Violence and Gun Violence among Justice-Involved Persons: Practice Guidelines for Probation Staff[1]

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INDIVIDUALS ON COMMUNITY supervision who are convicted of violent offenses, have a history of gun violence, and/or have been a victim of gun violence present unique challenges. Probation staff can play an important role in helping individuals address their thinking, behaviors, and/or involvement in situations likely to lead to violence. This article reviews existing practices to highlight effective approaches for supervising individuals that are violent, have a violent or gun offense, and/or are violence-prone. The article distinguishes between anger and aggression, provides an overview of efforts to manage such individuals, and reviews interventions better suited to address violence. A number of promising practices are also identified, such as cognitive behavioral therapy (CBT), contingency management (incentives), and efforts to provide structure and supports (e.g., violence interrupters and focused deterrence) can be integrated into supervision to promote non-violent attitudes and behaviors. These approaches rely on a strong working relationship (alliance) between the officer and individual on supervision to achieve positive results.

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In 2020, 25 percent of individuals on probation supervision had a violent offense as their most serious offense (5 percent had a domestic violence charge, 4 percent had a sex offense, and 16 percent had another violent offense) (Kaeble, 2021). For those on parole supervision, 36 percent had a violent offense (11 percent were sex offenses) (Kaeble, 2021). It is unknown how many individuals under supervision had a gun involved in their offense. Probation and parole staff are charged with supervising individuals with known presenting charges that are violent, yet little attention has been given to how to best manage individuals with violence offenses or histories of violence. And national data do not provide information on the past histories of individuals being supervised who have a violent offense and/or are a victim of a crime involving violence.

Estimating the size and scope of violence is difficult due to the various ways that violence can be measured. Some strategies to measure violence include calculating the number of 1) violent crimes committed (from victimization studies); 2) homicides committed; 3) suicides using a weapon; and 4) deaths from a weapon. The FBI reports that there were 1,206,836 violent crimes in 2018, of which 72.7 percent were murders, 38.5 percent were robberies, and 26.1 percent were aggravated assaults that used a gun (Federal Bureau of Investigation [FBI], 2019). The Centers for Disease Control (CDC) reports that 1.5 million individuals are treated in emergency departments for assault and that an estimated 19,000 homicides occur for youth between 15-34 years old (CDC, 2021). Finally, over 24,000 individuals committed suicide in 2021 with a gun (CDC, 2021). With current concerns over gun violence, the following is designed to be a primer on the state of supervision with an emphasis on some promising approaches for managing individuals involved in violent behaviors, including the use of guns.

What Do Probation Staff Need to Know about Violence?

Violence and gun violence are both a public safety and public health concern. Both involve a pattern of behavior related to how an individual responds to other people and situations. Violent crime usually refers to four types of offenses: murder and nonnegligent manslaughter, rape, robbery, and aggravated assault. Violent crimes involve some type of force or threat of force. While this definition exists, it is not standard across states and/or supervision agencies. In fact, some agencies extend the violent crime definition to include gang involvement, domestic violence or intimate partner violence, and various types of assault.

Violence can manifest itself in different forms. Most often it is considered to be anger and/or aggression, although the two are often confused. Anger is an *emotion* that people primarily feel inside. Aggression is *behavior*

others can observe. The relationship between anger and aggression is not very clear. While anger prepares the body for the "fight," most anger episodes do not actually lead to aggressive responses (Averill, 1983; Tafrate et al., 2002). Anger is a bit of a conundrum. It is universal and familiar but also misunderstood. In the current diagnostic mental health system, there is no category for people with anger, even though anger dysregulation difficulties are commonplace (Lachmund et al., 2005; Okuda et al., 2015). Anger is not considered a traditional criminal risk factor, although managing anger responses appears to be common in justice-involved populations, and anger is the emotion most likely to be connected to violent behavior (Novaco, 1994, 2011a, 2011b; Skeem et al., 2006).

It is important to recognize that anger is our built-in threat-protective system (DiGiuseppe & Tafrate, 2007; Kassinove & Tafrate, 2019; Potegal & Novaco, 2010), which is a reaction to perceived threats. Threats can take various forms, such as when one feels bullied by others, when a driver cuts us off on the road, when someone says something that is disrespectful, and so on. Anger is complex because people have quick thoughts that go through their minds. Threats can induce physiological and/or biological reactions that cause heart rates to increase, muscles to become tense, and chemicals such as adrenaline to be released to provide energy to react quickly in perceived or real dangerous situations. Aggression, on the other hand, is behavior that can be observed, such as throwing things, hitting, and kicking, as well as indirect actions such as vandalizing property. Aggression can sometimes occur without any anger at all. It is also possible for anger to lead to aggression (and other negative outcomes).

Because of the complicated relationship between anger and aggression, probation staff will have to take the time to probe to understand the role that anger plays in aggressive incidents, as well as in other areas of the individual's life (relationships, employment, etc.). Anger can facilitate aggression in many situations that may look, based on the criminal record, to be purely instrumental in nature. This will require officers to be educated to understand anger and aggression, as well as how to supervise individuals that are violence-prone due to anger or aggression issues.

How Do Existing Supervision Strategies Affect How We Handle Individuals with Violent or Violence-Prone Behaviors?

