

The History of Training in the Federal Probation and Pretrial Services System¹

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Probation and Pretrial Services Office

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The Early Period (1925–1950)

On June 6, 1930, Congress amended the Probation Act, enabling the probation system to operate as a centrally-administered, national organization. By 1930, the federal probation system was made up of eight salaried probation officers and a number of officers appointed on a volunteer basis. They were tasked with a supervision caseload of 4,280 probationers. Given the small number of federal probation officers, little is known about training between 1925 and 1930. In October 1930, the forerunner of today's Probation and Pretrial Services Office (not yet located in the Administrative Office of the U.S. Courts, but still part of the Justice Department), began distributing "Ye Newsletter" to provide insight and guidance to federal probation officers around the country (Meeker, 1960; Brown, 1997). In 1937, after significant growth in the system, the budding newsletter would be renamed *Federal Probation* (Meeker, 1960).

The year 1930 also saw the first federally sponsored probation training institute in Louisville at the University of Kentucky. The University's Department of Social Work, the State Division of Probation and Parole, and representatives from the federal probation system delivered the training to 32 federal officers, 38 state officers, and 7 students. A second institute was jointly organized with the National Probation Association in Connecticut and another was conducted in Minneapolis, Minnesota, in June 1931 (Flynn, 1940; Sharp, 1951). As the system began to grow in the 1930s, the federally organized training institutes that followed took place in two-year intervals in five regions of the country (Meeker, 1960). In her survey on probation training trends throughout the country, Helen D. Pigeon notes that the federally sponsored programs were among the most successful (1941).

Throughout these first decades when federal probation was still in its infancy, the preferred educational background and the core training needs to be addressed during the training institutes remained a constant source of contention. An early assessment of training by Frank T. Flynn debated the merit of university-based training versus on-the-job, apprenticeship training (1940). Correctional scholars and administrators contemplated whether probation constituted a "professional

field distinctive and removed from social work" (Flynn, 1940). Evidence of the divisiveness of this issue is apparent in Flynn's comment, "more space than is available would be needed for a complete presentation of this phase of the problem, but in general the trend to accept work with delinquents as part of the field of social work is so significant among competent practitioners that further discussion seems pointless" (Flynn, 1940). Flynn recognized that despite the debate on the type of training needed, the general consensus was that probation officers should be highly trained professionals. His personal assertion was that on-the-job apprentice training was insufficient and that further specialized training was essential (1940).

A 1938 report by the Attorney General noted the growing agreement that probation officers should be equipped, trained, and competent to supervise offenders. The *Declaration of the Principles of Parole*, set forth at the National Parole Conference in 1939, expressed this need: "The supervision of the paroled offender should be exercised by qualified persons trained and experienced in the task of guiding social readjustment." The Attorney General called for "an initial period of training of at least four weeks and subsequent periodic instructions courses." (Summary article, *Federal Probation*, 1938). While training opportunities of this intensity

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and duration existed in parts of the country for state systems (Pigeon, 1941), the federal probation system did not realize this goal of a national, centralized training center until 1950.

Training institutes continued in the 1940s to serve as the federal probation system's chief method for administering training to newly appointed officers as well as in-service refresher training to experienced officers (Pigeon, 1941). The institutes relied on cooperation with the faculty of a host university and featured professors from the sociology, legal, and psychology departments. Guest presenters included leaders from the public health, mental health, and education fields, as well as representatives of the headquarters office. The training institutes also hosted speakers from the Federal Bureau of Prisons, the U.S. Parole Board, the U.S. Public Health Services, and the correctional programs of the military branches. The subject matter in these courses offered an extensive orientation and provided an overview of other topics such as "general social problems, the field of delinquency, specific problems in casework in probation and parole procedures, and focused attention on casework relating to behavior problems" (Pigeon, 1941).

