the District of Columbia's Court Services and Offender Supervision Agency.

<sup>29</sup>. Official sources included: Administrative Office of the U.S. Courts, American Psychiatric Association, Department of Health and Human Services, Department of Justice, Department of Labor, Federal Bureau of Investigation, Federal Bureau of Prisons, Internal Revenue Service, National Criminal Justice Reference Service, and the National Institutes of Health.

<sup>30</sup>. The contractor provided definitions for the various types of counseling and treatment, categories of mental disorder, earnings, education level, employment, family stability, home confinement, marital status, offense types, prior criminal history, referral for service, relapse, remote location monitoring, residence, restitution, risk level, sex offender, substance abuse, technical violation, travel restrictions, and wages.

<sup>31</sup>. The contractor made other recommendations regarding data quality, data reduction, and data analysis. Data reduction is a process applied when the goal is to aggregate or amalgamate information contained in large data sets into more manageable information. They presented several types of analysis, including univariate and bivariate analysis, logistic regression, survival modeling, linear and multiple regression, and trend analysis (*From Theory to Practice: The Lifecycle Document for the Results-based Management Framework for the Federal Probation and Pretrial Services System* (November 2005). Caliber, an ICF Consulting Company, Fairfax, Virginia). Reprinted in *Federal Probation*. (September 2006).

<sup>32</sup>. The contractor is Abt Associates. For more information see their Web site at: [www.abtassociates.com/index.cfm](http://www.abtassociates.com/index.cfm)

<sup>33</sup>. The chair of the working group is Assistant Deputy Chief Probation Officer Jeff Chambers (South Dakota). Other members are Pretrial Services Officer Joely Andrews (Florida Middle), Probation Officer Chris Deglow (Kentucky Western), Probation Officer Specialist Frank Fuller (Virginia Western), Deputy Chief Pretrial Services Officer Sean Harmon (Texas Southern), Supervisory Probation Officers Peter Merrigan (New York Southern), Rod McKone (Arizona), Ray Owens (Florida Middle), and Robert Walford (California Southern), and Drug and Mental Health Specialist Frank Smith (Florida Southern). Officer Standards Branch Chief Janette Sheil and PACTS Program Manager Kathy Ryan co-facilitate the group for the Office of Probation and Pretrial Services at the AO.

<sup>34</sup>. Case Management/Electronic Case Filing (CM/ECF), FAST, Civil/Criminal Accounting Module (CCAM) and Human Resources Management Information System (HRMIS).

<sup>35</sup>. We now have a link to the Bureau of Prisons' *Sentry* system. Among other uses, *Sentry* enables us to develop the Offender Projected Release Reporting Module in 2006. This module enables probation officers to search BOP records and view information on offenders scheduled for release, which helps officers with their pre-release plans.

<sup>36</sup>. National Criminal Information Center (NCIC) and Uniform Crime Reporting (UCR) systems.

<sup>37</sup>. Others include the Bureau of Justice Statistics, Department of Labor, Internal Revenue Service, and Social Security Administration.

<sup>38</sup>. The Decision Support System project began in 2005 in coordination with the Administrative Office's Information Technology Project Management Process. Detailed functional and technical requirements were documented in *DSS Functional Requirements, Version 1.0*, and approved in January 2007.

<sup>39</sup>. In March 2006, the AO convened a working group of chief probation and chief pretrial services officers and AO staff to begin to discuss how DSS might be useful at both the district and national level. The working group saw a demonstration of prototype that could be accessed using a web browser and also how they could easily change how information is presented. For

example, they looked at post-conviction supervision information and were able to see supervision cases at the national level and B with a few clicks B could change the display to a circuit, district, office, and even to a single case. The working group members in March 2006 were Chief Probation Officer David Keeler (Michigan Eastern); Chief Probation Officer Christopher Maloney (New Jersey); Chief Pretrial Services Officer Timothy McTighe (Washington Eastern); Chief Probation Officer Richard Houck (DC). AO staff included Deputy Assistant Director Matthew Rowland; Senior Policy Analyst Dr. Barbara Meierhoefer; and DSS Project Manager Paul Halvorson

<sup>40</sup>. The Chiefs Advisory Group provides advice on all matters concerning the probation and pretrial services system; its members are elected by their peers and appointed for two-year terms by the AO Director. Other groups are appointed for specific purposes. Those appointed for purposes related to becoming an outcome-based system are the Decision Support Working Group; the Supervision of Federal Offenders Working Group; the Substance Abuse and Mental Health Working Group; the National PACTS Working Group; the PACTS Modification Working Group; the Technology Advisory Group; and the Treatment Expert Group.

<sup>41</sup>. At various times, we have consulted Faye Taxman, George Mason University ( May 16, 2007; July 31, 2007), Christopher Lowenkamp, University of Cincinnati (May 16, 2007 ); Ed Latessa, University of Cincinnati (November 21, 2006).