We begin with a review of the contemporary knowledge and practice about supervision overall, and then disccuss how this applies to individuals that are violent and/or violence-prone, either as perpetrators or victims. The discussion presents the current state-of-the-art of supervision, and then discusses the gaps related to individuals that are considered violent or violence-prone. This section is intended to help agencies examine their policies and practices and help officers consider the tools that they use in supervision.

Probation agencies should recognize that differences in the type of violent behaviors should influence the supervision requirements. Differences exist in: 1) individuals convicted of a violent offense; 2) individuals involved in violence or the use of guns; 3) individuals that are victims of violence (which may predispose a person to use violence); and 4) individuals that are violent-prone due to temperament, situational factors, or prior incidents. Supervision strategies should be tailored to the engagement in violence, anger, or aggressive behaviors, or any concerns about how the individual responds to difficult situations.

An important first step for probation departments in determining how to supervise individuals is clarifying what offenses are classified as "violent" and their philosophy on how to address the different forms violence can take. To do this properly, probation departments should define what offenses result in a person's classification as "violent" and what modifications to the supervision plan should occur as a result (e.g., conditions, level of supervision, frequency of contact, etc.). Probation staff should be trained in the nuances of working with violent individuals within a supportive environment, particularly one that recognizes the risk factors for aggression and the need for respect for the individual. This training will allow officers to gain expertise in working with individuals to address violent tendencies.

Supervision goals. The goals of supervision are generally focused on achieving some balance between monitoring the individual's compliance with requirements of release and facilitating change. Addressing or mitigating violence is not typically a direct goal of supervision except to address public safety overall. Supervision is designed to deter noncompliant behavior, which means the emphasis is more on *reacting to* situations than on *preventing* certain behaviors. Often missing from the traditional approaches to supervision are specific preventative measures where procedures are used to prioritize individuals at higher risk for recidivism. The risk-need-responsivity model outlines a way to be responsive to the risk and needs of an individual, including prioritizing higher risk factors (primarily static) in treatment. For individuals that are violent or violent-prone, the supervision goals should focus on addressing the conditions that result in violence or in being violent prone.

Risk Assessment Tools. Over the last 40 years there has been a push for supervision agencies to use a standardized risk assessment tool. Risk assessment tools typically measure static factors (such as prior legal system interactions, prior arrests, and prior incarceration) to predict likelihood of recidivism, where recidivism can be for: 1) any new offense, 2) arrest, reconviction and/or incarceration, and 3) revocation due to noncompliance with supervision conditions. These instruments are typically designed to predict recidivism for any type of offense and/or compliance with supervision requirements. Of the various risk assessment tools used in community corrections, the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) standardized risk assessment tool is the only tool that directly assesses risk factors that predict violent recidivism separate from general recidivism (Brennan et al., 2009). Subscales on the COMPAS can identify individuals who are likely to be violent, where violence refers for the most part to person-related crimes. However, it should be noted that most instruments, including structured professional judgment tools, have limited ability to predict future violent behavior (Monahan & Skeem, 2014).

Most of the existing risk assessment tools used in community corrections do not include the use of lethal weapons, being a victim of a crime and/or prior gunshots, or other indicators that the individual is involved in/affected by violent behavior. Few existing instruments examine the nature of criminal behavior, including severity of behavior (for example, misdemeanors, felonies, violent, or use of a handgun) and/or frequency of the behavior.

In the police literature, there is ongoing research to predict future gun violence and identify high-risk offenders (Saunders et al., 2016). One such approach used police department data on 11 risk factors to identify the top

10 of the highest risk individuals involved in criminal behavior. These factors were number of arrests, number and type of field interviews, number of known victimizations, whether a person was a suspect in a current case, whether a person was identified as a subject in a crime analyst bulletin, prior involvement in a juvenile offending incident, involvement in a runaway incident from a local facility, prior involvement in a shot fired incident, involvement in jail incidents, and known gang membership (Wheeler et al., 2019). This tool was found to predict violent offending as well as victimization, but this has not been replicated in supervision settings.

Needs Assessment. The second part of many standardized assessment tools accounts for needs, making them "risk and need" assessment tools (referred to as third or fourth generation tools). The traditional criminogenic needs, as defined by Andrews and Bonta (2010), include criminal values, criminal peers, criminal history, criminal attitudes and opinions, substance use, education/employment, family issues, and leisure-time activities. These eight factors are considered dynamic (changeable) risk factors that contribute to offending behavior but can be changed through attention to evidence-based practices and treatments. The type of need items and related scales vary considerably across instruments, as discussed by Via, Dezember, and Taxman (2017). No standardized definitions exist for the criminogenic needs, and many of the tool developers select the constructs and variables that are of interest to them. Furthermore, the literature does not illustrate which definitions or criminogenic needs are predictive of exposure, proneness, or engagement in violent behaviors except for adverse childhood experiences. Ultimately, *none of the attitudinal or opinion measures included in the standard risk and need assessment instruments are geared to identify violence or violence-prone behaviors*. The federal risk and need assessment tool, Post Conviction Risk Assessment (PCRA), has a trailor to detect acute violence.

In sum, the current instruments do not assess community safety concerns that might be relevant to identifying violent and violence-prone behaviors, such as prior involvement with guns or other weapons, prior victimization (including being a gunshot victim), and/or living in a high-risk community where there is violence. That is, there are missed opportunities to identify needs that may make a person vulnerable to violence.