Below is a sample two-day training agenda at one of these institutes in the late 1940s:

- Development of casework skills (8 hours)
- Techniques of probation and parole supervision
 - Techniques of presentence investigation²
 - Techniques of Interviewing
 - Handling offenders with serious personality disorders
 - Planning for release from institutions
 - Case Records and Case Recording
- Information, administration, and procedures (6 hours)
- Behavior Motivation and Crime Causation (1 hours)
- Business Session for Probation Officers (1 hour) (Sharp, 1951).

In 1940, oversight of the federal probation system was transferred from the Department of Justice to the Administrative Office of the U.S. Courts. In its 1945 Annual Report, the AO identified an important goal as the "expansion of the conferences (referring to regional in-service conferences) into a more

intensive and definite program of in-service training in federal probation, particularly for new officers" (Meeker, 1951). In creating such a desired training program, administrators grappled with the realization that each district applied minimum personnel standards in the way it saw fit, resulting in the appointment of staff with a wide array of knowledge and professional experience. Louis Sharp, then Assistant Chief of the Division of Probation at the AO, wrote in 1951, "it has been recognized in the federal service for some time that desirable as the regional training institutes had been, the probation service had advanced to the point where something more was needed, particularly for officers coming new into the service" (Sharp, 1951). With the growing consensus that a uniform training program was needed, the creation of a national training center was approved in 1949 by the Judicial Conference of the United States (Meeker, 1951). The District of Illinois Northern, with the support of a chief judge who advocated strongly for centralized training, led the effort to bring this idea to fruition.

The 1950s and the Creation of the Federal Probation Training Center in Chicago

With the approval of the Judicial Conference, the AO collaborated with the District of Illinois Northern and the University of Chicago to create the first Federal Probation Training Center. Illinois Northern's Chief U.S. Probation Officer, Ben S. Meeker, was named the first national training director. The first national training class was held for two weeks in May 1950 at the university. The center's staff at its inception included an assistant director, a training officer, and a secretary librarian (Meeker, 1951).

Over the next 10 years, sessions were offered monthly; a total of 100 to 150 officers were trained annually. Officers were invited to return every four years for a week of in-service training. Special training sessions were conducted for chiefs, deputy chiefs, and supervisory officers in Chicago and at the AO. The mission of the training was to help equip officers to perform their duties effectively and provide a centralized location where they could come together and share ideas. Training center staff also conducted research to improve all facets of the important work of probation officers (Meeker, 1960).

During the course of the two-week program, officers participated in classes on the history of the probation system and the

probation office's relation to other court units, government agencies, and community resources. The University of Chicago provided faculty from its School of Social Service Administration in addition to inviting guest lecturers. A report on the center's early training program indicated that trainees attended brief lectures from guests from: the Social Service Exchange, the Salvation Army, the Catholic Charities, the County Welfare Department, the Mental Hygiene Clinic of the Veteran's Administration, and the National Probation and Parole Association, and figures from academia such as correctional scholar Frank T. Flynn, renowned anthropologist Dr. Margaret Mead, and psychoanalyst Dr. Karen Horney. Trainees later observed court proceedings, learned about the motivations for criminal behavior through case studies, and were taken on field trips to area agencies. The center's main cadre was made up of officer-instructors from the Northern District of Illinois and the Administrative Office, and evaluations revealed that trainees found the teaching of probation staff to be most relevant and beneficial (Meeker, 1951; Sharp, 1951).

The training center also sought to function as a hub for discussion on the best practices across the country. Training literature from a 1964 manual used by the training center summarized results from a national survey of probation officers. Among the topics included were how officers determine the frequency of home contacts, processes for verifying employment and education, confidentiality, and the need for pre-commitment counseling—a form of interview to relieve the offender's anxiety before being transported to a correctional facility to serve a sentence. The materials also highlight the methods of collecting restitution, the process of initiating violation proceedings, the treatment of probationers with addiction to narcotics, and the processes for transferring cases between jurisdictions. According to the manual, its aim was to "stimulate the further examination of specific supervision practices" (Federal Probation Training Center, 1964).

