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## Getting the Most Out of Correctional Treatment: Testing the Responsivity Principle on Male and Female Offenders

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**IT IS NO SURPRISE** that the number of offenders under correctional supervision has been steadily increasing. In fact, this number has increased more than 188 percent since 1973 (Clear, 1994). Moreover, it is likely that on most days, more than 1.8 million Americans are behind bars (Bureau of Justice Statistics, 1998). Women and girls have not been left out of these increases in correctional populations, with data indicating that the rate of imprisonment for women increased twice as much as for men in the 1980s (Immarigeon and Chesney-Lind, 1992; Danner, 1998) and continues to increase each year at a greater rate than that for men (Bureau of Justice Statistics, 1998). Despite these trends, studies indicate that the public tends to support the idea of using the correctional system to rehabilitate offenders (see Cullen, Skovron, Scott, and Burton, 1990; Applegate, Cullen, and Fisher, 1997). Furthermore, there is a vast amount of literature indicating that rehabilitation efforts can “work.” Given the increases in the numbers of people under correctional supervision and the fact that most offenders return to the streets, the need to find ways to effectively reduce recidivism through rehabilitation of offenders is imperative.

While research has demonstrated that programs can reduce recidivism for offenders, not all programs have been shown to be equally effective. There have been several generations of research called the “what works” literature dedicated to improving correctional treatment. Gendreau (1996) and others (see Andrews and Bonta, 1999; Andrews et al., 1990) have put forth “principles of effective intervention” intended to guide programs for offenders in rehabilitation efforts. These principles include such things as using assessment to classifying offenders on their level of risk to recidivate, targeting offenders’ criminogenic needs in treatment, and matching offenders to the appropriate staff and/or type of treatment. This last principle mentioned above is called the responsivity principle and is the least researched of the principles.

There are two types of responsivity according to Andrews and his colleagues (1990), general and specific. General responsivity refers to the idea that treatment programs will be most successful if they utilize behavioral techniques such as role-playing, role-modeling, problem-solving, and graduated reinforcement techniques (Andrews, Bonta, and Hoge, 1990). This is primarily because these techniques incorporate various teaching tools and strategies which are geared to the greatest amount of learning styles. Examples of treatment programs currently being used in

corrections that utilize these techniques are those based in cognitive-behavioral theory and/or social learning theory. Meta-analysis and reviews of the treatment literature have found these treatment strategies to be the most effective with offenders (Izzo and Ross, 1990; Andrews et al., 1990; Antonowicz and Ross, 1994).

The other type of responsivity discussed in the literature is referred to as specific responsivity. This is the notion that personal characteristics of offenders may make them more or less amenable to treatment. Thus, for programs to be effective, these responsivity characteristics must be addressed through assessment and through matching offenders to appropriate staff and the right type of treatment for that offender. To date, there is not much research regarding what personal characteristics are most important for programs to consider. There is speculation, however, that factors such as race, gender, age, sexual abuse, depression, self-esteem, and intelligence are factors that are important to consider when providing correctional rehabilitation.

As discussed previously, the responsivity principle is one of the least researched principles. Since many correctional treatment programs are utilizing cognitive-behavioral treatment, it is important to understand what personal characteristics of offenders are related to success in this type of program. Cognitive-behavioral treatment meets the general responsivity principle and therefore in theory should be able to reach the greatest variety of offender types. However, there is some evidence that intelligence matters in whether offenders can understand this type of treatment (Ross and Fabiano, 1985). In addition, other important characteristics of offenders have not been studied to determine whether they are related to success and/or failure in this type of treatment.

This study sought to determine what responsivity characteristics were important in a program that meets the general responsivity principle, cognitive-behavioral treatment. That is, personal characteristics of offenders were assessed and then the subjects were given cognitive-behavioral treatment. Outcome data were then analyzed to determine if various responsivity characteristics were related to whether the program "worked." It is hypothesized that individual characteristics of offenders such as gender, age and others such as low intelligence, low self-esteem, a history of sexual abuse and depression may interfere with the offender's likelihood of success in the program (program completion) or not recidivating.

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## **Previous Research**

In the correctional rehabilitation literature, both individual outcome studies and the numerous meta-analyses have demonstrated that cognitive-behavioral strategies are among the most effective treatment approaches for offenders. One of the most researched cognitive-behavioral programs for offenders is the Reasoning and Rehabilitation program (Ross, Fabiano, and Ewles, 1988; Robinson, Grossman, and Porporino, 1991; Robinson, 1995). These studies have all shown consistent effects of this cognitive-behavioral program over control groups. Another cognitive-treatment program that has shown effectiveness is Moral Reconciliation Therapy (MRT) (Little, 2000). Moreover, the meta-analyses have also consistently shown the effectiveness of cognitive-behavioral programs in reducing offender recidivism (Andrews, Zinger, Hoge, Bonta, Gendreau, and Cullen, 1990; Antonowicz and Ross, 1994; Garrett, 1985; Izzo and Ross, 1990; Lipsey, 1990).

The notion of specific responsivity refers to the idea that individual personal characteristics may make offenders more or less responsive to treatment (Andrews, Bonta, and Hoge, 1990). Although this is not a new idea, the label for the practice of matching treatment to personal characteristics (responsivity) is relatively new. As early as the 1950s Freud warned that psychotherapists should be aware that their highly verbal style of therapy was inappropriate for certain offender types such as those with poor verbal abilities (Freud, 1953). Recently, there has been some research indicating that personal characteristics such as intelligence and personality may mediate the effects of treatment. However, despite one study that found that IQ may affect success in cognitive-behavioral treatment (Ross and Fabiano, 1985), few studies have addressed the issue of responsivity in cognitive-behavioral treatment (VanVoorhis, 1997).

## *Gender*

There is a debate in the literature about how much gender should be considered when developing treatment programs for offenders. Feminists and advocates of gender-specific treatment argue that men and women are qualitatively different in that they develop differently, have different needs, and have different pathways to offending (Bloom and Covington, 2001). As a result, they argue that the programs used to treat them also need to be different. The “what works” researchers claim that gender should be considered a responsivity concern. That is, programs need to be aware of gender differences when delivering the treatment; however, the principles of effective intervention are the same. Nonetheless, both groups would argue that gender is a responsivity consideration.

## *Depression*

Many researchers have suggested that depression could be an important responsivity characteristic (VanVoorhis, 1997; Kennedy and Serin, 1997; Bonta, 1995). How depression is related to success or failure, however, is still not known. While many researchers have mentioned it as a potential responsivity factor, there is little research on its effects. Due to the fact that depression has been linked to self-esteem and sexual abuse, feminists have argued that programs need to consider this mental health need in programming for women (Kearney-Cooke, 2002).

## *Self-esteem*

There has been much discussion about the importance of self-esteem as a predictor of criminal behavior; however, there is little discussion about self-esteem as a responsivity consideration. Some research has indicated that it may have differential effects on criminal behavior depending on personal characteristics. For example, Hubbard (2006) found that self-esteem was positively related to arrest in African Americans and negatively related to arrest in white offenders, regardless of gender. Evidence does exist that narcissistic people are at risk for criminal behavior (Bushman and Baumeister, 1998). Given this, it is possible that at the very least, self-esteem may interfere with treatment success (Bloom, 1998; Bonta, 1995). Those offenders with low self-esteem may not participate in group therapy and may need more skilled staff members. Again, the role of this characteristic is not yet known. However, the gender-specific literature identifies it as an important need for women that should be addressed in treatment.

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## **History of Sexual Abuse**

A history of sexual abuse is recognized as a risk factor for crime in both males and females, yet it is also likely an important responsivity consideration. Women tend to have a greater likelihood of a sexual abuse background than men. The incidence of sexual abuse in female offenders is even higher. A study by the American Correctional Association (1990) found that approximately 36 percent of all female offenders had been sexually abused. Many researchers, however, claim that this statistic is actually much higher due to the amount of underreporting. While the prevalence of sexual abuse is high in women, the effects of this personal characteristic on success in treatment program are not yet known.

## *Intelligence*

Intelligence has also been considered as a potentially important responsivity characteristic. For example, Ross and Fabiano (1985) found that intelligence was related to success in a cognitive-behavioral treatment program. They found that offenders with IQ's lower than 85 may not be successful in a cognitive program. Offenders with lower intelligence levels may not have the ability to understand cognitive curriculums. For example, many curriculums emphasize learning

the difference between thoughts and feelings and learning to act only on thoughts rather than feelings. This might be too hard a concept to grasp for those offenders with low IQ's. Thus, they may appear to be uninterested or unsuccessful when they cannot understand the material. Despite this one study, little research has addressed the issue of intelligence as a responsivity consideration.

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## Methods

The literature has indicated that certain personal characteristics of offenders may be important in moderating the effects of treatment. This study attempted to determine if these characteristics matter in determining an offender's success or failure in cognitive-behavioral treatment. The research question addressed in this study is: What specific responsivity characteristics affect whether an offender is successful in cognitive-behavioral treatment (a program that meets the general responsivity principle)? That is, what characteristics are related to whether an offender completes the program as well as what characteristics are related to whether an offender is rearrested and/or reincarcerated? In order to answer the above questions, a cognitive-behavioral program was implemented at four treatment sites. Data were collected on offenders at each site and analyzed to determine if these characteristics were related to success in the program.

The cognitive-behavioral program that was implemented at the four treatment programs is Corrective Thinking. The Corrective Thinking curriculum developed by Rogie Spon (1999) is based on the work of Yochelson and Samenow (1976). Instead of thinking errors, however, the curriculum teaches offenders how to recognize their "barriers in thinking" and replace them with the appropriate "correctives." The curriculum consists of a series of exercises aimed at teaching the offenders the nine barriers in thinking and the nine correctives. The program is generally considered a cognitive "restructuring" program rather than a skill-building program. However, some exercises involve role playing and the practicing of new behaviors. The program is offered to participants in the form of a group. Currently, there are no outcome evaluations on the effectiveness of this particular cognitive-behavioral program. Cognitive-behavioral programming in general, however, has been found to be effective with offender populations (see Ross, Fabiano, and Ewles, 1988; Robinson, Grossman, and Porporino, 1991; Robinson, 1995).

This study was part of a larger study funded by the Ohio Office of Criminal Justice Services. Offenders at four treatment sites were included to increase the sample size. While all offenders in the above treatment programs were required to participate in the cognitive treatment groups in each study site, participation in this study was voluntary. Staff at each study site explained the study to offenders upon intake into each program and offenders were asked to participate.

The offenders were then asked to sign a release if they agreed to participate in the study. It is not clear how many offenders refused to participate.

Offenders in four study sites were included in this sample. The first site was a 20-bed halfway house for women. The offenders were felons under various supervision levels, and a majority were chemically dependent. The treatment program lasted approximately 90 days, over the course of which offenders received approximately 26 hours of Corrective Thinking. In addition to cognitive-behavioral programming, offenders received substance abuse treatment as well as attending other life skills groups, such as parenting. They were also expected to work full-time.

The next study site was a 60-bed halfway house serving adult males. The length of treatment was approximately 90 days, during which time offenders received approximately 30 hours of Corrective Thinking groups. Other programming included chemical dependency, parenting, relationship building, and life skills. The residents were expected to work full time while in the facility.