Most absent from the current instruments is the assessment of adverse childhood experiences. These childhood experiences are known to contribute to involvement in violent behavior, as well as other negative outcomes including depression and chronic diseases (such as diabetes or cardiac problems) (Felitti et al., 1998). The CDC refers to adverse childhood experiences as a public health crisis, given that half of the leading causes of death are associated with these experiences. As part of efforts to pay more attention to these factors and identify where individuals may be at risk for later health effects or violent behavior as a result, supervision agencies could adopt *The Adverse Childhood Experiences (ACE) Questionnaire* (Felitti et al., 1998). The ACE Questionnaire is a brief, 10-item measure that identifies 10 types of childhood trauma, including physical abuse, verbal abuse, sexual abuse, physical neglect, and emotional neglect. Availability of this information during probation terms could provide officers with valuable information not otherwise considered, that could have substantial effects on current behavior and coping. However, officers would need to be trained in how to gather sensitive information in the ACE Questionnaire, and then how to use that information in supervision. Trauma-informed care is advised.

Behavioral Chain Analysis. An officer can help the individual explore the reasons for aggressive and/or angry behavior that results in violence as well as the reasons for ceasing such behavior. The behavioral chain analysis is a good tool to examine the precursor to a violent act, costs and benefits of such actions, and alternative responses (see Rizvi & Ritschel, 2014). This is a complicated process; often the reaction that results in violence is due to situational issues such as securing one's safety or that of loved ones, not having the skills to (better) manage a situation, and not being able to acquire needed services to address emotional and/or physical issues. The behavioral chain analysis is a tool officers can use to help individuals examine the factors that affect an angry or aggressive (or both) response. Individuals may also self-medicate with alcohol and/or substances, which may further limit their ability to marshal internal resources to address issues related to violence.

Treatment Programs. At this point, there are no evaluated programs designed to address violence per se, but there are promising programs (see below). The closest programming relates to criminal thinking errors or cognitive restructuring, but neither is considered an evidence-based treatment, and there are few evaluations of the curricula. A few concerns exist with the current approach. First, the title "criminal thinking errors" labels a person and presumes that the decision-making is criminal instead of driven by underlying motivations such as revenge, greed, situational issues, and territoriality. Of course, many of these motivations are prevalent in people generally—including those not involved in the legal system. Second, there are few evaluations of the criminal thinking programs, and none that explore the impact of the programs on violence or being a victim of violence. This makes it unclear whether these programs impact violent behavior or increase awareness of the impact of violence on individuals. Third, the criminal thinking programs do not frequently address underlying issues related to trauma or mental health conditions (such as depression and anxiety). Fourth, there are other factors such as poverty, socialization to violence, food insecurity, and housing instability that create stress and affect how individuals respond. Finally, the programming often uses a quasi-cognitive-behavioral model that offers few practice sessions to help individuals learn to use the skills in "real world" scenarios. More attention is needed in developing treatment curricula and programming related to violence.

Violence Interrupters. A recent innovation, albeit one that has yet to find a solid evidence base, is violence interrupters located in the community. Violence interrupters are similar to peer navigators, who are assigned to help an individual navigate a myriad of life issues ranging from peers, to social supports, to social institutions. The violence interrupter is typically located in the community where the interrupter serves as a peer to assist individuals that are involved in violence and/or likely to be a victim of violence. One example is the Cure Violence Initiative (Butts et al., 2015), but there are also examples of violence interrupters that assist in reentry and during incarceration. Violence interrupters are recognized as pivotal in helping individuals make changes, including those where they have ownership over the changes (autonomy), feel confident that they can make changes (competence), and feel that they have the support of others (relatedness) (Ryan & Deci, 2000).

The term violence interrupter refers to individuals who have been formerly involved in violence. The belief is that violence interrupters can be used to help address factors related to violence and assist individuals in the community to navigate violence-prone

risk situations. Unfortunately, there are few (if any) programmatic efforts directed at using interrupters for individuals on probation/parole. And we have not seen the growth of such programming in probation/parole settings. While there are issues regarding people under supervision being monitored/guided by someone with a history of criminal legal system involvement, these issues can be contended with.

Conditions for Supervision. The average person on probation has 17 conditions, but the number of conditions can vary considerably (Taxman, 2012). The number and type of conditions produce differential impacts. For example, financial penalties (i.e., fines, fees) can increase the negative outcomes of supervision by placing the person under tremendous stress (Ruhland, Holmes, & Petkus, 2020). On the other hand, cognitive-behavioral programming can improve outcomes (Taxman, 2008). There is limited research on which conditions and requirements on supervision affect recidivism or technical violations besides drug testing. One might suppose that increased stress from conditions could lead to violent behavior, but this has not yet been examined. In general, the more conditions someone is subject to, the more likely the person is to violate supervision conditions and therefore have their release revoked (Taxman, Smith, & Rudes, 2020).

Working Alliance. Part of the risk-need-responsivity (RNR) framework is to foster a therapeutic or working alliance between the officer and the supervisee. The alliance has been found to be instrumental in reducing negative outcomes (Blasko et al., 2016), but studies have found that individuals with a higher risk for recidivism (not just violence, but any offending behaviors) have a lower perception of the quality of their working relationship with officers (Blasko et al., 2015; Friedmann et al., 2014). Using key components of procedural justice such as building trust, giving the person a voice, having procedures and processes that are transparent can affect the quality of the working relationship and improve the trust that a person under supervision has of their officers (Blasko & Taxman, 2018). Procedural justice processes in supervision settings can send the message that the officer is working with the individual under supervision to address factors that affect progress on supervision.