The Federal Probation Training Center in Chicago continued to operate until 1972, when the Federal Judicial Center assumed the responsibilities of training all federal probation officers.

In the 1960s, administrators continued to contemplate the core training needs of probation officers. A 1966 article in *Federal Probation* highlighted the need to change toward a more research-based approach to supervision of offenders: "Considering the

² Training in the area of presentence investigations began early on, but national guidance on procedures was not publicized until 1943 when the first policy monograph was adopted.

magnitude of crime and delinquency in the country, and the immense resources of time, money, and talent which must be devoted to solving or merely containing these problems, it is apparent that we are past the point where good intentions, intuition, trial and error, charismatic wizardry, or merely habit and tradition can remain the major determinants of policy and practice in the field of probation.” The author stated that “the alternative is obvious: research and training” (Taylor et al., 1966).

The Judicial Conference and Administrative Office recognized the need to conduct research and dedicate more resources to education and training, but also saw the barriers to doing so at the AO and district court level. Administrators acknowledged that given the “limitations in staff, an ever-increasing volume of housekeeping functions, an overall lack of funds—and even of authority—it has been necessary for the judges themselves to devote considerable time... to the development of these programs” (Wheeler, 1966). Most research taking place at the time was conducted by universities operating within the constraints of regional and local grants.

The Federal Judicial Center

In 1967, the Federal Judicial Center (FJC or the Center) received statutory authority to conduct research and training for the judiciary and to provide guidance to the Judicial Conference of the United States. In 1971, the administration of training sessions was transferred from the Chicago Training Center to the FJC. The FJC operated the training program from the historic Dolley Madison house, the former home of the widow of President James Madison. The building also served as the headquarters of General George McClellan during the Civil War and later became the National Aeronautics and Space Administration building. The facility was located across from the White House in Lafayette Square, and officers were housed nearby at the Burlington Hotel (Huebner et al., 1997).

Newly appointed officers came to the FJC for a one-week training program, and the Center also developed programs for experienced officers, some of which were held at the Center headquarters and others conducted in each judicial district. By 1973, the Center developed training for chief probation officers, and in 1975, training expanded still further to include programs for probation officer assistants and probation clerks (Sisson, 2015).

For the first several years of the probation training at the FJC, all curricula and subsequent lesson modifications required the approval of U.S. Supreme Court Chief Justice Warren Burger. In providing training, the Center enlisted the assistance of chief probation officers and representatives from other judicial agencies. “They worked under the direction of several center staff members who had been hired for their experience with another institution that had a mandate to deliver a national training agenda—the military. The center’s programs were organized, tightly scheduled and efficient” (Huebner et al., 1997). Training was delivered primarily through lecture and the use of visual aids, including a chalk board, flip charts, 16mm film presentations, and overhead transparencies. The Center also conducted in-service training for probation officers both on-site and on an exported basis. The in-service training at the center was conducted in three-year intervals (Anderson, 2015).

Following the enactment of the Speedy Trial Act of 1974, pretrial services offices were established as an experiment in 10 judicial districts, and the FJC quickly responded by establishing a training program for officers with pretrial services responsibilities (Lynott, 2015). The pretrial services component of training expanded with the 1982 signing of the Pretrial Services Act, which led to pretrial services officers being hired across the country. Pretrial Services would continue to be a part of the new officer training program.

During the 1970s the probation system tripled in size and training demands began to outgrow the facility at the Dolley Madison house. At this point most training programs were conducted in a leased federal facility near Union Station (Sisson, 2015). These programs were augmented by regional trainings.