The third study site was a 100-bed community-based correctional facility that served primarily adult male felony probationers. The length of treatment was approximately four months.

Offenders at this facility received approximately 120 hours of Corrective Thinking. Other programming included chemical dependency, GED classes, vocational assistance, family services, and life skills training.

Finally, the last site used in this study was a 20-bed residential drug treatment program. The program lasted approximately 90 days, during which time offenders received approximately 36 hours of Corrective Thinking. Other programming included drug/alcohol treatment, counseling, and family services. <sup>[1]</sup>

### *Sample*

The sample included men and women from four different treatment facilities who received cognitive-behavioral treatment. The groups in this case were combined to increase sample size and to insure a diverse population was represented. <sup>[2]</sup> Included in this sample were 344 men and 102 women. The total number of offenders included in this study is 446. The majority of the sample was white (65.6%) and male (77.1%). The majority of the sample were under 40 (82.2%) while close to 50 percent were under 30 years of age. In terms of current offense characteristics for the sample, approximately 40 percent of the people in the sample were serving time for a violent offense (41.0%), while a third of the people in the sample were convicted of a drug offense (32.9%). Most of the offenders in the sample had prior arrests (82.5%). The majority of Differences in number of hours of Corrective Thinking and other program characteristics were controlled for by a quality of programming variable. Differences in the groups will be controlled for through the use of risk/need level and quality of program. the sample had not previously served time in prison (71.9%) or had probation.

### *Responsivity Assessments (Independent Variables)*

In addition to demographics, data on responsivity or personal characteristics were gathered. One often-discussed personal characteristic that is said to be related to success in a program is sexual victimization. Thus, these data were gathered from client files. It is hypothesized that those offenders who have been victimized will perform worse than those who have not. If the files contained no information about sexual abuse, the data were coded as “no.”

### *Rosenberg's Self-Esteem Scale*

It is suggested that self-esteem is a responsivity issue. Thus people with low self-esteem are hypothesized to perform worse in the program than offenders with high self-esteem. The instrument was developed by Morris Rosenberg (1979) and was originally validated and normed on high school students, but has since been validated on a variety of populations (see Fleming and Courtney, 1984). The Rosenberg Self-Esteem Scale is a 10-item scale with higher scores on the test correlating with higher self-esteem. Thus, the total scores could range from 0-30.

### *The Culture Fair Intelligence Test*

It is hypothesized that those individuals with lower intelligence levels will not perform as well as individuals with moderate to higher intellectual levels. The Culture Fair Intelligence Test measures individual intelligence in a manner designed to reduce the influence of verbal fluency, culture climate, and educational level. The test, which contains four subtests involving different perceptual tasks, was designed by Catell and Catell (1963) and the subtests have since undergone several revisions. The test used in this study was designed for use with all ages. The test has been studied extensively with both reliability and validity data supportive of the test.

### *Center for Epidemiologic Studies Depression Scale (CES-D)*

It is hypothesized that offenders who score high on the depression scale will perform worse in the treatment than offenders who score low on the depression scale. Like self-esteem, it is hypothesized that offenders who are depressed are less likely to participate in the groups and therefore be successful. The scale used in this study is from the Center for Epidemiologic Studies. The CES-D is a 20-item self-report instrument developed at the National Institute of



Mental Health. The scale is widely utilized as a screening instrument to distinguish depressed subjects from non-depressed subjects in non-clinical settings (Radloff, 1977). Subjects were asked whether they had experienced a variety of symptoms in the previous week. The CES-D scale has been found to correlate with other measures of depression, including the DSM-III (Fechner-Bates, Coyne, and Schwenk, 1986) and has been found to be an effective screening device for depression, despite differing personal characteristics such as age, gender, and cognitive impairment (Lewinsohn, Seeley, Roberts, and Allen, 1997). If more than five items were missing from the instrument, the score was not used.

#### *Control Variables*

##### *The Level of Service Inventory-Revised*

The risk principle suggests that those individuals at a higher risk of recidivating will benefit from treatment more than lower-risk individuals (Andrews and Bonta, 1999) and lower-risk individuals may be made “worse” from intensive services. Moreover, higher-risk offenders are more likely to be unsuccessful and recidivate than lower-risk offenders. It is important then, to collect information on risk/need level. Risk/need level was collected using the Level of Service Inventory.

The LSI is a risk/need instrument designed to assess an offender’s likelihood of recidivism. The LSI includes static factors, such as criminal history, as well as dynamic attributes of offenders, such as substance abuse and attitudes about crime. The LSI-R (the version for adults) collects 54 pieces of information about each offender. The items of the LSI are scored in a 0-1 format and added to produce a total score. This makes scoring and adding the scores fairly simple (see Bonta, 1995 for a complete description). The LSI has been found to predict successful completion of probation, institutional misconduct, as well as future criminal offending. Moreover, the LSI has been shown to be valid for a variety of offender types, such as females and juveniles (Kirkpatrick, 1999; Hoge, Andrews, and Leschied, 1996). The LSI was administered to participants upon intake into the program. The data were collected by a project staff member. Each interview took approximately one hour.

#### *Dependent Variables*

Data were gathered from client files regarding whether they terminated the program successfully or not. Arrest data were collected in January 2002, and were gathered through official records. Re-incarceration data were collected from the Ohio Department of Rehabilitation and Correction. The average follow-up period was approximately 20 months.

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### **Data Analysis**

First, univariate analyses were conducted in order to describe the sample on the various responsivity characteristics, control variables, and dependent variables. Second, logistic regression analysis was conducted to determine what characteristics were related to program completion and recidivism. Independent variables were assessed for multicollinearity and no problems existed.

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### **Results**

[Table 1](#) presents the responsivity characteristics of offenders in the sample. As was stated earlier, 22.9 percent of the sample were women and 34.4 percent of the sample were African American. Data on intelligence level were collected on 438 offenders. Close to 20 percent of the sample had IQ levels at 85 and below (n=84). The largest category of the sample fell between 86 and 99 (n=194, 44.2 percent). The mean intelligence level was 98.32. Most of the sample had no history of sexual abuse as an adult or as a child as recorded in the files (92.4 percent). It should be



noted that this information was collected through use of the files and it is probable that this information was not gathered by staff on all offenders who had abuse histories. Moreover, many offenders failed to report this information even if asked by program staff.

About one quarter of the sample appeared to be high in the area of depression as measured by the Center for Epidemiological Studies Depression Inventory (25.9 percent, n=104). On this scale, the higher the score, the more depressed the individual was. The mean score for the sample of offenders was 8.32 out of 20. In terms of self-esteem, the higher the score, the higher the self-esteem level. The highest score was 30 and the mean was 19.1. Eighty percent of the sample scored 16-30 on the assessment. Twenty percent of the sample scored in the lower half of the scale.

Most of the offenders included in the sample completed the programs successfully (n=353, 79.1 percent). About a quarter of the sample was arrested in the year-and-a-half follow-up time (n=116, 26 percent).

In [Table 2](#), logistic regression coefficients are reported with the standard error in parentheses. The first model predicts whether the offender did not complete the program successfully. In this model, no variable was significantly related to being unsuccessful (not completing the program) at the .05 level or below. One variable however, approached significance. Younger offenders were more likely to fail in the program than older offenders ( $p < .08$ ). Overall, however, the model was not significant.

Model 2 in [Table 2](#) predicted arrest. While this model had greater predictive ability than the last model, only two variables were related. The results indicate that women were less likely to be arrested than men and offenders with higher risk/need scores as measured by the Level of Service Inventory were more likely to be arrested.

Finally, model 3 in [Table 2](#) predicted re-incarceration. Like the model predicting arrest, gender and risk/need score were significantly related to whether an offender was reincarcerated. Men and people with higher risk/need scores were more likely to be reincarcerated. It should be noted that self-esteem did approach significance. Thus, people with high self-esteem were less likely to be reincarcerated.

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## **Discussion**

This study attempted to sort out the least researched principle of effective intervention: specific responsivity. The responsivity principle assumes that certain personal characteristics of offenders may mediate the effects of treatment. That is, personal characteristics may affect whether an offender can succeed in correctional treatment. The goal of this research was to determine what personal characteristics were related to success in a program that meets the general responsivity principle, cognitive behavioral treatment.

Cognitive behavioral therapy has been gaining attention for a variety of reasons. One reason for its popularity is that it is easier to use than traditional counseling. Correctional staff can easily be trained to conduct the treatment in a relatively short period of time. Another reason for the increase in the use of cognitive-behavioral programs is that positive effects for this type of treatment have been found in the correctional treatment literature (Ross, Fabiano, and Ewles, 1988; Robinson, Grossman, and Porporino, 1991; Robinson, 1995). Cognitive-behavioral programming also targets one of the strongest correlates of crime, antisocial attitudes (Andrews and Bonta, 1999). Finally, cognitive-behavioral programs meet the principle of general responsivity. This principle states that programs should be behavioral in nature and include techniques such as role-playing. For these reasons, cognitive curriculums are dominating correctional treatment. It is important, then, that as more and more treatment programs adopt this form of treatment, the exact effects are sorted out. Although there is evidence that cognitive-

behavioral curriculums work, what is still unclear is which kinds of offenders do best in such programs and which do worst. Despite Ross and Fabiano's (1985) research that found intelligence to be related to success in cognitive-behavioral treatment, there is only speculation as to what personal characteristics may be important in mediating success in treatment.

The current study utilized a longitudinal design with a sample of 344 male and 102 female offenders. A battery of assessments was given to offenders as they entered one of four programs that offered the same cognitive-behavioral treatment. Outcome data were then gathered to determine if any of the personal characteristics of offenders was related to whether an offender did not complete the program, was arrested, and/or incarcerated. What is interesting in this study is that despite previous research that has suggested that certain personal variables may interfere with an offender's ability to succeed in the program, no such characteristics were found to be related in this study.

While gender was not related to whether an offender completed the program, it was found to be significantly related to recidivism (both re-arrest and incarceration). Men were significantly more likely than women to be arrested and incarcerated. While men tend to have higher recidivism rates in general, it is still interesting that despite controlling for many factors that would likely explain this relationship away, such as level of risk, sexual abuse, depression, and self-esteem, gender emerged as an important responsivity consideration. One explanation for this finding could be that women are more receptive to cognitive-behavioral treatment. In this case, the question becomes: What is it about women that makes them more receptive? While more research is needed in this area, perhaps women are more motivated, able to take responsibility for their actions, and/or relate better to the curriculum. Due to the lack of literature in this area, the reasons for this finding are speculation at this point.

Ross and Fabiano (1985) found that offenders with intelligence levels less than 85 perform worse in cognitive-behavioral treatment than offenders with higher IQ's. In this study, intelligence level as measured by the Culture Fair was not related to program completion or recidivism. Those offenders with low IQ's performed as well in cognitive-behavioral treatment as those with higher IQ's. Thus, in this study, intelligence did not emerge as a responsivity consideration. More research however, is needed in this area to determine whether this finding is related to the type of cognitive-behavioral program and/or whether it is a function of the curriculum and/or staff.