Incentives (instead of sanctions) for Achieving Milestones (Contingency Management). Incentivizing behavior has been shown to have an impact on individuals on supervision, especially as compared to sanctioning. Mowen and colleagues (2017, 2018) have shown how incentives can be effective in generating positive outcomes, including more compliance with supervision conditions and fewer revocations. Incentives, especially those that provide rewards frequently and early in the supervision process, can be used to shape behavior (Sloas et al., 2019). That is, the process is to identify small steps/goals and provide rewards to recognize an individual's gains and efforts toward achieving those goals. Over time, the time frame between rewards increases as the individual makes gains in their efforts, which can be viewed as a natural progression and tapering as the behavior becomes normalized. (Note: Rewards can span a range including affirmations from officers, reducing conditions, and provision of small financial rewards. For more information on developing a reward structure, refer to Taxman et al., 2014.) A recent study in four probation sites found that rewarding positive behavior early in the supervision term and frequently at the beginning of supervision can generate better results (see Sloas et al., 2019). The primary takeaway for "evidence-based" incentive practices is that there should be four rewards for every sanction (Gendreau, 2014).

State-of-Current Probation Systems Conclusion. Based on the literature, there is little evidence about what are the best tools (treatment and controls) to manage a person on supervision that is predisposed to or engages in violence. See below for promising tools.

What Are Promising Approaches for Individuals with Violent Behaviors or Victims of Violence in the Criminal Legal System?

In the criminal justice system, individuals with a history of violence and/or those that have been a victim of gun violence are often considered higher risk due to their criminal histories and involvement in more serious criminal behaviors. These individuals are often asked to make changes in areas perceived to threaten their safety and/or masculinity (e.g., stop carrying a gun, find employment, avoid certain people or places), which can make them reluctant to comply/change. A major part of working with individuals involved in violence or prone to violence is to ensure that they feel respected and empowered to make choices about their own lives. Ensuring respect in the supervision process increases the likelihood that individuals will engage in change processes, and it provides a solid framework for building rapport with the individual.

Transtheoretical Model of Change (TTM), Anger Treatment, and CBT

The common model for approaching change is the transtheoretical model of change (TTM; DiClemente & Prochaska, 1998). TTM focuses attention on how individuals become more ready for change due to personal reasons or external pressures like the legal system. The model identifies that there are stages of change that individuals go through and that each stage requires different steps and actions. The stages are: 1) pre-contemplation (no awareness or interest in change); 2) contemplation (beginning to become aware of the need to change but the feelings about change are mixed); 3) preparation with a plan for change; 4) action, which includes steps to make the changes; and 5) maintenance, which requires attention to ensure key areas (supports, living situation, etc.) are in place to sustain the change. TTM recognizes that individuals must be in the driver's seat of the change process, since they must be ready to change behaviors, peer groups, social supports, and make decisions about how they live their lives.

The legal system can be instrumental in helping foster change in the individual. Some ways legal system actors can help foster change include: 1) law enforcement officers and prosecutors offering delayed or deferred prosecution if the individual engages in nonviolent behaviors; 2) municipalities and police departments offering gun buy-back programs to reduce the number of guns on the street; 3) judges ordering the individual to cease involvement in violent crime; 4) probation officers making referrals for CBT to address violent attitudes and behaviors; and 5) probation and correctional officers making referrals to employment assistance programs to facilitate employment.

Most research on general violence interventions focuses on prevention, primarily for children or juveniles in school settings. Little research has been conducted on interventions meant to address general violence for adults, but research on anger treatment typically reveals that those who participate in anger treatment typically do better than people who do not (Lee & DiGiuseppe, 2018). More importantly, anger interventions seem to result in improvements in aggressive behavior and have lasting effects (DiGiuseppe &

Tafrate, 2003). Anger and aggression reduction programs generally focus on altering thinking and behaviors patterns. Such programs can adopt a skills-building orientation around issues such as decision-making, problem-solving, altering thinking that leads to angry and aggressive actions, overcoming impulsive urges, developing compassion, and improving social and interpersonal skills (typically in some type of CBT programming). Interventions may be delivered by probation staff, community providers, or other mental health professionals, and can be delivered in individual or group formats. CBT seems to be a good choice to address violent behavior, since it aims to improve (potentially trauma-based) responses to stimuli in the person's environment. CBT treatment on general recidivism showed an overall effect of 0.77 (risk reduction of 23 percent), whereas the overall effect on violence was 0.72 (risk reduction of 28 percent). The study found that less intensive anger management seemed to be the most effective treatment modality in reducing violent offending (Makarios, M., & Pratt, T., 2012).

Education, School-Based, Family Programming

Since there are many and varied factors that precede violent behavior, effective responses to reduce violence require a comprehensive, multi-level approach. These approaches may include other interventions, including educational programs, school-based programs, Mindfulness Behavioral Therapy, Multisystemic Therapy (MST), medication therapy, after-school programs, and Aggression Replacement Therapy (ART), as discussed below. These interventions typically last from a minimum of 3 months to a maximum of 3 years.