<sup>42</sup>. In 2006, we held Chief and Deputy Chiefs Administrative Meetings in St. Augustine, Scottsdale, and Redondo Beach; in 2007 we held them in Chicago, Boston, and Las Vegas; the 2008 schedule includes San Antonio, White Fish (MT), and Fort Lauderdale; the 2009 schedule includes Myrtle Beach, Santa Fe, and New York City.

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## Research 2 Results (R2R) - The Pretrial Services Experience

<sup>1</sup> See National Institute of Corrections and the Crime and Justice Institute, “*Implementing Evidence-Based Practice in Community Corrections: The Principles of Effective Intervention*,” April 30, 2004 .

<sup>2</sup> See Marie VanNostrand, Ph.D. “*Legal and Evidence Based Practices: Application of Legal Principles, Law, and Research to the Field of Pretrial Services*” (National Institute of Corrections and Crime and Justice Institute, 2007).

<sup>3</sup> The National Institute of Corrections and the Crime and Justice Institute published a series of three articles during April 2007; *Implementing Evidence-Based Principles in Community Corrections: (1) Leading Organizational Change and Development; (2) The Principles of Effective Intervention; and (3) Collaboration for Systemic Change in the Criminal Justice System*.

<sup>4</sup> National Institute of Corrections and the Crime and Justice Institute, “*Implementing Evidence-Based Practice in Community Corrections: The Principles of Effective Intervention*,” April 30, 2004, p. 2.

<sup>5</sup> Ibid., p. 1.

<sup>6</sup> Ibid.

<sup>7</sup> Ibid.

<sup>8</sup> See Title 18, United States Code, section 3142.

<sup>9</sup> Ibid.

<sup>10</sup> See Marie VanNostrand, Ph.D. “*Legal and Evidence Based Practices: Application of Legal*

*Principles, Law, and Research to the Field of Pretrial Services*” (National Institute of Corrections and Crime and Justice Institute, 2007), pp.1-8 for a thorough review of the applicable legal principles.

<sup>11</sup> The FTA violation statistics are compiled by the Administrative Office of the United States Courts, Office of Probation and Pretrial Services (OPPS), and are reported in the Probation and Pretrial Services Automated Case Tracking System (PACTS), Table H-13. For the 12-month period ending December 31, 2007, PACTS data reflects a total of 181,368 cases opened nationally, of which 77,939 cases were in release status. Of these cases in release status, 8,284 (10.6%) reported violations, including 561 FTA violations. The national FTA rate is less than 1% of the total cases released.

<sup>12</sup> Fugitive statistics are compiled by OPPS and are reflected in PACTS, Table H-13. For the 12-month period ending December 31, 2007, there were 95,537 cases closed. Of these, 689 cases were closed as fugitive cases. The national fugitive rate is less than 1% of the total cases closed.

<sup>13</sup> Release and detention statistics are compiled by OPPS and are reflected in PACTS, Tables H-14 (with immigration cases) and 14A (excludes immigration cases). For the 12-month period ending December 31, 2007, the national detention rate (excluding immigration cases) was 51.8% (35,986 cases out of 69,479).

<sup>14</sup> Pretrial Services violations are compiled by OPPS and are reflected in PACTS, Table H-15. For the 12-month period ending December 31, 2007, there were a total of 2,116 violations related to re-arrest activity (2,116 out of 77,939 cases released) and an additional 7,460 technical violations reported.

<sup>15</sup> Marie VanNostrand, Ph.D. “*Legal and Evidence Based Practices: Application of Legal Principles, Law, and Research to the Field of Pretrial Services*” (National Institute of Corrections and Crime and Justice Institute, 2007),

<sup>16</sup> Ibid., pp. 14-15.

<sup>17</sup> Ibid., pp. 11-12.

<sup>18</sup> Ibid.

<sup>19</sup> Ibid., p. 12.

<sup>20</sup> Ibid., p. 16.

<sup>21</sup> Ibid., pp. 1-2.

<sup>22</sup> Ibid., p. 17.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid., pp. 3-8.

<sup>25</sup> Ibid., pp. 8-10.

<sup>26</sup> See Marie VanNostrand, Ph.D. “*Legal and Evidence Based Practices: Application of Legal Principles, Law, and Research to the Field of Pretrial Services*” (National Institute of Corrections and Crime and Justice Institute, 2007), pp. 18-22.

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## **Evidence-Based Practices in Federal Pretrial Services**

<sup>1</sup> The current pretrial services/post-conviction EBP debate brings to mind the kidnaping of John Augustus by students of probation history in referring to him as the first probation officer. In

reading *John Augustus: First Probation Officer*, it's obvious that John Augustus was in fact the first pretrial services officer. See for example Augustus' recollections that "During the year 1846 I became bail to the amount of about \$3,000, in Police Court, having bailed between sixty and seventy persons. That year I became surety for eleven boys, who were arrested for larceny...." *John Augustus: First Probation Officer*. National Probation Association, New York, New York (1939) Page 33.

2. Cullen, Myer, and Latessa "Eight Lessons From Moneyball" p. 4.
3. VanNostrand, Marie, Luminosity Organizational Assessment Report.

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