While one study found depression was related to female delinquency (see Obeidallah and Earls, 1999) it is generally thought of as a responsivity consideration (VanVoorhis, 1997; Kennedy and Serin, 1997; Bonta, 1995). Depression as measured by the CES-D scale was not related to successful program completion and/or recidivism. Those who were depressed performed equally as well as those who were not depressed.

Self-esteem has received a lot of attention in the literature on correctional rehabilitation. The Feminist literature has asserted that self-esteem is an important need of female offenders and thus treatment programs should address this need. Other researchers have suggested that self-esteem is not a criminogenic need. It has been suggested in this study that self-esteem is a responsivity issue. However, like depression, self-esteem as measured by Rosenberg's Self-Esteem Inventory was not related to program completion or recidivism. Those offenders with low self-esteem were just as likely to be unsuccessful in the program, arrested, and incarcerated.

As expected, level of risk was found to be related to many of the outcome indicators. It was highly significant in predicting whether an offender was successful in the program, whether the offender was arrested and whether the offender was incarcerated. This demonstrates the need to match level of programming to the level of risk. Higher-risk offenders need more intensive treatment for a longer duration than lower-risk offenders. Moreover, this finding highlights the importance of collecting information on risk/need level and controlling for it in future evaluation studies.

This study has implications for treatment programs as well as for evaluators studying responsivity in the future. First, more research is needed to determine if, as this study indicates,

women are more responsive to cognitive-behavioral treatment than men. This entails collecting data on both men and women and including them in the same sample. As was discussed earlier, many research studies fail to include women and men in the same sample. Finally, other responsivity considerations such as intelligence, sexual abuse, and personality still need to be researched.

One of the most important implications has to do with the link between the general and specific responsivity principles. The general responsivity principle suggests that programs that are behavioral in nature tend to reach the greatest numbers of offenders because of the variety of techniques used. The specific responsivity principle asserts that certain personal characteristics of offenders may interfere with their ability to succeed in the treatment. This study found little support for the specific responsivity principle. In so doing, the study may support the general responsivity principle. The treatment program studied in this research is a cognitive-behavioral program. Cognitive-behavioral programming has been found to be successful at reducing recidivism for many reasons discussed earlier, such as the fact that it targets a known correlate of crime (antisocial attitudes) and uses a variety of behavioral techniques such as role-playing, reinforcement, and modeling. Perhaps specific responsivity characteristics were not found to be related to the outcomes because the cognitive-behavioral program succeeds at reaching a wide range of learning styles of offenders. While more research is needed in the future, this finding suggests that behavioral programs may help negate the effects of offender personal characteristics on treatment success.

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**Table 1: Potential Responsivity Characteristics of Sample (N=446)**

Gender (N=446)		
	Women	22.9% (n=102)
	Men	77.1% (n=344)
Race (N=425)		
	African American	34.4% (n=146)
	White	65.6% (n=279)
Age (N=429)		
		Mean=31.07 Range 18-64 SD=9.439
Sexual Abuse (N=446)		
	Yes	7.6% (n=34)
	No	92.4% (n=412)
Intelligence (N=431)		
	(Culture Fair Intelligence Test)	Mean=98.32 Range 45-151 SD=16.292
Self-Esteem (N=280)		
	(Rosenberg's Self Esteem Inventory)	Mean=13.39 Range 10-22 SD=1.776
Depression (N=434)		
	(CESD)	Mean=8.32 Range 1-20 SD=4.441

**Table 2: Logistic Regression Models Predicting Unsuccessful, Arrest, and Reincarceration (Logistic coefficients, standard error, and log odd ratio reported)**

	Model 1			Model 2			Model 3		
	Unsuccessful			Arrest			Reincarceration		
	B	SE	Exp(B)	B	SE	Exp(B)	B	SE	Exp(B)
Gender	.165	.427	1.179	-.923**	.445	.389	-1.455**	.697	.233
African Am.	.504*	.284	1.655	-.083	.266	.920	-.441	.336	.643
Age	-.024	.016	.976	-.007	.014	.993	-.015	.018	.985
Sexual Abuse	-.721	.659	.486	.722	.499	2.059	.654	.630	1.924
Intelligence	-.013	.009	.988	.000	.008	1.000	.005	.009	1.005
Depression	.008	.032	1.008	-.022	.028	.978	-.006	.034	.994
Self-esteem	-.071	.079	.932	-.067	.070	.936	-.147*	.084	.863
LSI score	.030	.021	1.030	.059***	.019	1.061	.075***	.024	1.078
Constant	.566	1.849	1.761	-.962	1.639	.382	-1.150	1.963	.317
Chi Square	14.867, df 8*			30.704, df 8****			39.530, df 8****		
	N=368			N=375			N=375		

\*p<.083

\*\*p<.05

\*\*\*p<.01

\*\*\*\*p<.001

## Probation and Parole Officers and Discretionary Decision-Making: Responses to Technical and Criminal Violations

Mark Jones, East Carolina University  
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**IN A RECENT ESSAY** Chris Eskridge (2004) identified four necessary elements in the dispensation of perfect justice:

- the absolute ability to identify law violators;
- the absolute ability to apprehend law violators;
- the absolute ability to punish law violators; and
- the absolute ability to identify the intent of law violators.

However, Eskridge recognized that the criminal justice system is far from perfect and that there are few if any absolutes. In this vein, Eskridge noted that multiple factors inhibit the creation of a perfectly just system of justice administration. For example, the innocent are occasionally punished, while the guilty escape punishment. Additionally, the guilty are sometimes punished more severely or punished less severely than necessary.

The administration of justice is largely dependent upon the actions of individual human beings who are subject to making procedural and/or mechanistic mistakes in the course of doing their jobs. Police officers may do a poor job of gathering physical evidence; thereafter, prosecutors may make strategic errors in handling a case. Finally, correctional officers may fail to take proper security precautions that result in injuries or escapes.

Human error is not the only reason that the administration of justice is non-uniform in its application. A much larger factor is human *discretion* or the use of personal decision-making and choice when criminal justice professionals carry out their respective duties and responsibilities. While discretion is utilized by all criminal justice professionals engaged in professional decision-making, this paper examines how probation and parole officers (PPOs) working within community-based corrections utilize decisions.

A number of factors that may significantly affect PPO discretion include:

- differing philosophical orientations to criminal justice goals like rehabilitation versus

- retribution;
- scholarly interpretations of the law;
- formal organizational and/or community practices; and finally
- personal preferences.

This study focuses on the fifth factor (personal preferences) for PPOs. More specifically, this study examines PPO's preferred responses to probationers and parolees who breach the conditions of their community supervision by committing technical and/or criminal violations. Because there is a limited but emergent body of literature on discretionary decision-making by criminal justice practitioners, we begin this article with a brief chronology documenting the use of discretion among criminal justice professionals to include police officers, court-related personnel, and correctional staff. Thereafter, we present the results and policy implications of a national survey of discretionary decision-making among members of the American Probation and Parole Association (APPA). Ultimately this study aims to take a modest but important step towards understanding PPO preferences for responding to community-supervised offenders who violate the conditions of their probation/parole.

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## **Literature Review**

### *Police Discretion*

Police discretion plays a large role in determining if a person is released without action, cited or arrested for an alleged infraction of the law. The first recognition of police officer discretion in criminal justice writings appeared in 1963. Herman Goldstein, then an executive assistant to Chicago Police Chief O.W. Wilson, wrote on the topic of discretion. He documented the officers' routine use of discretion when deciding whether to make an arrest or issue a ticket (Goldstein, 1963). Considered cutting edge at the time of publication, Goldstein's article contained information and ideas that are common knowledge in policing circles today—namely that officers routinely ignored or issued warnings for certain minor offenses, and these offenses were alternately enforced or ignored because of certain precinct practices and individual officer discretion.

While writing about police discretion, Ho (2004) noted that discretion is a manifestation of selection bias, which rests upon many factors to include the individual exercising discretion. Wortley (2003) examined two views on the durability of discretion. The first view represented an enlightened and flexible (*service-oriented*) way of dealing with social problems: in contrast, the second view represented a selective (*legalistic*) approach to enforcement, and one that ultimately allowed officers to define justice in accordance with their own priorities and individual prejudices. Wortley also wrote on the difficulty of measuring discretion since criminal justice decisions are seldom based on a single rationale, such as race, gender, or age. In fact, many variables enter a police officer's mind when making the decision to take formal action against an accused offender. Finally, Wortley highlighted the need for policies and procedures to be in place to insure the appropriate use of discretion. This is easier said than done. The use of individual discretion is an inevitable part of the justice system process, which ultimately informs the generation of citations and arrest reports for alleged infractions that are subsequently processed by prosecutors and judges.

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### **Discretion with Court-Related Personnel**

The use of discretion among court-related personnel is perhaps most evident among prosecutors and judges. With regard to prosecutorial discretion, a highly visible use of their discretion is found within plea negotiations, the process of deciding which cases to present before a grand



jury and which cases should receive priority in prosecuting. Plea negotiating or plea bargaining was not recognized as a significant part of America's criminal justice system until after the American Civil War (1865), and it has been studied and analyzed repeatedly since then (Alschuler, 1979; Bond, 1975; Friedman, 1979; Durose & Langan, 2005). Ultimately, the decision to plea bargain cases rests on (among other things) a mix of prosecutorial and judicial priorities and how crowded court calendars are on any given day. When court calendars become crowded or bogged down, judges can put pressure on prosecutors to plea cases quickly. Thus, prosecutors do not act in isolation when it comes to plea bargaining.

Judges, by the very nature of the job they perform (i.e., potentially depriving people of their liberty or their life), have always been viewed as the ultimate decision makers in the criminal justice system. For this reason citizens in democratic societies would like to think that judges possess, at a minimum, the characteristics of fairness and wisdom. In spite of the recognition that judges must utilize discretion when handing down their sentences, the past three decades have brought structured sentencing to many jurisdictions. Structured sentencing serves as an obstacle to a judge's ability to fully exercise discretion and can limit a judge's ability to select and hand down certain types of sentences. Structured sentencing was also designed to help control and limit prosecutorial discretion because grand juries have often been dominated by prosecutors and have served as rubber stamps for prosecutors. Despite the limits that structured sentencing places upon prosecutorial and judicial discretion, academics, researchers and policy makers agree that discretion will always play a role in the judicial system because judges will always consider many different and contextual factors (organizational, occupational, and situational) before rendering a decision (Davis, 1969; Gelsthorpe & Padfield, 2003).

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## **Discretion and Corrections**

Once courts sentence guilty offenders, correctional personnel use their discretion to coordinate the court-ordered supervision of offenders in community-based programs and secure settings such as jails and prisons. Prison and jail officers have exercised discretion in deciding when to write disciplinary reports. Infractions or perceived infractions may be perceived differently among various prison staff and disciplinary measures for similar infractions may be treated differently, even within the same institution (Poole & Regoli, 1980; Tischler & Marquart, 1989).

Once released from jails or prisons, most offenders report to probation or parole officers in the community. Like all other officials in the criminal justice system—police, prosecutors, judges, and correctional officers—probation and parole officers use their discretion as they provide community-based supervision. Historically, parole was imported to the United States from Australia, Great Britain and Ireland in the 19th century and was designed to remove political considerations from prison release decisions by vesting such authority in an independent board instead of governors, because governors were subject to political pressure and cooptation (Friedman, 1992). Parole achieved that result, but it did not eliminate individual discretion from release decisions (Abadinsky, 1978; Dershowitz, 1976; Jones, 2004).