ART has become a commonly used program for youth with antisocial behavior and has been expanded to justice-involved adults. In its original version, ART is a 30-session program comprising three components: social skills, anger control, and moral reasoning (Goldstein et al., 1987). The goals are to replace the out-of-control destructive behavior with constructive prosocial behavior, reduce the frequency and intensity of anger reactions, and promote prosocial decision-making. Early reviews have found empirical support for ART, while more recent reviews suggest difficulty in drawing definitive conclusions about effectiveness (Brannstrom et al., 2016; Larden et al., 2018; Salas, 2020).

Overcoming situational and general anger: A protocol for the treatment of anger based on relaxation, cognitive restructuring, and coping skills training (CRCS) comes out of a research agenda for anger reduction that has been tested since the early 1980s (Deffenbacher & McKay, 2000). This is a nine- to twelve-week, session-by-session program focused on relaxation and cognitive restructuring skills combining skills development and visualization scenes related to recent anger triggers. Although CRCS is an evaluated anger interventions for a wide range of adults, the program has not been widely tested in justice-involved populations.

SMART Anger Management (Selection Menu for Anger Reduction Treatment) was developed from the findings of meta-analytic reviews of anger treatment that have occurred since the 1990s (Kassinove & Tafrate, 2019; Tafrate & Kassinove, 2019). Because of individual differences in how anger and aggression emerge in people's lives, this program is designed to be flexible, and offers a range of empirically supported interventions that practitioners and clients can collaboratively "choose and use." Options include interventions to better navigate anger triggers, change thoughts that lead to anger, reduce internal activation and urges, and improve appropriate expressions of anger. Interventions outlined in this program have been tested on a wide range of adolescents and adults who don't manage their anger appropriately, but have not been widely evaluated with justice clientele.

The focus of family-based interventions is to address family risk factors (e.g., substance use, parental disengagement, parental stress, poor communication), and improve healthy family interactions. Family interventions often require specialized training and can be delivered by probation staff, or community providers such as case managers or social workers. These interventions typically focus on youth and emerging adults.

Multisystemic Therapy (MST) is the most extensively researched family intervention for youth with serious crimes such as those with repeat violent offences (van der Stouwe, 2014). MST is an intensive, home-based model that lasts three to six months. Therapists are trained and monitored, have small caseloads, and are available to have contact with the families 24/7. MST is designed to improve family structure and cohesion, assist parents in effective monitoring, and improve communication and discipline strategies. At the youth level, MST is focused on increasing connections with prosocial peers and helping parents

to disengage their adolescents from antisocial influences. A recent study found inconclusive results regarding effectiveness compared to other approaches (Fonagy et al., 2018).

Multidimensional Family Therapy (MDFT) is a widely used intervention to address substance misuse and other problem behaviors in youth (e.g., aggression, truancy) (van der Pol, 2017). The program is centered around four areas: youth (e.g., coping, emotion regulation, and communication skills), parents (e.g., involvement and attachment, reducing conflict, and parenting skills), family interactional patterns, and extrafamilial systems of influence. The program is delivered over a course of four to six months and is most often home-based but can also be delivered in residential or office settings. Recent studies suggest positive effects on important outcomes such as arrests (van der Pol et al., 2017).

Given the complexity of violence, effective responses to violence will necessitate a comprehensive, multi-level approach that may include individual/group treatments, family-based programs, and community-based approaches. Because of the variability in the spectrum of aggressive behaviors and gaps in our current knowledge, below is a brief overview of some of promising practices.

What Are Criminal Legal/ Justice-Focused Deterrence Programs and Services?

Focused deterrence initiatives are typically police-led but can also be used elsewhere in criminal justice to bring together various groups of people who may be able to influence probationer behavior. It is often called a "pulling levers" strategy, referring to the idea that the leaders of the initiative are "grasping at" any possible solution or influencer that might be able to get through to the individual in order to change their behavior (see RAND Corporation, n.d.). Focused deterrence initiatives typically consist of multi-agency and community teams (such as police, prosecutors, faith organizations, social services, family and social supports, treatment agencies) that collaborate to send clear messages to individuals regarding ceasing the violent or drug-involved behaviors. These approaches attempt to prevent criminal behavior, especially gun violence, by fostering awareness of the costs of continued criminality, increasing fear of sanctions, and reinforcing the benefits for remaining crime-free. These approaches are believed to increase an individual's perceived risk and act as a deterrent, while also

attempting to positively redirect them away from criminal opportunities. One key component of this approach is direct and consistent communication with individuals, so they know their actions have potential immediate, direct, and collateral consequences. Face-to-face meetings among probation/parole officers, prosecutors, service providers, and community influencers serve to reinforce the perceived risks and provide supportive opportunities to succeed in services and noncriminal pathways. Braga and Weisburd (2015) argue that focused deterrence strategies need to have: (1) an interagency team with the ability to coordinate communication across agencies; (2) research and evaluation capabilities; (3) an analysis mechanism to identify high-risk individuals engaged in criminal behavior; and (4) the ability to provide services to targeted individuals.