In the late 1970s during the petroleum crisis, fuel shortages spurred FJC staff to evaluate how to use new methods of training on a national scale. Former FJC Management/Training Branch Chief Jack Sisson recalled sitting on a flight across the country and penning an idea on index cards for a new method to deliver training on a national scale. When he returned to Washington, he immediately began to create an official proposal, which was subsequently approved by Chief Justice Burger. The proposal resulted in the creation of a new training infrastructure: The development of training coordinators in 30 of the largest districts in the country. The training coordinator was responsible for organizing and facilitating

training for each district’s officers. After the program’s efficiency and effectiveness were established early on, the program was adopted nationally and training coordinators were hired in all districts. To support an expanded training network, the FJC facilitated communication between training coordinators and FJC headquarters by sharing lesson plans, publishing training-related articles in *Federal Probation*, and creating a new national newsletter called, “What’s Happening.” Training coordinators were later used as adjunct faculty for regional training sessions and this concept proved to be an important, lasting change for the system (Sisson, 2015).

In 1986, the FJC entered into an agreement to use the University of Colorado’s Continuing Education Center to conduct new officer and in-service training programs (Anderson, 2015). Training at this venue continued until relocation in 1989 to the Maritime Institute of Technology and Graduate Studies (MITAGS) in Baltimore, MD (Leathery, 2015; Lynott, 2015; Sisson, 2015). Training at MITAGS was expanded to two weeks and covered an array of topics, including pretrial services, presentence writing (especially useful due to the newly implemented sentencing guidelines), supervision, and courtroom testifying skills. With each new monograph issued by the AO to guide the practices of probation and pretrial services officers, the FJC provided subsequent training (Anderson, 2015). The FJC’s new officer program also included a tour of the U.S. Supreme Court and, by 1993, a tour of the Administrative Office of the U.S. Courts, located in the newly-constructed Thurgood Marshall Federal Judiciary Building, which would also become headquarters to the FJC (Lynott, 2015; Siegel, 2015).

In 1995, the FJC discontinued the use of the MITAGS facilities and reduced the new officer training to one week. This remodeled orientation program concentrated on the core duties of probation and pretrial services officers and continued to provide materials to aid with in-district training. In April, 1998, the Center launched the Federal Judicial Television Network (FJTN) to provide educational and training programs throughout the judiciary, including probation and pretrial services (Buchanan, 2015).

The FJC continued to broaden its in-service training and provided “train the trainer” programs on many specialized subjects. The Center developed packaged programs in concert with subject matter experts, chiefs, managers, AO staff, and other court unit

executives and trained local court staff to deliver the programs in-district. The FJC also continued to develop robust manager training programs for supervisory and deputy chief probation officers and host chiefs conferences, which at this writing are still hosted by the FJC (Sisson, 2015; Sherman, 2015).

Another major accomplishment of the FJC was the 1992 creation of the Leadership Development Program (LDP). This program was a response to Criminal Law Committee concerns about the aging demographic of the system's leadership and the need to develop quality leaders. From its inception, the program sought to develop in its participants a personal approach to management, new skills in the area of change management, and an ability to benchmark the achievements of probation and pretrial services, broaden participants' understanding of judicial administration, and learn from the best practices of other probation and pretrial services officers across the country. Program participants complete a management practice report and an in-district project, and then apply their leadership skills in a temporary duty assignment with another district, governmental branch or agency, or a private corporation. By 2015, 865 probation and pretrial services staff had completed the program. On their paths to career advancement, many chiefs, deputies, supervisors, and senior officers have completed this important program (Siegel, 2012, 2015).

United States Sentencing Commission

With the passage of the Sentencing Reform Act of 1984, the United States Sentencing Commission was established. Before the Commission became operational, the constitutionality of the federal sentencing guidelines was challenged by over 200 federal judges. In 1987, while the debate over the guidelines was in full swing, the Sentencing Commission, in conjunction with AO and FJC staff, proceeded with training on the origin and application of the guidelines, and the FJC developed most of the materials for this training.

The training began with one judge and two probation officers from each district. To deliver most of the training, the Commission primarily relied on a probation officer (on temporary duty at the Commission) who had been previously trained on the sentencing guidelines. It was not until 1989 that the Supreme Court ruled that the guidelines were legal and must be applied in all sentencing proceedings. At that time, the Commission

began to bolster its staff and expanded its guidelines training (Henegan, 2015). In 1987, the FJC incorporated the sentencing guidelines into the new officer curriculum and invited representatives from the Commission to teach these blocks of instruction (Lynott, 2015). The sentencing guidelines, presented by the Commission staff, continue to be a feature of the new officer program.