Today community corrections officers exercise discretion in multiple domains, from pretrial decisions to post-sentence supervision. Pretrial officers utilize discretion in making pretrial release decisions. Officers who conduct pre-sentence investigations utilize discretion in deciding what to include in a report and, most importantly, what sentence to recommend. Community corrections officers have some discretion in setting reporting requirements and the strictness of supervision; however, the mandatory use of risk and need assessment instruments in recent years has limited the amount of discretion available to community corrections officers (Schneider et al., 1996). Perhaps the most important exercise of discretion for a community corrections officer is deciding when to initiate formal proceedings that would potentially deprive someone of his/her liberty (Jones, 2004).

Whether the liberty of an offender under community supervision is revoked can often depend upon which officer is supervising the case. There have been many instances in which "Offender

A” commits an infraction and has formal action taken against him/her, while “Offender B” commits the same infraction and receives no formal action. Instead, “Offender B” receives a warning and clearly benefits from an officer, who, when exercising discretion, believes a warning to be the better intervention.

As early as 1975, McCleary wrote about the significant impact that personal preferences have upon the professional decisions of individual parole officers. In fact, McCleary believed that individual personal preferences were as likely to inform decision-making as were standard structural or organizational factors (McCleary, 1975). Differential outcomes for similar violations are most visible in multi-state studies. In a recent four-state study of parole violators by Burke (2004), she found that regardless of the state examined there was “a similar percentage of those on parole involved in technical violations—75 to 80 percent” (p. 4). Nonetheless, all states differed dramatically in how each responded to violations. For example, depending on the degree to which violations were handled in the community, “admissions to prison as a result of parole violations ranged from 3 percent to 45 percent” (Burke, 2004, p. 4).

While the exercise of individual discretion has many drawbacks, it also has its advantages. The use of discretion provides a counterpoint to a system embedded in a rigid set of rules; furthermore, an individual’s ability to think critically and to make an informed individual choice is at home in a society that seeks to balance individual rights with public safety. In a study conducted by Slabonik and Sims (2002), 78 percent of a total of 61 probation officers in Pennsylvania agreed that probation officers use their discretion in a manner that is consistent with public interest; however, this belief was more predominant among White than African- American probation officers. A larger percentage of female officers viewed discretionary decisions as based upon an officer’s personal preferences rather than public interest. Only 23 percent of the total sample (61 probation officers) agreed that probation officers should be allowed extensive discretion in dealing with violations (Slabonik & Sims, 2002).

Currently the literature does not provide even a single study on the role discretion plays in the initiation of judicial action that may result in the offender’s incarceration. Moreover, studies have yet to examine the role that personal preferences play in the decision-making process exercised by probation and parole officers. Professional decisions significantly impact the offender and can lead to revocation of probation or parole. Therefore, it is important for criminal justice scholars and practitioners to study how professional decisions are ultimately made.

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## **Study Population**

This article is based on a survey of members from the American Probation and Parole Association (APPA). More specifically, this survey targeted *line officers* and *middle managers* who supervised *adult* offenders under pretrial release, probation, parole, or post-release supervision. A membership list was obtained courtesy of the American Probation and Parole Officers Association. This list included all APPA members as of October, 2003. At that time the APPA had 2,895 members. The APPA membership roster included the member’s name, job title, agency name, and address (personal or work, whichever the member preferred). The member’s job title and address were used to help us select whom we targeted and whom we excluded from the survey. Members were excluded from this survey if they were listed in the APPA roster as: 1) holding a strictly administrative or research position; 2) working for educational institutions; 3) practicing within a federal or private agency (most probation and parole officers work within state or county/municipal systems); or 4) working *solely* with juvenile offenders (the inclusion of officers who worked solely in the juvenile system would have taken the study in a very different direction given the differences between the criminal and juvenile justice systems). A few cases were also included due to missing data.

A detailed description of the surveyed respondents is presented in [Table 1](#). Although 417 community corrections officers returned surveys for analysis (a 39.7 percent response rate), we only examined 332 surveys from respondents in 40 states after cases were excluded because of

missing data and the reasons noted previously. This resulted in a 31.6 percent response rate for the final analysis. The socio-demographic backgrounds of the respondents were proportionally congruent with other national studies of the probation and parole workforce in the United States. Proportionally speaking, a majority of the sample (56 percent) was male, while a somewhat smaller segment (44 percent) was female; these findings were fairly consistent with the proportion of males (48 percent) and females (52 percent) surveyed by Camp and Camp (2002) in their 24-state study of probation and parole staff. The racial breakdown of our sample indicated that a relatively small proportion of respondents were non-white (10.5 percent), while the vast majority of study participants were white (89.5 percent). Again, these results were fairly congruent with the findings of Camp and Camp (2002), who found that the vast majority of their sample was also white (80 percent). About half (51 percent) of the sample had a four-year college degree or less, and the remaining 49 percent had graduate-level educations.

The average officer had worked for 13.3 years in probation and/or parole; furthermore, there was a wide range of experience with some officers being in their first year of employment while others reported a maximum of 37 years on the job. As for position titles, most respondents were “regular line-level officers” (62 percent), but slightly more than a third were “middle managers” (38 percent), which makes sense given the near majority of respondents with graduate-level educations. With respect to caseloads, most community corrections officers (65 percent) worked exclusively with probationers, but a fourth (26 percent) worked with parolees only or with parolees *and* probationers; the remaining 9 percent worked with pretrial defendants only. With caseloads that contained an average of 141 offenders and a maximum of 4000 offenders, most officers (86 percent) worked exclusively with adults, but a small minority of respondents worked with both adults and juveniles (14 percent). In terms of the organizational characteristics of the respondents’ respective workplaces, there were fairly similar proportions of study participants in the Northeast (15 percent), South (22 percent), and West (19 percent), but a larger proportion came from the Midwest (44.0). This may be due to the fact that the membership roster was obtained in the fall of 2003, and the 2003 APPA annual Training Institute was held in Cleveland, Ohio. APPA institute attendees are typically disproportionately from the area where the institute is being held.

In terms of agency funding sources, the majority of agencies were funded by counties and municipalities (53 percent), while the remaining agencies were state funded (47 percent). Given that a majority of the officers surveyed (65 percent as noted previously) oversaw caseloads that consisted of probationers only (i.e., offenders who were supervised by agencies commonly administered at the county level), it makes sense that a majority of agencies were funded by counties and municipalities (Jones, 2004). The sample’s high proportion of probation caseloads was also consistent with the majority of respondents indicating that they worked in judicial settings (52 percent) as compared to the proportion (48 percent) working in correctional departments or in parole authorities, the latter being more traditionally oriented towards parolees. Finally, 43 percent of respondents worked in urban settings, 35 percent worked in rural settings or small towns, and the remaining 22 percent worked in suburban settings. On average, each agency had approximately 40 probation and/or parole officers, but there was a wide range. Some agencies had only one officer and some had as many as 800 officers.

Within the officers’ work environment, there were policies and social pressures that may have affected the making of discretionary decisions. For example, about 11 percent of all respondents reported that they worked in agencies that had policies to *inhibit* formal actions for certain violations. At the same time, a majority of respondents (63 percent) reported that their agencies had policies that *required* formal actions for certain violations. Hence, it would appear as if respondents were more likely to work in agencies that have policies to mandate rather than suppress formal action.

This study also documented a certain amount of social pressure that affected officers’ discretionary decisions. To determine if an officer had ever been socially pressured to inhibit formal actions against an offender, this survey asked the following question: “*How often do you want to take **formal action** against an offender, but do not because you feel pressured by someone in your agency or an official outside your agency?*” About 67 percent said “never,” but

28 percent said “occasionally” and 5 percent said “often.” Hence, in the aggregate, about 33 percent had been pressured against taking formal actions against offenders. This survey also asked about pressure to take formal actions as follows: “*How often do you want to **withhold** taking formal action against an offender, but take action anyway because you feel pressured by someone in your agency or an official outside your agency?*” About 57 percent said “never,” but 40 percent said “occasionally” and 3 percent said “often.” Thus, in the aggregate, about 43 percent had been pressured to take formal action. In sum, it would appear as if a larger proportion of respondents were pressured to take formal action as compared to inhibiting formal actions (43 percent versus 33 percent, respectively).

Beyond the effect of policies and pressures in the discretionary decision-making process, this study also asked officers to state their preferred response to scenarios for technical and criminal violations (see [Table 2](#)). For each scenario, the surveyed officers indicated whether they supported *administrative* or *judicial* interventions. Administrative interventions were defined as approaches that required the officer to handle the violation by himself or herself as an agency-based response (e.g., a verbal or written reprimand, increased reporting requirements, required counseling, or some other “in-house” sanction that represents an officer’s administratively initiated/controlled sanction). Judicial interventions were defined as court-based responses (e.g., requesting an arrest warrant or setting up a formal hearing and recommending that a formal sanction be imposed).

All scenarios in the tables were presented in order of increasing support for judicial interventions. For example, in the first four scenarios, only a minority of all respondents supported judicial interventions in situations involving technical violations where an offender: 1) failed to secure employment (26 percent); 2) missed meetings with supervising officers (29 percent); 3) failed to perform community service (34 percent); and 4) registered a .15 BAC on a breathalyzer test administered while under supervision for an alcohol-related offense (40 percent). In contrast with the first four scenarios, the fifth scenario represented a line in the sand where a majority of officers (53 percent) supported judicial interventions for those under electronic house arrest who violated curfews three times in the past month. A majority of officers also supported judicial interventions with offenders who directly disobeyed an officer’s verbal warnings to: 1) avoid associations with a co-defendant (63 percent); or 2) attend substance abuse treatment after submitting positive urines for marijuana (71 percent). Thus, the surveyed officers had little tolerance for probationers and parolees who ignored verbal warnings.

Finally, the vast majority of surveyed officers supported judicial interventions with offenders who picked up new charges for: drunken driving (76 percent), felony shoplifting (78 percent), and/or felony vandalism (90 percent). Conversely, even when new misdemeanor or felony charges were present (see questions 8-10), there was still a sizeable minority of officers who would prefer to handle such criminal violations with administrative interventions for drunken driving (24 percent), felony shoplifting charges (22 percent), and felony vandalism charges (10 percent). This suggested that some officers were comfortable using administrative sanctions when faced with offenders who pick up new charges that have merit.

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## **Discussion**

This study has several limitations that should be noted. First, this survey experienced a “words versus deeds” challenge. Officers could only predict what they would do give a certain scenario. What they would actually do may have been another matter. Second, the scenarios that were presented were very brief and many other factors not presented could have been relevant in decision-making. Third, this survey did not present officers with any choices about what sort of formal intervention they might have taken. Merely stating that the officer would have initiated formal sanctions or actions did not indicate whether such action would have included a recommendation for incarceration or some lesser sanction. Fourth, these results cannot be generalized because this study did not utilize a random sample; moreover, the APPA membership may not have been representative of all probation and parole officers in the United

States, largely because the APPA roster (as evidenced by database examined herein) is top heavy with administrators and is short on line-level officers. Hence, future research should aim to replicate and advance these findings with random samples that can be generalized to the county, state and/or federal funds.