While focused deterrence approaches are typically led by law enforcement agencies and supported by probation, the model is adaptable where probation officers can lead the effort and be the primary information gatherers leading the group, with support from prosecutors, local law enforcement agencies, community influencers, social services, faith organizations, and others that might improve the lives of others. The objectives of this focused deterrence strategy are to (1) create a more formalized partnership between probation officers and prosecutors; (2) have probation officers, prosecutors, and service providers meet with individuals on probation at the beginning of their probation supervision to increase awareness of the consequences of continuing criminal trajectories; (3) have separate meetings with personal "influencers" of individuals on supervision to support the focused deterrence approach, and (4) share and obtain information with local law enforcement agencies regarding potential criminal activity of those on supervision. This last point is tricky, because probation officers need to be aware of how sharing information may impact a trusting relationship and affect the working alliance. But, if the officer is transparent with the individual on probation about what information will be shared (e.g., use of a gun, being involved in a shooting), the information sharing may become a reasonable part of the contracted relationship, rather than seen as a breach of trust.

Probation-led focused deterrence strategies include the following components. First, probation officers meet with newly assigned individuals on supervision for assessment and case plan development. The case plan will include referrals for probation-contracted services such as basic needs (e.g., housing, transportation, clothing), substance abuse and/or mental health treatment, employment services, and relevant CBT-centered programming (e.g., criminogenic thinking, substance misuse, anger management, employment, aggressive behavior). Second, while creating case plans, probation officers attend information-sharing meetings with local law enforcement agencies and prosecutors to gather information on the potential relationships that individuals on supervision have with other known offenders and possible accomplices. This information will help probation officers understand which individuals on probation are "power players" (those most heavily involved with and potentially leading/causing violent activities) and help frame conversations during supervision (see below).

Third, after case plans have been created, individuals on supervision may attend required meetings with officers, probation line supervisors, and prosecutors. At these meetings, the individuals on supervision are informed that they are part of a targeted group that will be monitored for possible continued involvement in criminal behavior, and graduated sanctions will be used if there are infractions. The graduated sanctions can be modified to include incentives to dissuade criminal behavior and reward involvement in employment, education, and/or services that assist individuals develop themselves as citizens of the community. At these meetings, prosecutors can also provide positive support but remind individuals that potential new charges and sentencing possibilities may be the result of continued violations and/or new arrests, but the emphasis of these messages is to support the involvement in healthy, developmentally appropriate employment, education, and other services. These meetings are not intended to be threatening. Instead, they are intended to have open and honest conversations about an individual's behavior(s), including if those behaviors have escalated to a point involving more serious responses like new charges or being a victim of a crime.

Fourth, probation officers attempt to identify and meet with positive "influencers" such as family, friends, or employers who have an interest in the individual's well-being. The probation officers and line supervisors can meet with individuals and their influencers to discuss the positive supports available to

help an individual succeed on probation, and in life in general. Fifth, probation officers will continue to attend information-sharing meetings with local law enforcement to provide information about an individual's progress, both in terms of criminal and noncriminal behaviors, and to solicit more assistance to help an individual pursue prosocial behaviors. The team can also reward an individual for the strides that they took to be engaged in prosocial behaviors.

How to Start a Conversation about a New Style of Supervision that Focuses on Respect and Shared Decision-making

Working with individuals that are violence-prone as perpetrators or victims requires attention to ensuring that they feel they have a voice in the process. This prevents intentional or unintentional "acting out" in response to perceived emasculation resulting from requests to stop carrying weapons, avoid certain people or places, and other realities discussed in section 4. Further, it is a form of respect for the individual. Several strategies are useful to achieving a relationship that is marked with respect. These include motivational interviewing (with an emphasis on clients being able to make decisions and officers engaged in active listening); shared decision-making (with an effort on the individual and/or officer jointly engaged in making decisions regarding what is in the case plan, determining how to assess progress, and using incentives and sanctions to respond to progress); and promotion of honesty and truthfulness on the part of both parties. Specifically, this relationship depends on how the officer treats the individual, responds to situations, and shares "power," and those qualities are imperative to engaging the individual in the supervision process. Since many individuals have been on supervision before or have known people on supervision, it is important to begin the supervision process with clarifying information about the importance of working together. Doing this at the first meeting establishes a tone for the supervision process and illustrates the importance of mutual goals. For example, the first meeting establishes the style of working relationships. First meetings that get off to a poor start are difficult to recover from; after, it is difficult to re-establish a strong relationship. Individuals on supervision are sensitive to how they are being treated by the system, and the officer in particular.

Further, focusing on short-term outcomes provides opportunities to demonstrate success (see Blasko et al., 2021; Wodahl, Mowen, & Garland, 2020), which breeds more success. Individuals who have goals are more likely to be successful than those who are focused only on the past or making it through the day (Spohr, Walters, & Taxman, 2017). Supervision that has set goals that the individual helped to create can bring long-term results.

It can be challenging to launch into conversations about instances of anger and aggression in client's daily lives. A direct style is often the best way to approach these topics. Below are some sample prompts and techniques that probation staff can use to get conversations going.[2] These discussions are oriented around different scenarios such as anger, aggressive conflicts, and gun violence. Because it is impossible to script out every possible aggression-related scenario that might emerge, flexibility is recommended. These guidelines are offered as a general organizational structure and can (and should) be adapted to the unique circumstances of a particular client. The final three scenarios were taken from a project that Drs. Tafrate, Cox, and Meyer are involved in with the Office of Adult Probation in Connecticut.