The AO's Office of Information Technology Systems

The AO's Office of Information Technology Systems Deployment and Support Division (SDSD) began training clerks and IT professionals in 1991 to use a Unix-based terminal system designed to collect quantitative data for both the Administrative Office and the probation and pretrial services offices in each district. In 2001, training conducted in San Antonio introduced officers to the newly developed, web-based PACTS case management system designed to serve as a database for maintaining client personal information, case information, case plans, and chronological case entries (chronos). In 2002, the SDSO expanded its delivery of training to include distance learning in the form of the first Electronic Learning Modules (ELMs). The training modules were posted online to accommodate the demanding schedules of the modern officer and provide time-efficient delivery of the subject matter. In 2008, interactive web-based training was introduced to support other probation-related systems, such as the Safety Incident Reporting System (SIRS), Access to LAW enforcement Systems (ATLAS), and Decision Support Systems (DSS), as well as to introduce new modules in PACTS. Since then, SDSD Probation Pretrial Services Project leads Malcolm Johns, Cindy Caltagirone, and Steve Moore have led their teams in providing training resources to continually support the essential IT systems upon which the system now relies, including iPACTS, PSX, and PACTS Gen3.

The Evolution of Officer Firearms and Safety Training

While various training programs in the federal probation and pretrial services system began around 1930, a December 1997 *Federal Probation* article written by Paul W. Brown and Mark J. Maggio noted that a review of 68 training agendas between 1938 and 1972 revealed no mention of officer safety training. Nonetheless, the November 1935 edition of "Ye News Letter," *Federal*

Probation's predecessor, included a memorial to U.S. Probation Officer Joseph Delozier of the Northern District of Oklahoma, who died from an accidental gunshot wound after he dropped a personally-owned firearm on the ground, discharging the weapon and causing a fatal injury. As Brown and Maggio would observe, "interestingly, the article reflected no concern, warning, or controversy about Delozier being armed" (Brown & Maggio, 1997). By 1990 the Southern District of Texas appears to have established the first firearms program in the federal probation system. According to a Fifth Circuit senior judge, the first probation officer in that district was appointed in 1931 and proceeded to carry a firearm. It appears that the practice continued by other officers in that district without actual legal authority to do so (Brown & Maggio, 1997).

No official authority was granted to probation officers to carry firearms until 1975, when the Judicial Conference authorized probation officers to carry firearms, with their chief's permission, in the absence of a federal statute granting that authority.

National Firearms Training Program

In September, 1985, pretrial services officers were authorized by the Judicial Conference to carry firearms, subject to the same policy limitations in effect for probation officers. Also in 1985, the first national firearms training program was approved. In addition to physical training on the use of a firearm, the program included guidance on the appropriate use of firearms and officer safety. This program formed the core curriculum for all firearms training and, until issuance of the Director's Firearms Regulations for U.S. Probation and Pretrial Services Officers, served as the principal source of guidance on the safe handling and use of weapons. The national firearms training program materials approved in 1985 provided the first written guidance on the use of force (Brown & Maggio, 1997).

During the late 1980s and early 1990s, the national firearms program expanded, and the number of officers authorized to carry firearms across the nation continued to rise. The first firearms training program was implemented in 1987 when the first district firearms instructors were trained and certified in a two-week program presented by the FBI and AO instructors. The AO's Probation Division acted as the certifying agency, and the FBI conducted training exercises. By 1991,

the AO's Probation Division had assumed full responsibility for the firearms training. This practice continued and various sites throughout the country were used to conduct firearms training to certify instructors who in turn bore the responsibility of training and certifying officers in their respective districts.