Despite these limitations, there are a few policy implications that stem from this analysis. For example, this study found that only a small proportion (10.5 percent) of probation and parole officers were non-white (a finding that was congruent with past multi-state studies as discussed previously). Given that Glaze and Palla (2004) found that minorities represented 45 percent of all probationers and parolees in 2004 (i.e., minorities were overrepresented in the system), continued efforts are needed to diversify the current workforce of line-level officers who oversee community supervision. Such cultural diversification would help to maintain current efforts aimed at advancing the cultural sensitivity of community supervision in the United States.

This study also documented the presence of high caseloads for some probation and parole officers. With average caseloads of 141 offenders and maximum caseloads of 4,000 offenders, policy makers and other advocates for community safety should be concerned about this system's capacity to properly supervise offenders and maintain public safety. This finding suggests that continued efforts are needed to reduce the size of caseloads, which would enhance the quality of community supervision.

Finally, this study has philosophical implications for community corrections officers. Given that sizeable proportions of the sample reported that agency staff and/or people outside of their agency pressured them to inhibit or initiate formal action against offenders, one must question whether internal or external pressures help or hinder their discretionary decisions regarding the inhibition or initiation of formal actions.

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## **Conclusion**

The United States incarcerates its citizens at a rate that is now the highest in the world (The Sentencing Project, 2005). As of the midyear for 2004, U.S. jails and prisons incarcerated 2,131,180 persons (Harrison & Beck, 2005). In terms of incarceration rates for 2004, the U.S. had 726 inmates per 100,000 U.S. residents, and this figure was far greater than the rate for Russia, which came in second place with 532 inmates per 100,000 residents (Harrison & Beck, 2005). Interestingly, a significant number of inmates in U.S. jails and prisons were imprisoned due to probation and parole violations for criminal offenses or technical infractions (i.e., rule violations like drug use, failing to avoid contact with other offenders, failing to maintain employment, and missing meetings with probation or parole officers). For example, 16 percent of the more than two million adult probationers discharged from probation supervision in 2003 were incarcerated due to criminal or technical violations (Glaze & Palla, 2004). Such figures highlight the importance of this study and the need to critically examine the revocation process for probationers and parolees who transgress the terms and conditions of their community supervision.

We do not argue for a uniform system of enforcement, even at a state level, let alone a national level. Not only would this be an impossible task to accomplish, but it would be undesirable as well, because a uniform system of enforcement would eliminate individualized justice. The results of this study should inspire local probation officers and administrators to be sensitive to the possibility that there may be great discrepancies in the exercise of officer discretion in their agencies; with deprivation of freedom and the safety of the public at stake, the importance of these decisions cannot be overestimated.

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## **References**

not necessarily the points of view of the agencies and organizations with which these persons are affiliated. Moreover, *Federal Probation's* publication of the articles and review is not to be taken as an endorsement of the material by the editors, the Administrative Office of the U.S. Courts, or the Federal Probation and Pretrial Services System.

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**Table 1: Descriptive Statistics for the Sample of Respondents from the American Probation and Parole Association (n=332 Cases After List-Wise Deletion)**

Variable Description	Percent	Mean	SD
Gender			
Male	55.7%		
Female	44.3%		
Race			
White	89.5%		
Non-White	10.5%		
Educational Background			
4-Year Degree or less	50.9%		
Graduate-Level Education	49.1%		
Avg. Years of Exp as Officer (Range 1-37)		13.3	8.3
Officer's Job Title			
Regular Line-Level Officer	62.3%		
Middle Manager	37.7%		
Type of Caseload			
Pretrial Defendants Only	9.3%		
Probationers Only	64.8%		
Parolees Only or Parolees and Probationers	25.9%		
Age of Caseload			
Adults Only	85.8%		
Adults and Juveniles	14.2%		
Average Number of Offenders Supervised (Range 0-4000)		141.0	385.2
Agency Region			
Northeast	15.4%		
South	21.7%		
Midwest	44.0%		



West	19.0%		
Agency Funding			
County/Municipal	53.0%		
State	47.0%		
Agency Administrative Setting			
Judiciary	52.4%		
Correctional Dept. or Parole Authority	47.6%		
Community Setting			
Rural or Small Town	34.9%		
Suburban	21.7%		
Urban	43.4%		
Number of Officers (Range 1-800)		39.5	97.7
Policy to Inhibit Formal Actions for Certain Violations (% Yes)	10.8%		
Policy Requiring Formal Actions for Certain Violations (% Yes)	62.3%		
Social Pressure to Inhibit Formal Action for Certain Violations (% Yes)	32.8%		
Social Pressure to Take Formal Action (% Yes)	42.8%		

**Table 2: Percent of Respondents Supporting Administrative or Judicial Interventions with Offenders who Violate the Conditions of their Community Supervision (N=332 After List-Wise Deletion)**

Question	% Supporting Admin. Intervention <sup>1</sup>	% Supporting Judicial Intervention <sup>2</sup>
<b>Question 1:</b> The offender is required to work at suitable employment to the best of his/her ability. The offender has been unemployed ever since being placed under your supervision and makes no effort to seek or obtain employment, despite being physically able to do so.	78.3	26.2
<b>Question 2:</b> An offender has been instructed to report to your office once each month. The offender has missed two consecutive appointments with no attempt to explain the absence. No other violations have come to your attention.	71.4	28.6
<b>Question 3:</b> An offender ordered to perform community service work each Saturday has failed to appear for work for the past three Saturdays without explanation. When you confront the offender, no legitimate excuse is offered.	66.0	34.0
<b>Question 4:</b> An offender who has been under supervision for an alcohol-related offense for two months reports for the second office visit smelling of alcohol. You administer a Breathalyzer and the offender registers .15 BAC.	60.2	39.8
<b>Question 5:</b> An offender under electronic house arrest has violated curfew three times during the past month, with no other known violation.	47.3	52.7
<b>Question 6:</b> Despite a court order and a verbal warning not to associate with a former co-defendant, you have seen an offender in the company of the former co-defendant three times. Once, the two came to your office in the same car.	37.3	62.7
<b>Question 7:</b> The offender has been under supervision for possession of cocaine for nine months. The offender had no known violations for the first six months, but within the past three months has twice tested positive for marijuana. After the first positive test, the offender was instructed to submit to substance abuse treatment and did not.	29.2	70.8
<b>Question 8:</b> The offender has been under your supervision for six months, with no known violations. The offender has now been arrested for drunk driving (.14 BAC). Assuming the new charge has merit, which action would you take?	24.4	75.6
<b>Question 9:</b> The offender has been under supervision for a misdemeanor traffic offense for three months with no known violations. The offender is arrested for a felony shoplifting charge. Assuming that the new charge has merit, which action would you take?	22.3	77.7
<b>Question 10:</b> The offender has been under your supervision for two months and has missed one bi-weekly appointment and has tested positive for marijuana on one occasion. Now the offender has been arrested on a felony vandalism charge. Assuming that the new charge has merit, which action would you take?	9.9	90.1

<sup>1</sup> An administrative intervention means that the officer would handle the violation by himself or herself as an agency-based sanction (e.g., a verbal or written reprimand, increased reporting requirements, required counseling, or some other “in-house” sanction that represents an officer’s administratively initiated/controlled sanction).

<sup>2</sup> A judicial intervention would entail a formal sanction (e.g., requesting an arrest warrant or setting up a formal hearing and recommending that a formal sanction be imposed).

## What Factors Affect Parole: A Review of Empirical Research

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[Institutional Behavior](#)

[Crime Severity, Criminal History, and Incarceration Length](#)

[Mental Illness](#)

[Victim Input](#)

[Discussion](#)

**AS AMERICAN CRIMINAL** justice policies and practices became more punitive in the 1970s, parole board discretion was simultaneously limited or eliminated (Caplan, 2006). Much of the empirical research on parole release decisions during this time was conducted in an effort to create objective, actuarial models and guidelines for determining releases from prison (Carroll, Weiner, Coates, Galegher, & Alibrio, 1982; Cullen & Gilbert, 1982; Gottfredson & Wilkins, 1978; Krajick, 1978; Von Hirsch & Hanrahan, 1979; Walker, 1993). These models were supposed to be immune from subjective or indiscriminate feelings towards inmates by parole board members.

However, a detailed review of the empirical literature on parole release decision-making suggests that despite guidelines, parole release decisions remained irregularly applied and were primarily a function of institutional behavior, crime severity, criminal history, incarceration length, mental illness, and victim input. There are some recent publications on parole release decision-making (e.g. Morgan & Smith, 2005b; Petersilia, 2001; Turpin-Petrosino, 1999; West-Smith, Pogrebin, & Poole, 2000); however, much of the relevant research is more than 20 years old (e.g., Carroll, 1978; Gottfredson & Ballard, 1966; Scott, 1974). The timing of these studies is important because parole policies and practices at both the federal and state levels have changed significantly over the past two decades (Gottfredson, 1979; Gottschalk, 2006; McCoy & McManimon, 2003; Travis & Lawrence, 2002; Travis, Keegan, Cadora, Solomon, & Swartz, 2003; Turpin-Petrosino, 1999; West-Smith et al., 2000). Even the structure of parole boards themselves can be an overriding factor in release decisions (Caplan & Paparozzi, 2005; West-Smith, et al., 2000). For example, during Pogrebin, Poole, and Regoli's 1986 study of parole decision making in Colorado, at least two board members made the majority of release decisions; in 2000, only one board member in Colorado was required to decide parole release (West-Smith, et al., 2000). With only one decision-maker, parole is more dependent on the individual board member's education, background, and philosophy (Caplan & Paparozzi 2005; West-Smith, et al., 2000). Despite the nuances of parole board policies or structures, a review of parole decision-making literature to date reveals that parole release decisions are primarily a function of institutional behavior, crime severity, criminal history, incarceration length, mental illness, and victim input.

## **Institutional Behavior**

Many empirical studies on parole board decision-making found institutional conduct to be significantly associated with release decisions (Carroll & Burke, 1990; Carroll, et al., 1982; Conley & Zimmerman, 1982; Gottfredson, 1979; Hoffman, 1972; Talarico, 1988; Winfree, Ballard, Sellers, & Roberg, 1990). Gottfredson (1979) considered the influence of institutional behavior when he explored whether and to what extent the United States Board of Parole reduced judicial disparity in incarceration length for adult federal prisoners released on parole between 1970 and 1972. He found that the parole board substantially reduced the time actually served in prison from the maximum judicially set sentence length, and that parole boards do modify sentencing decisions on the basis of institutional behavior. It should be noted that Gottfredson collected his data before the implementation of new guidelines by the United States Parole Commission and, therefore, his results do not reflect current federal practices. However, the operation of the federal parole commission at the time of his analysis was similar to the then-current operation of many state parole boards (Gottfredson, 1979).