Here are examples of a conversation between a probation officer and a client that might happen early in the probation process. The officer uses the conversation to define the supervision process, focus on mutual goals of success, and collaborate with the client to define the goals of supervision. The officer avoids the temptation to lecture or nag the client about what he *should* do, but rather focuses on his internal reasons for completing treatment.

Officer: *I wanted to start probation by telling you how much I respect you and what you have gone through. Your being on supervision is an opportunity, and I want to be part of that opportunity. To me, it is important that I am here to work with you. I know you have been through a lot, due to your [name the offense] or [having been shot before]. That is heavy and it is something we need to keep in mind.*

Client: *It is no big deal, lots of my friends have been through similar stuff. But tell me why I should trust you, cause isn't it your role to make me do what the system wants?*

Officer: *It is true, I am a probation officer, but that doesn't mean I am only interested in locking you up. In fact, I'd rather not have to use my power in that way. I'd rather use my power to help you be successful on supervision. And, I am now using different strategies than this office has used in the past 5 years. We now understand that being good at my job means having more people succeed. So, I need to hear from you—often—and we can adjust our approach if things aren't working.*

Client: *Not sure I understand. What do you mean?*

Officer: *First we have two things to work on: 1) coming up with a case plan and 2) figuring out how to incentivize you when things are going well. The incentive plan also includes what to do if you are not trying, not complying, or falling back into old approaches. In other words, we want to give you opportunities to participate in job training, school, parenting, etc.—*

Client: *But the judge gave me stuff to do.*

Officer: *We have to respect the court, but we also have to make sure you feel that your time is well-spent on the things in your plan. I can always go back to the court to get your conditions adjusted if that is best for you. But our first task is to do a case plan, and for you to commit to what you put in the case plan. Notice I said "you," because this is your plan and I am here to help you. You might think about how to place the court requirements in with your requirements. But let's start here—what do you want to accomplish over the next two years?*

Client: *My family is most important. I have a daughter and want to be there for her. Right now, probation is like this dark cloud that follows me around. I want to be able to get a job and contribute for once in my life.*

Officer: *Okay, so what can we do in this area. How can we help you to get through probation and make it work for you to make life better for your family?*

The officer presents that the client has choices to make, and it is in the client's interest to make choices that will help in achieving goals. Notice that the officer is using the techniques of motivational interviewing to help get clients ready for making decisions about their choices—in this case helping them recognize that court conditions are important but also they must feel vested in the goals that they select. A manual developed by the National Institute on Corrections gives more extensive

instructions for using MI in community corrections settings (see National Institute of Corrections, 2017).

Later, the following interaction might occur as the officer "rolls with resistance" (to use the MI term) for dealing with uneven progress during supervision. A major component of the approach is to focus on progress and benchmarks that the individual *is* meeting.

Officer: *I heard your brother got shot last week. Do you want to tell me about it?*

Client: *It is not a big deal at all—everyone gets shot.*

Officer: *Of course, but loss and/or getting shot can be hard to swallow and make one feel vulnerable. Sometimes people give up on their goals when events like this happen. Do you feel that you are sticking to your case plan?*

Client: *Last week I got together with some friends, some of whom are still active in the life and it made me want to be part of the life again.*

Officer: *Understandable, in these times one wants to be around those that provide comfort. Are there also any folks that you could hang out with that aren't in the life?*

Client: *No. But I did smoke marijuana with my friends.*

Officer: *Understandable given the situation. I think your contract with us says that if you use drugs we need to do something. But you were honest and I appreciate that.*

Client: *Are you sending me to jail?*

Officer: *I believe our plan states that if you use drugs that you will go to more AA/NA meetings. Does that sound reasonable? Or what else do you recommend?*

Client: *I can do that. So I am not going to jail.*

Officer: *I appreciate you being honest with me. Given the stress of the shooting, do you need to see a counselor too?—we can arrange that.*

The structure of the conversations above represents one type of cognitive-behavioral technique (CBT; see *Surfing the Three Waves of CBT* in a previous issue of *Federal Probation* for a description of various CBT approaches). The goal is to uncover the inner decision-making process of clients. There is a strong focus on thoughts that precede specific instances of aggression that recently occurred in the client's life (e.g., What do clients typically tell themselves right before they decide to engage in angry, aggressive, or risky behavior?).

It is also useful to understand what the individual thinks right before better decisions are made (e.g., not throwing a punch, walking away, avoiding a dangerous situation, etc.). Since aggressive behavior usually unfolds

along a *path* or *sequence*, sometimes the "best decision" occurs early in the chain of events such as avoiding a certain situation altogether, leaving the scene, or deciding not to get a gun. It is best to avoid talking about a decision-point when the momentum for violence is already too strong ("What were you telling yourself the moment you pulled the trigger?"). Probation officers will need to understand how aggressive actions unfold uniquely for each case, which is why it is recommended that the officer use an *offense chain* to identify behaviors before and after an incident occurs. This strategy helps to identify relevant decision-making points (both positive and negative) along the sequence of events. In exploring "better" decision-making, it is also wise to avoid inadvertently reinforcing the "good" side of crime (e.g., "What is the best decision you made during the carjacking?"). The following are three outlines of the type of questioning an officer can take to unfold the offense chain with those under supervision.