Recognizing the need for alternatives to the use of lethal force, in March 1996 the Judicial Conference adopted a policy authorizing probation and pretrial services officers to purchase, carry, and use oleoresin capsicum (OC) spray, and approved the draft Safety Manual for the probation and pretrial services system (JCUS, 1996). The safety manual, which was distributed to officers in the field, included the use-of-force continuum, a model to govern self-defense responses by probation and pretrial services officers. To provide training on use-of-force considerations and defensive tactics, the AO developed instructor certification programs similar to those delivered to the firearms training programs. The FJC also provided safety training materials and FJTN programs to enhance officer safety. The AO's firearms and safety training continued until the establishment of the Probation and Pretrial Services National Training Academy.

Establishment of the Probation and Pretrial Services National Training Academy

As described throughout this writing, the role and training methods for the probation and pretrial services system have varied over the years. One goal has always been to create a national system and yet recognize the individuality of each district. It finally became evident that without a central training academy, much like other law enforcement agencies have, a national identity would not be fully recognized. In an August 2003 issue of *News and Views*, the internal newsletter of federal probation and pretrial services, an article written by the Chair of the Chief's Advisory Group reported that a survey of chiefs showed overwhelming support throughout the federal probation and pretrial services system for a national training academy (Howard, 2003). Support in the federal system for a national training academy was also conveyed by AO Assistant Director John Hughes in his weekly messages (Hughes, weekly message #91). In response, the AO created a Performance Development Working Group, of which the CAG chair was a member, along with six other chiefs and staff from the AO and FJC. The working group explored possible sites for the academy and discussed curricula needs for

new officers. Subsequently, the working group recommended that the AO locate the academy at the Federal Law Enforcement Training Center (FLETC) in Charleston, SC, and that the new officer program be designed as a four-to six-week training. Further, the working group recommended that the AO continue to provide firearms and safety training and related certifications at the FLETC training site.

After lengthy dialogue, the AO and the FJC reached agreement on the training roles the two agencies would occupy. These roles were outlined in an August 4, 2003, issue of *News and Views*. The article reported that with the help of the Chiefs Advisory Group (CAG), the Office of Probation and Pretrial Services (OPPS) would develop and bring into existence a national academy for new officers, and the FJC would continue its new officer orientation program until the academy was operational. At that time, the FJC would shift its resources to meet the needs of experienced officers, specialists, and all levels of supervisory staff (Chiefs Advisory Group and OPPS, 2003).

Because of the inter-agency partnership with the FLETC, the academy could utilize state-of-the-art facilities, trained role players, student dormitories, and supporting instructors and staff at a reduced cost to the AO. Therefore, in late 2004, funding was secured and the AO hired 12 staff, 8 probation administrators, 3 support staff, and Sharon Henegan as the first academy director. The academy staff established a mission statement to provide federal probation and pretrial services officers with the training necessary to perform their duties effectively, efficiently, and as safely as possible while upholding the integrity, values, and dignity of the federal judiciary. In January 2005, the first new officer pilot program commenced. The initial program was three weeks in length and focused primarily on firearms and safety, but included classes on ethics and officer identity, overview of the federal court system, sexual harassment, diversity awareness, lifestyle management, and non-emergency vehicle operation training.

In January 2006, the program was expanded to five weeks, adding core classes to the curriculum such as pretrial services and presentence investigations and pretrial and post-conviction supervision. In January 2007, the training was expanded to six weeks, where it remains today, excluding a nine-month period in 2015 during which training was abbreviated to four weeks to offset a lengthy backlog of new officers awaiting training.

To keep curriculum current and relevant, academy staff conduct annual reviews of all lesson plans, with the input of subject matter experts and incorporating the latest research in the fields of law enforcement, corrections, and educational teaching methodology. The training program also incorporates several electronic learning modules, live practical examinations in the form of courtroom testifying exercises, realistic field-based simulated interactions, written examinations, and other methods of student evaluation.