Carroll and colleagues (1982) assessed what case information parole interviewers used when deciding parole release. They obtained data on Pennsylvania parole cases interviewed between October 1977 and May 1978. The first source of data about their sample consisted of a two-page questionnaire filled out immediately after each interview by a parole interviewer. It incorporated over 70 items and drew upon factors identified as important through previous research on parole decisions, discussions among the researchers and the board, the authors' experience with designing a post-hearing questionnaire for parole revocation hearings, and a pilot study. Some items on the questionnaire requested objective case facts, while most items solicited ratings of subjective judgments. The second source of data was case files that parole interviewers had available prior to and during interviews with inmates. These files were coded on over 100 variables. All available board decisions for these cases (e.g., parole granted or denied) were also obtained, producing a total sample size of 743 cases, 84.7 percent of which were granted parole.

This data identified institutional behavior as the single most important variable predicting release (Carroll et al., 1982). Institutional behavior was used to make judgments about risk of future crime, risk of future dangerousness, and prognosis for supervision and rehabilitation. Carroll, et al. (1982) further identified five broad categories of crime causes that were identified by parole interviewers as important when deciding parole releases: a) personal dispositions, b) drugs, c) alcohol, d) money, and e) environment. Inmates whose crimes were believed to be caused by the first three categories consistently received less favorable prognoses for supervision and rehabilitation and were less likely to be released on parole. Conley and Zimmerman (1982), Talarico (1988), Winfree, Ballard, Sellers, and Roberg (1990), and Proctor (1999) also found that institutional conduct and predictions of future conduct were among the strongest factors associated with parole release and revocation in Oklahoma, Connecticut, Texas, and Nebraska respectively. Carroll and Burke (1990) concluded nearly a decade after Carroll, et al. (1982) that Pennsylvania parole board officials are concerned primarily with prison conduct, sentence length, program participation, and predictions of future conduct, which they base on past criminal record.

Research by West-Smith, Pogrebin, and Poole (2000) sought to advance the work on parole decision-making by interviewing inmates who were eligible for parole but had been denied. Inmates were led to believe that good institutional behavior and participation in treatment and educational programs, when combined with completion of their minimum sentence, would result in parole release at their first eligibility date. This impression was obtained by inmates from a combination of both formal and informal sources of information they acquired while in prison. In contrast to inmate expectations, West-Smith, et al. (2000) found that instead of good institutional behavior being a major consideration for release, only misbehavior and noncompliance with required treatment programs were taken into account by parole board members and served as reasons to deny parole.

Proctor (1999) cited earlier research on parole decision-making and argued that it may be

misleading to suggest that parole decisions are solely a function of board members' perceptions about inmate conduct and responsibility. For example, one major limitation of prior research was the assumption that everyone who had a parole hearing qualified for parole. Proctor (1999) cited Nebraska as an example: The Nebraska parole board is required to see every offender at least once a year, regardless of whether the inmate is qualified to be paroled (Proctor, 1999). "For states that have similar policies," Proctor (1999, p. 196) explained, "it seems reasonable to suggest that many inmates are denied parole simply because they are not qualified." Since studying parole board decisions that include ineligible offenders could bias the results by artificially inflating the numbers of inmates not granted parole, actual denials may be far less common than institutional records would indicate. To test this hypothesis, Proctor (1999) analyzed a sample of 361 Nebraska inmates who were selected from a sampling frame of 2,626 parole board reviews conducted during the 1993 to 1994 fiscal year. Board reviews are similar to a screening process in Nebraska that determines whether an inmate is eligible for parole and should, therefore, be given a full board hearing to determine his or her release. Inmates in the sample were both qualified and unqualified for parole consideration.

Proctor (1999) expected that release decisions at the parole board review would be primarily a function of parole eligibility factors; his analysis confirmed this. As the proportion of length of sentence served increased by 25 percent, the corresponding change in the odds of being granted a full parole board hearing decreased by 25 percent as well. In results similar to prior research, Proctor (1999) also found that institutional recommendations by prison staff had the most significant influence on parole board reviewers deliberating whether to grant or deny inmates a full parole board hearing. Criminal history and education level were also found to be significant factors (Proctor, 1999).

The relative insignificance of crime severity when deciding parole release is notable in several of the above studies (e.g., Conley & Zimmerman, 1982; Talarico, 1988; Winfree, Ballard, Sellers, & Roberg, 1990). Gottfredson and Wilkins (1978) found that in states that specify minimum sentences, the release decision of parole boards is different from that in states with no minimum sentences—where parole boards often "set time" like a judge. At the time of the Carroll, et al. (1982) study, for example, 80 percent of Pennsylvania inmates were released at their first parole hearing, because the parole board considered the judge's minimum sentence to be punishment for the crime. The parole board only denied parole for institutional misconduct, dangerousness, or rehabilitative purposes, but not for punishment. In contrast, Carroll and Burke (1990) found that Wisconsin parole board members place greater weight on punishment-relevant issues, such as crime seriousness and prior record, when deciding parole release. Carroll and Burke (1990, p. 329) explained that "[t]his is consistent with the lack of minimum sentences in Wisconsin."

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### **Crime Severity, Criminal History, and Incarceration Length**

The New Jersey Parole Act of 1979 attempted to limit parole discretion through presumptive parole—mandating release upon first eligibility unless the parole board found preponderant evidence of future recidivism (Turpin-Petrosino, 1999). Turpin-Petrosino (1999) conducted a study to determine if parole board decision-making complied with this 1979 law, and whether factors such as plea bargaining, aggravation, or type of crime affected these decisions. She utilized an experimental design of four types of simulated parole cases that were randomly assigned to 10 parole hearing officers over a 12-month period. Type 1 cases included neither plea bargaining nor aggravating factors; type 2 cases included plea bargaining, but no aggravating factors; type 3 cases included both plea bargaining and aggravating factors; and type 4 cases included aggravating factors but no plea bargaining.

Results indicated that the type of crime for which an inmate was incarcerated was the most influential factor in parole release decisions, while the presence or absence of plea bargaining had no effect (Turpin-Petrosino, 1999). According to the restrictions of the 1979 parole act, the

type of crime itself should not influence decision behavior. However, Turpin-Petrosino (1999) found a significant difference between violent and nonviolent crime categories. For example, odds favored parole release in the nonviolent crime categories of drugs and burglaries, and odds favored parole denial in violent crime categories of robbery, assault, and sexual assault. “A sexual assault conviction practically guaranteed parole denial,” stated Turpin-Petrosino (p. 328), “regardless of crime particulars, institutional record, or defendant factors.”

Furthermore, cases rated “too severe” in sentence length produced odds favoring parole release, while cases rated “too lenient” produced odds that favored parole denial (Turpin-Petrosino, 1999, p. 328). Based on her results, Turpin-Petrosino suggested that New Jersey parole hearing officers applied a correction in cases where the crime and sentence received were perceived as incongruent. This is consistent with findings from other studies by Shin (1973), Gottfredson (1979), Carroll and Burke (1990), and Kassebaum, Davidson-Coronado, Porsch, Arai, Perrone, and Allen (2001).

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### **Mental Illness**

Several studies have found mental illness to have a negative effect on an inmate’s chances for parole release (e.g., Carroll, et al., 1982; Feder, 1994; Hannah-Moffat, 2004; Turpin-Petrosino, 1999). Carroll, et al. (1982) found that older inmates were generally rated (or perceived to be) more mentally disturbed, which negatively influenced judgments about usefulness of counseling progress, prognosis for supervision, and parole release. Hannah-Moffat (2004) found that board members interpret knowledge of a woman’s mental health as relevant to determinations of violence, and that women who had been diagnosed with a mental disorder were significantly less likely to be released on parole compared to men. Feder (1994) concluded that inmates without a history of psychiatric hospitalization while incarcerated were 30 times more likely to be granted parole than inmates with a history of psychiatric hospitalization, when controlling for a number of factors, including race, prison infractions, prior imprisonments and violence of offense.

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### **Victim Input**

Parsonage, Bernat and Helfgott (1994), Smith, Watkins and Morgan (1997), Proctor (1999), and Morgan and Smith (2005a) are the only researchers who have directly and empirically studied the influence of outside victims on parole release decisions. In their Pennsylvania pilot study, Parsonage et al. (1994) stratified parole-eligible inmates into two groups: 1) cases in which victims provided input, and 2) cases in which victim input was not provided. Offense, offender, and parole eligibility-related data variables were extracted from parole administrative files following a random sample of 100 cases from each of these two groups. Four variables were found to be highly significant in explaining the board’s actions to refuse parole, with victim input having the greatest effect (Parsonage et al., 1994). The other significant variables were: unfavorable factor score for institutional performance, the presence of victim injury, and the number of the inmate’s prior convictions. Race was the only demographic characteristic of the offender which was significantly different among the input and non-input groups; the majority of offenders with input were white (70 percent), while the plurality of offenders without input were black (47 percent). A discriminate analysis of victim variables found that the victim’s gender and the victim’s expressed opposition to parole of the inmate were significantly related to parole board decisions. Overall, the findings revealed that victim input has a significant impact on parole release decisions, despite controlling for the influences of victim characteristics, offender characteristics, and parole predictions based on the parole board’s guidelines scores.

A sample size of only 200 inmates precluded Parsonage et al. (1994) from assessing the extent to which different types of victim input affected parole release decisions, because there was not enough variability of victim input types and frequencies. For example, there were not enough cases in which only oral or only written testimonies were given, because victims who provided

oral testimony often submitted written testimony as well. In 1997, Smith, Watkins, and Morgan attempted to compensate for the limitations of the study by Parsonage et al. (1994) by selecting a larger sample and controlling for more variables (Smith et al., 1997). In their study, records of parole hearings for violent offenders in Alabama were examined for the period June 1, 1993 through May 31, 1994. Due to the serious nature of violent offenses, Smith et al. believed that victims or their families would be more likely to appear at hearings and provide input. Therefore, the analysis was limited to parole hearings for 316 offenders convicted of violent crimes in which injury occurred and in which victims were notified of their right to appear or present evidence before the parole board.

Smith et al. (1997) found that the percentage of parole denials increased as the number of letters contesting parole increased, and that the victim's attendance at a parole hearing had a greater effect on the parole board than a letter-writing campaign. Written communication to the parole board supporting an offender's release had little effect, and offenders had a slightly better chance of parole if neither victim nor offender attended a parole hearing than if both were represented there. McLeod (1989) also found general agreement among parole board administrators that victim appearances to parole board hearings had more of an affect on release decisions than written statements. McLeod's study was based on written records and telephone interviews with parole board administrators in U.S. states. In 2005, Morgan and Smith slightly re-conceptualized and reanalyzed the data used by Smith et al. (1997) and concluded that as victim participation increased, parole denials also increased.

Research by Smith et al. (1997), Morgan and Smith (2005a), and McLeod (1989) move beyond previous research by increasing their sample sizes, by more substantially examining the relationship between oral and written communications to the parole board, by noting the quantity of letters submitted by victims or their representatives, and by assessing the relative importance of offender versus victim participation. Proctor (1999) expanded further upon prior victim input research by sampling a disproportionately stratified sample by gender in order to obtain adequate representation of females. Consistent with researchers before him, Proctor found that inmates were four times less likely to be granted parole if public opposition was present at the parole hearing. He also found education to be a significant positive factor for board members when determining parole release, even when controlling for victim opposition to an inmate's parole (Proctor, 1999).