Tips for Officers in Dealing with Key Issues:

Scenario A: Anger
- "Everyone gets angry from time to time. Tell me about when you get angry. How is that sometimes a problem for you?"
- "Tell me about one thing you've done recently when you became angry that could potentially lead to a problem with the criminal justice system."
- "Tell me a specific time when you were angry and ended up doing something you later regretted." [Look for examples of aggressive behavior, negative verbalizations, substance use, police involvement, damaged relationships; get sufficient detail.]
- "At the time when you made the decision to do [describe anger-related behavior], what was going through your mind? These thoughts might be very quick and automatic. Try and remember what you were telling yourself right before you [describe anger-related behavior]."
- "Now tell me about a time recently when you handled your anger in a way that didn't turn out badly."
- "Even though you were angry, what was going through your mind when you [describe more positive or productive behavior]?"
- "So, on the one hand, when you're angry and think [restate client's negative thought], it leads to [describe anger-related behavior]; on the other hand, when you're angry

and think [restate client's positive thought], it leads to [describe more positive or productive behavior]." "In those moments when you become angry in the future, how can you strengthen the thinking that leads to better ways of reacting?"

Scenario B: Aggressive Conflicts
- "What is the type of situation for you that is likely to lead to a conflict or a physical altercation with someone?"
- "What is it about [restate the situation] that makes it high-risk for you?"
- "Give me a recent example of a decision you made that led to, or worsened, a conflict in this type of situation?"
- "What were you telling yourself when you [insert the aggressive behavior]?"
- "Give me an example of a decision you made that reduced conflict in this type of situation?"
- "What were you telling yourself when you [insert better, non-aggressive behavior]?"
- "So, on the one hand, when you're confronted with [insert situation] and you think [restate client's negative thought], it leads to [restate the aggressive behavior]; on the other hand, when you're in that situation and think [restate client's positive thought], it leads to [insert better, non-aggressive behavior]."
- "How can you strengthen the thinking and decisions that lead to less conflict and aggression in the future?"
- "This is something we will keep talking about."

Scenario C: Gun Violence
- "Tell me about a situation in the recent past where you were in possession of a gun illegally."
- "What were your reasons for having a gun?"
- "What is it about having a gun that might be high-risk for you? What can go wrong?" [reflect back potential risks related to gun possession]
- "What were you telling yourself before getting the gun?"
- "Give me an example of a time when you could have had an illegal gun but chose not to."
- "What were your reasons for not getting a gun?"
- "What you telling yourself when you chose not to have the gun?"
- "So, on the one hand, when you had a gun illegally in the past you were thinking [restate client's reasons and thoughts for

having the gun]; on the other hand, when you had the opportunity to be in possession of a gun and thought [restate client's reasons and thoughts for not having a gun], it led you to making the decision to not have the gun."
- "How can you strengthen the better decision about not having a gun?"
- "This is important and something we will keep talking about."

The material above is simply a starting point for launching into such conversations. Probation staff will need to listen carefully, probe to get additional information, and adjust on the fly as necessary. It is helpful for officers to give themselves a learning curve when first trying these types of CBT conversations (e.g., take them for a test drive). It is perfectly acceptable for probation staff to print out the prompts and tell clients they are trying out a new worksheet and will be looking at the worksheet while interacting with the client. Practice makes better. With practice officers will become more natural, efficient, and purposeful in having meaningful conversation about topics that are often difficult to discuss. With repetition, officers will notice that clients are talking more and responding with more depth. Patterns related to aggressive behavior, within and across clients, will become apparent, allowing probation staff to make the most of what clients are saying and zero in on the most critical elements for curbing future aggressive incidents for each case.

These scenarios use rapport as the backbone for helping the individual realize that they can depend on their probation officer, even in difficult situations. When noncompliance occurs, reminding the person of the contract they developed together and what it says builds the foundation for the person to trust their probation officer. It serves to keep the individual in the driver's seat and allows the officer to be empathetic—all while maintaining boundaries.

Key Terms

Violence: Can refer to psychological or physical harm to another person.

Perpetrators of violence: Individuals that have been involved in violent acts, using a gun, or using force.

Victims of violence: Individuals that have been a victim of a gunshot, violent act, etc.

Substance Use: Any use of alcohol or drugs, including illegal drugs, prescription drugs, and inhalants (tobacco/vaping might also be included in some definitions).

Substance Abuse: A pattern of alcohol or drug use that results in significant problems with work, family, health, risky behaviors or legal issues.

Substance Dependence (or Substance Use Disorder): A medical term to describe a pattern of drug or alcohol use that has resulted in changes such as physical tolerance, withdrawal, and continued use of the substance despite significant problems.

Motivational Interviewing: A collaborative conversational style to strengthen a person's motivation and commitment to change.

Cognitive Behavioral Therapy (CBT): A counseling approach to help people identify and change thought patterns that lead to negative behaviors.

Contingency Management (Incentives): The systematic application of rewards to influence behaviors such as reaching supervision goals.

Key Takeaways

1. Violence or violence-prone behavior is not well addressed in probation protocols. More attention is needed to understand the behavior and to respond appropriately.
2. Current probation practices are not suited to dealing with violence. Officers should build and use working alliance to engage the individual in productive activities.
3. Clear communication that is empathetic should drive the relationship.
4. More attention should be given to using evidence-based supervision strategies to build a working alliance.
5. Use motivational and cognitive-behavioral strategies to support achievement of supervision goals.

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