As the probation and pretrial services system has moved to implement the principles of evidence-based practices, the academy has sought to model this philosophy in all aspects of training. After pretrial and post-conviction risk assessment tools were developed, the academy provided stand-alone in-service training on the tools to prepare officers for certification in addition to including the tools in the new officer training program. With the emergence of core correctional practices research, the Probation and Pretrial Services Office (PPSO) developed and delivered Staff Training Aimed at Reducing Rearrest (STARR), a package of skills designed to increase the officer's effectiveness in building rapport with the defendant/offender, addressing criminal thinking with the aim of reducing recidivism. After several select districts were trained, the decision was made to move most of these training sessions to the training academy to take advantage of the many resources offered by the FLETC. Given the number of districts that have embraced the STARR training curriculum, the program will be fully integrated into the new officer curriculum in 2016. In the FLETC curriculum review conferences, it has been noted that among other law enforcement agencies, the probation and pretrial services new officer program always receives some of the highest remarks for student and subsequent supervisor satisfaction evaluations. To date, 2,562 probation and pretrial services officers have graduated from the new officer program at the academy.

Academy staff continue to deliver all firearms, safety, and search and seizure training at the FLETC campus. These comprehensive programs are designed to provide relevant and realistic experience in various training environments. These training programs are designed to certify instructors who return to their districts to oversee firearms qualification and training in these areas. The training programs provide instructor candidates with opportunities not only to improve their skill

level but also to learn how to engage in teach backs to their peers.

The firearms and safety branch of the training academy also reviews curricula regularly and applies evidence-based practices in developing and updating all components of these programs. The instructors receive continued training on the latest techniques, strategies, and delivery methodologies for firearms and safety.

The following statistics show the number of officers trained in Academy programs since the NTA's inception in 2005.

- Firearms Certification programs—1678
- Safety Certification programs—1222
- Search & Seizure Training program—269
- Post-Conviction Risk Assessment program—538
- Staff Training Aimed at Reducing Re-Arrest—789

The Academy also serves as the center for the PPSO Training and Safety Division and serves as a resource on the development, evaluation, and revision of all national policy for firearms, safety, search and seizure, restraints, and Use of Force, including the update of policy documents (e.g., Director's Regulations on Firearms and Use of Force) and the oversight of firearms and safety Office Reviews and After Action plans. In addition, the Academy serves as the clearing house and communication point for firearms and safety policy-related issues.

The current academy staff is made up of an Academy Director/Division Chief, two branch chiefs (training and skills and firearms and safety), probation administrators, and instructors on long-term detail to both the AO and the FLETC.

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People Can Change and We Can Make a Difference

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I AM GRATEFUL to federal probation and pretrial services for embracing the idea that “people can change and we can make a difference,” which is enshrined in “The Charter for Excellence,” that serves as the system’s vision statement.¹ These simple but elegant words give voice to the underlying philosophy of the vast majority of federal probation and pretrial services officers I have met during my career in the federal judiciary.

What makes this philosophy or vision so noteworthy is that it is no longer popular, or even defensible, in the eyes of many of our fellow citizens and political leaders. For many in our country, cynicism has descended into the practice of criminal justice, as reflected in the stirring words of Robert Martinson in 1974 that “nothing works” in the rehabilitation of criminals.²

If we follow “nothing works” to its logical conclusion, we are likely to end up with a highly punitive system costing society billions of dollars for prisons and jails and imposing long criminal sentences with little chance of relief for offenders. Has anyone noticed our overcrowded prisons and state budgets that devote more money to prison construction and maintenance than they do to higher education?

The dedicated professionals who lead federal probation and pretrial services believe that rehabilitation is still possible; they are not cynical and are willing to experiment with programs and policies to prove it. The pages of this journal are filled with wonderful examples

of system improvement projects that work. We have seen chiefs and their colleagues develop effective initiatives in cognitive re-structuring, employment preparation, education, reentry training, and so much more. The programs are premised on the hopeful approach that “people can change and we can make a difference.” Program managers are dedicated, caring professionals with very high levels of integrity and a strong commitment to the public service.