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## **Discussion**

A review of the empirical literature on parole release decision-making highlights four important points regarding this topic. First, much of the scholarly research on parole release decision-making is more than 20 years old and may be irrelevant to contemporary parole board policies and practices in U.S. states with discretionary parole release. Second, institutional behavior, incarceration length, crime severity, criminal history, mental illness, and victim input are among the most influential factors affecting parole release for parole-eligible inmates. Furthermore, victim input against parole release remains highly significant in explaining the denial of parole for parole-eligible inmates when controlling for other significantly influential factors. Regarding victim input, however, the external validity of these studies is limited due to their sampling designs. For example, non-violent inmates, input from non-victims, and input in favor of parole release are understudied. And finally, an inmate's education, gender, and age may also have a significant influence on parole release dispositions.

This review of empirical research is intended to improve understanding of the dynamics of parole release decision-making and to inform initiatives to make parole processes more effective and efficient by, for example, encouraging evaluations and detailed assessments of current parole practices in the United States. West-Smith et al. (2000) warned that when the factors inmates believe affect release decisions are different from the factors that parole boards consider, inmates will not only be confused and angry, but will be less likely to conform to requirements for institutional control. "Each parole case that is deferred or set back becomes another story, duly



embellished,” wrote West-Smith et al. (2000, p. 9), “that makes its rounds throughout the prison population, fueling suspicion, resentment, and fear of an unbridled discretionary system of power, control, and punishment.” Future research and evaluation regarding parole release decision- making at a general policy level can result in a more transparent and equitable system for both victims and inmates.

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## Landlord Attitudes Toward Renting to Released Offenders\*

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**THIS STUDY EXPLORES** landlords' perspectives toward housing released criminal offenders. Prior research has focused on the barriers offenders face in trying to find employment, housing, life stability, solutions for homelessness, or community reentry programs. Housing is often cited as a hurdle to successful reentry, but little research has been done to identify the actual boundaries of this particular hurdle. This study surveyed landlords in the city of Akron, Ohio regarding their priorities in screening applicants and their histories and attitudes towards housing released offenders. The survey results indicate the need to develop new approaches to re-entry programs and to perform future research, both qualitative and quantitative.

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### Research Question

Since most prior research investigated the issue of housing from the released offenders' perspective, it does not adequately address the extent to which a criminal background is an obstacle in obtaining housing. One study that did look at attitudes toward applicants with a criminal record provides limited information. Helfgott (1997:20) found

Of the property managers and owners surveyed (n = 196), 67 percent indicated that they inquire about criminal history on rental applications. Forty-three percent said that they would be inclined to reject an applicant with a criminal conviction. The crimes of particular concern to the property managers who said they would reject an ex-offender applicant were violent offenses (49 percent), sex offenses (37 percent), murder (19 percent), drug offenses (9 percent), all felonies (9 percent), domestic violence (6 percent), arson (9 percent), and property offenses (7 percent).(n9) The primary reason for their inclination to reject an applicant with a criminal history was protection and safety of community. The second most

offered reason for rejection was that ex-offenders are not wanted on the property or in the neighborhood because they have bad values. One respondent commented, "I don't like these people. They should all stay in jail." Of those respondents who did not inquire about criminal history, the main reason offered for not inquiring was that everyone should have another chance. One respondent commented, "A person has to live somewhere."

Helfgott obtained but did not include in her article information from the landlords who indicated that they would accept an applicant with a criminal history, would house such an applicant or under what circumstances. There are many factors beyond a criminal record that could affect a landlord's decision to rent or not rent to someone, including credit, rental history (or lack of such a history), income, and employment. If all things are equal between two applicants, what additional criteria are necessary for the released offender to qualify over someone else? Exploring how these factors interact with a criminal history might lead to more focused reentry programs. The first question, however, is to determine how much resistance landlords may have towards released offenders and what factors may play a role in the decision to rent to such a person.

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## Literature Review

Many aspects of the issues surrounding released offenders have been examined. Recent research on reentry problems and concerns have focused on readjustment (La Vigne, 2004), reintegration (Visher and Travis, 2003), civic re-involvement (Uggen, Manza, and Behrens 2004), attitudes (Kenemore and Roldan, 2006), stigma (Pager, 2003), need for subsidized housing (Holtfreter, 2004), employment (Pager 2003) and others.

Articles written specifically on housing tend to address the challenges presented by: the housing market (Scally, 2005; Bradley, et al., 2001; Roman and Travis, 2004); community and neighborhood issues (Levenson, 2005 sex offender registration programs); needs, successes, and failures of homeless shelters (Metraux and Culhane, 2002), reentry programs that provide transition support to released prisoners (Roman, 2004), and policy issues (Petersilia, 2000).

The Urban Institute issued a series of reports from a longitudinal study of released prisoners from four locations (Visher, 2003; La Vigne, et al., 2003; La Vigne, 2004; Solomon, 2004; Roman, 2004). The studies consisted of interviews with released offenders on a range of topics. In the area of housing, the reports highlighted the fact that while most prisoners expected to live with their families, for others housing is a serious issue. Concerns ranged from not being allowed to return to the family home, especially if the family lives in subsidized housing, to maintaining good relations with the family or others in order to be allowed to stay in whatever housing is found.

In the past several years, local newspapers across the nation have highlighted the unintended results of the "tough on crime" campaign—the difficulties of reintegrating offenders back into the community (see Eckholm, 2006, need for housing; Riley, 2003 ex-prisoner interviews; *Austin Weekly News*, 2005 reentry program; *Traverse City Record Eagle*, 2005, community opposition to half-way house; *Kansas City Star*, 2006 planned community restrictions on offenders). As the prison and jail population has increased, so has the number of offenders being released. Many communities are now facing the dilemma of reintegrating these men and women and making it possible for them to stay out of prison by providing employment, housing, education, and training.

One feature that all of the articles have in common, both scholarly and popular, is that they look at the issue of housing from the perspective of the released offender or the community rather

than the market. Some of the barriers faced by released offenders are also faced by many low-income and young individuals and families. Two of these, affordability and illegal discrimination, must be addressed by communities, social service programs, families, individuals, reentry programs, and advocates.

Affordability has always been a problem in America. The public housing program was started during the Great Depression of the 1930s as a means to address the issue of affordability for low-income families. In the 1980s the Section 8 subsidized housing program for the private rental market was first funded. Despite these efforts, housing affordability for low-income families remains a serious issue. In 2000 the Department of Housing and Urban Development released a report on the housing market which indicated significant increases in the number of families living in the worst-case scenario of being at the lowest level of income while paying the highest percentage of income for a shrinking supply of housing (DHUD 2000). Released offenders face the same difficulties as other people who lack adequate economic resources. While the presence of a stigma from a criminal conviction will not be discussed here, it should be noted that a stigma should not be assumed. Helfgott (1997) interviewed landlords to judge their willingness to rent to released prisoners. As stated previously, she found that 43 percent would deny applications from released offenders. Not thoroughly discussed in Helfgott's article were the 57 percent who were willing to consider applications from released offenders. There are many reasons for landlords to reject offenders. Offenders may lack an appropriate credit history, not have adequate funds to offer a security deposit for an apartment (Roman, 2004), have a limited employment record (Waldfogel, 1994), limited education, or generally lack the technical work skills needed for many jobs (Visher, et al., 2006).

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## **Theory**

While the cost of housing may be the most significant barrier for a returning offender (Solomon, 2004), another important barrier is the landlord's lack of willingness to rent to a released offender. Landlords must have trust in their tenants. The ownership of rental properties represents a large monetary investment; the return on the investment rests upon the behavior of someone not totally under the control of the landlord. Generally the landlord has to judge the trustworthiness of an applicant through "signs" such as credit reports, court records, and pay stubs, rather than direct or personal knowledge (Bacharach and Gambetta, 2001). In addition, as discussed below, the landlord needs to evaluate the applicant's potential for causing harm within the local neighborhood. Landlord trust is based on demonstrable traits of the applicant, personal and economic, and an evaluation of the potential impact on the neighborhood and for law enforcement actions by police or neighbors if the tenant's behavior is deemed a nuisance or criminal.

The common trust signs that landlords focus on are credit history, prior rental history, employment, and income. The most important thing for a landlord is finding a tenant who has the income to pay for housing and a history that reflects a willingness to pay the rent, on time and in the proper manner. Without a reliable income, rental applicants generally are not approved. A poor prior rental history, especially one including evictions, or a lack of rental history are also barriers to obtaining housing. The landlord must weigh the applicant's rating on each of these criteria against market forces, availability of other applicants, and vacancy levels. A higher level of credit, employment, and income might be required when the supply of housing is tight and demand is high. Likewise, requirements could ease during periods of high vacancy rates and reduced supplies of applicants with good credit and employment histories. A poor tenant may be better than no tenant at all.

In addition to concerns about their property, landlords worry about being held responsible for injuries or harm to the tenant and others. The issue of landlord responsibility for criminal acts by third parties has been examined in Ohio and elsewhere. Courts have generally held that the landlord is not responsible for the criminal acts of third parties, or for the criminal acts of their tenants, if they have no prior knowledge of the criminal behavior (*Thomas v. Hart Realty, Inc.*

[Hamilton, 1984] 17 Ohio App.3d 83, 477 N.E.2d 668, 17 O.B.R. 145). However, if the criminal act could be reasonably foreseen or the landlord promised a certain level of security to other tenants that was subsequently not provided, then the landlord might be liable (“Apartment Tenant Thrown Down Stairwell By Another Tenant,” *Security Law Newsletter*, 05/01/2003; *Rhaney v. Univ. of Md. Eastern Shore* No. 118 [Md. Ct. Spec. App. Aug. 15, 2005]).

Despite repeated findings by courts that landlords are not generally liable for the criminal acts of third parties, including those of tenants, many landlords greatly fear being sued by tenants or neighbors if criminal acts were to occur on the rental property. Part of this fear has been fueled by municipal programs, such as the city of Akron’s Project HAPPEN, which cite rental property owners for building code violations and board the dwellings up following drug raids by the police (Remmel, 1998; Zanin, 2004). This fear of income loss causes rental property owners to use criteria that may discriminate against persons perceived as likely to engage in criminal activities. One obvious sign for landlords is an applicant’s criminal history. Landlords are concerned about their reputations in the community, and being known as willing to rent to released offenders may prevent those landlords from attracting other applicants or retaining current tenants.

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## [Table 1](#)

### **Survey**

The survey ([Exhibit A](#)) had 31 questions covering applicant screening criteria (e.g., credit, income, employment, rental history), the importance of an applicant’s criminal history (currently accepting applicants, weight of different types of crimes), market factors (vacancy level, rent level), community concerns (enforcement of housing codes resulting from criminal activities), advertising results, trust, and demographics of the landlord and rental business. Two survey forms were used, differing only as to the gender of the offender. The returned surveys split evenly on gender.

Three primary questions were posed to the Akron landlords who participated in the survey.

- Question 5: “Do you now accept applicants with criminal histories?”
- Question 6: “If you do not accept applicants with a criminal background would you reconsider if the applicant was able to show that they were rehabilitated?”
- Question 10: “Do you rent to applicants with any of the following types of convictions: Felony, Misdemeanor, Drug Use, Drug Sales, Domestic Violence, Assault, Sex Offender, Multiple Convictions”?