For the past 20 years, I have had the great pleasure and honor of directing the Federal Judicial Center’s Leadership Development Program (LDP) for Federal Probation and Pretrial Services. Over 800 officers, specialists, and managers from almost every federal district have completed the program. Several have been promoted to leadership positions within the system.

One of the requirements of the Leadership Development Program is for each participant to complete an in-district project, where they take a program, policy, or product in their district and seek to improve it. In short, we ask the participant to become a change agent in the system. Time after time, the participants delight and astound us with the daring projects they pursue. Consider representative projects for the LDP XII Class 2013-2015:

- Evaluation of a Veterans’ Treatment Program
- Evaluation of Financial Literacy and Employment Programs
- Development of an Intervention Program for Female Offenders
- Development of a Family Orientation Program for Offenders
- Expansion of the District’s Reentry Program in the Pretrial and Presentence Stages

- Development of a Sex Offender Management Team
- Implementation of a Rating System for Offenders

The completed district improvement projects have led to increased efficiencies in program administration and even, in some cases, in cost savings to the districts. The experience also changes the participants, as they become more familiar with the difficulties of translating vision into reality.

We also ask each Leadership Development participant to complete a “temporary tour of duty” (TDY) in an office other than their own for a period of 5-10 working days, to participate in the work of that office, and to observe the multitude of leadership approaches and styles in the public and private sectors. Some of the recent TDYs completed include:

- Nebraska State Senator Colby Coash’s Office (Lincoln, NE)
- Cleveland High School (Rio Rancho, NM)
- Veterans’ Health Administration System (St. Louis, MO)
- Missouri Attorney General’s Office (Jefferson City, MO)
- U.S. Coast Guard Maritime & Security Team (Atlanta, GA)
- Environmental Protection Agency—Criminal Investigation Division (Washington, DC)
- Boys & Girls Club (Porter County, IN)
- The Pew Charitable Trust (Washington, DC)
- North Carolina Governor’s Office (Raleigh, NC)

In their TDY placements, the leadership development participants glean new ideas about the use of technology for leadership purposes, powerful approaches to employee motivation, and creative budgeting options.

¹ “The Charter for Excellence” was developed at the 2000 and 2002 National Chiefs Conferences.

² Robert Martinson. “What Works? Questions and Answers About Prison Reform.” *Public Interest* 35 (Spring 1974).

They complete reports emphasizing the ideas that can be reasonably successful in probation and pretrial, and those that will not work.

So the federal probation and pretrial services system has demonstrated a capacity to bring about change, not only in its clients—the offenders—but in its own staff. The leadership development participants have completed the substantial amount of program work—including conducting research and writing papers—in addition to their ongoing job responsibilities. I am in awe of their accomplishments.

Probation and pretrial services officers, managers, and specialists have demonstrated a belief in lifelong learning and in the transformational power of professional development.

They have modelled the idea of the “reflective practitioner” described many years ago by Edgar Schon in his book *Educating the Reflective Practitioner*:

In the varied topography of professional practice, there is a high, hard ground overlooking a swamp. On the high ground, management problems lend themselves to solution through the application of research-based theory and technique. In the swampy lowland, messy, confusing problems defy technical solution. The irony of this situation is that the problems of the high ground tend to be relatively unimportant to individuals or society at large, however great their technical interest may be, while in the swamp lie the

problems of greatest human concern. The practitioner must choose.³

By choosing to confront Schon’s “messy, confusing problem,” the probation and pretrial services chiefs and their colleagues have illuminated for the system areas of tremendous opportunity for the successful rehabilitation of offenders and for the attainment of justice in our society.

I applaud federal probation and pretrial services for its belief that “people can change and we can make a difference,” applied not only to the offenders with whom they work, but also to their own professional growth and development.

³ Edgar Schon. *Educating the Reflective Practitioner*. SF: Jossey-Bass, 1987, p. 3.