The survey was conducted by mail. Surveys were mailed to landlords who had registered their rental units with the City of Akron as of January, 2006. The city requires that all rental units within the municipal limits be registered and inspected for code violations on a regular basis. The list included 4600 registered property owners and over 12,000 dwellings. From the 4600 property owners, 3000 were randomly selected for the survey. Of those mailed surveys, 611 completed surveys were returned. Of the remainder, 63 returned their surveys uncompleted, 78 were undeliverable, 5 were returned and resent to new addresses, and 2262 were unreturned. The response rate was just over 20 percent.

The majority of the respondents were older, white males with some college experience or a college degree. Blacks and women are underrepresented in proportion to the general population (2005 American Community Survey, U.S. Census Bureau).

The 2005 American Community Survey (U.S. Census Bureau) found that 55.2 percent of rental housing is found in 1 to 4 unit buildings. [Table 2](#) shows that 66.4 percent of the respondents to the survey own one to five rental units. The vacancy rate of 14 to 17 percent is very high, especially for such small owners, since one vacant unit would represent between 20 percent and 100 percent loss of rental income.

## Analysis

Since almost all of the questions of interest were categorical in nature, cross tabulations were used to analyze the data. Chi-square tests were performed to determine statistical significance. Responses on several questions were recoded into dummy variables for comparison purposes. These questions asked for responses ranging from “never” to “very often.” “Never” was coded as 0 and all other responses were coded as 1. The questions recoded to 0 or 1 asked about housing persons with histories of felonies, misdemeanors, drug crimes, violence, sex offenses, and multiple convictions. If a respondent indicated anything other than “never,” they were counted as leasing to released offenders.

The three main questions (listed above) were intended to determine if there was a difference between the generalized thoughts of landlords and the reality that they face in screening applicants. While a policy to deny applicants with criminal histories may be articulated, when faced with limited choices, poor market conditions, and face-to-face contact, landlords might disregard a stated negative policy, “trust their gut,” and make exceptions.

Starting with the screening criteria, landlords indicated that eviction history, employment, and income were of greatest importance (see [Table 3](#)).

As can be seen in [Table 3](#), a criminal record fell behind not only those factors but rental history. [Table 4](#) shows that landlords are willing to consider explanations of employment and income deficiencies but less willing to consider explanations regarding criminal history. However, the three top criteria all have mean scores above 4 on a 5-point scale, with the other factors ranking lower.

Questions about criminal history and the tendency of the landlord to lease to ex-offenders included both general and specific topics. Landlords were asked if they had rented to applicants with criminal histories three years prior and if they rented to such applicants today. The answers were similar to those obtained by Helfgott (1997), in that a majority stated that they did not and currently were not accepting applicants with criminal histories (see [table 5](#)). But when the question was asked: “If you do not accept applicants with a criminal background would you reconsider if the applicant was able to show that they were rehabilitated?” the responses changed, with 60 percent of the landlords stating that they would consider such an applicant. Sixty-two percent indicated that they would reconsider if the applicant would be living with their family. One of the issues discussed in the literature is the double bind that questions about criminal background pose for released offenders. If they acknowledge their convictions, then they may be rejected outright. However, 72 percent of the survey respondents indicated they would reject an applicant if the applicant lied on the application about a criminal background. Twenty percent responded that they sometimes reject applicants who lie. Only 7 percent of the landlords indicated that they never reject someone for lying about a criminal background. This would relate to the trust factors that landlords rely on when making decisions about applicants. A lie on the application is a clear indication that the person is not trustworthy.

Because of the wording, only those landlords that answered in the negative about renting to ex-convicts should have answered Question 6. But the cross-tabulation of the questions on currently accepting and reconsidering because of rehabilitation shows that there is some overlap. Seventy-six landlords who currently accept applicants with criminal histories did not answer the question about rehabilitation; the remaining 117 did. While it is possible that some would answer no to later questions about specific crimes, it is assumed that these landlords would be likely to consider applicants who could show some efforts at rehabilitation. For the cross-tabulations given in [Table 6](#), the Chi Square value of 160.32 is significant at  $p < .000$ . Sixty-two percent of the landlords who indicated that they currently do not accept applicants with criminal histories (Question 5) would reconsider if rehabilitation could be shown (Question 6). Of the 569 responses to both these questions, approximately three-quarters of the respondents fall into the

category of being willing to consider applicants with criminal histories.

The following question was posed: “Do you rent to applicants with any of the following types of convictions?” The list of convictions was: Felonies, Misdemeanors, Drug Use, Drug Sales, Assault, Domestic Violence, Sex Offenses, and Multiple Crimes. The answers to these questions were crosstabulated with Questions 5 and 6 about current practices regarding applicants with criminal histories and reconsidering if there was some showing of rehabilitation (see [Table 7](#) and [Exhibit B](#)).

[Table 7](#) shows several things. First, landlords are more willing to consider renting to applicants with misdemeanor convictions (67 percent) than to felons (43 percent), with or without rehabilitation. It also shows that rehabilitation is an important factor that landlords consider when faced with an applicant who has a criminal history, especially if the crime is a misdemeanor.

Only 35 percent of the landlords were willing to accept a felon without rehabilitation, while 62 percent, which includes landlords who are currently accepting applicants with a criminal history, would accept them with rehabilitation. Results for misdemeanors show similar trends.

Using the specific crimes rather than level of crime ([Exhibit B](#)), with the exception of seem to be willing to reconsider an applicant with a criminal history. An interesting finding is that when the numbers were computed to determine how many landlords actually rented to someone with a criminal history, 55 percent indicated that they did while only 34 percent indicated on Question 5 that they would accept such applicants.

To evaluate the fears that landlords may have about housing someone with a criminal history, Question 12 asked: Do you worry that the city might take an action against your property if you rent to someone who later commits: a. A crime that involves drugs? b. A crime that involves violence (physical assault)? The city of Akron, where the survey was conducted, had a housing code enforcement program (Project HAPPEN) from 1993 through 1997 for properties where drug arrests were made (Rommel, 1998). Rather than focusing solely on drug houses, however, Project HAPPEN also conducted neighborhood code enforcement sweeps prior to redevelopment programs being implemented and intervened when complaints of unsanitary conditions were filed. Following such an inspection, it could take the property owner several months to a year to obtain permits, complete the work and comply with re-inspection requirements, during which time the dwelling could not be occupied. As illustrated in Table 9, this program and the delays that occurred caused landlords concern, since they could not foresee which tenants might cause the kind of problems that would lead to city code enforcement. Thus landlords had a legitimate fear of losing income if they leased to the wrong tenant. This fear continues despite the termination of Project HAPPEN. After the project was shut down, the city initiated a rental registration program which requires interior and exterior code compliance inspections, has expanded its code enforcement complaint system, and established a program that requires landlords to pay for police calls at rental properties if nuisance complaints are filed more than three times.

#### [Table 8](#)

The willingness of landlords to accept misdemeanants and felons was regressed against vacancy rate and rent level. There was strong indication that vacancies and willingness to accept misdemeanants had a positive relationship (coefficient = .10, SE .04,  $p < .007$ ). In contrast, average two-bedroom rent, number of properties owned, and length of time as a landlord were not significant predictors of willingness to rent to misdemeanants or felons. This pattern indicates that landlords are responsive to characteristics of the local rental market forces, as well as individual applicant characteristics. That is, convictions may be less important in landlord decision making when market forces dictate tougher times.

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## **Conclusions**



It is undisputed that finding housing is a significant hurdle for many released offenders. However, this survey shows that a criminal history may not be the most important issue for landlords in the city of Akron. The analysis of the data shows that there are landlords willing to consider applicants with certain kinds of criminal backgrounds. A landlord's decision to lease to a specific person is based upon many factors, including, but not limited to, credit, income, employment, rental history, and criminal background. Each of the factors represents a basis for the landlord to develop a sense of trust in the applicant's ability and willingness to comply with lease requirements and certain standards of behavior.

For released offenders, the survey indicates that the landlords may want more in the form of evidence of rehabilitation than employment and a qualifying income. While the survey shows that eviction history, employment, and income are the critical factors considered by landlords, for released offenders, rehabilitation is also important.

Landlords face many choices in the rental business. A vacancy not filled immediately results in a loss of income. However, putting in a tenant who does not pay rent on time or causes damage can result in a greater financial loss. The choice is between waiting for the perfect applicant and choosing one where there is a greater risk of non-payment or destructive behavior. The rental eligibility standards may be relaxed or lowered in the face of a high level of vacancies or increased market competition. The market may dictate that a landlord accept less qualified applicants. However, regardless of the market conditions, a landlord does not have an unlimited amount of time to decide the trustworthiness of an applicant. As reflected in the survey, the landlord depends upon interpreting common signs of trust such as the credit standing, rental history, and employment. In tight rental markets where supply is low and demand is high, standards can be set high enough to filter out applicants who seem not to be trustworthy. For example, in a good market, a landlord may screen out applicants by requiring monthly income to be three times the rent, a minimum credit score of 620 (generally good credit), and six months of steady employment. In poor markets the landlord may be able to find few, if any, applicants who meet these criteria. Where a rental history might be positive (no prior evictions), a lower credit score or recent time of unemployment and short-term re-employment may cause concern. The landlord has to balance the positive signs of the rental history against the negative signs of the unemployment and short-term re-employment.

In contrast to other applicants whose problems are limited to credit, employment or eviction, released offenders are associated with additional negatives. These negatives include probation or parole requirements that may interfere with full-time employment, a total lack of credit due to imprisonment, and disapproving neighbor reactions. However, a released offender who has participated in prison or re-entry rehabilitation programs and has made efforts to "go straight" upon release brings to the table additional signs of trust for the landlord's consideration. The very fact that someone is taking affirmative steps to stabilize his or her life and work toward commonly accepted social goals invokes a more positive picture than someone who is simply trying to make do or get by.

Beyond the stigma of the conviction, released offenders face many of the same problems other low-income individuals and families face. Affordable quality housing is difficult to find. Housing in the suburban areas where jobs are available may not be priced to accommodate workers. Transportation to suburban jobs may be difficult to access or utilize. Even if a released offender does find employment, housing and transportation may present insurmountable barriers to successful reintegration. However, these challenges are not unique to released offenders. They are overcome by education and employment that increases their chances of mobility.

In the Akron area, the pressure is on the landlords. The city of Akron and its surrounding region are experiencing exceptionally high vacancy rates. A "normal" rate would be considered 3 to 5 percent. Anything over 10 percent would result in a loss of profit for most landlords. The survey showed the average vacancy rate at that time to be 16 percent, indicating that the housing bubble proclaimed in other markets has not been experienced in the Akron region. Moreover, Ohio leads the nation in foreclosures. Since 2001, over 3000 foreclosures have been filed each year in the city of Akron. That represents around 7 percent of the total housing units in the city each year.



Foreclosed housing often is bought and turned into rental properties. Throughout 2006, Akron was also experiencing a “buyer’s” market. Because of the low demand and high supply of single family dwellings, many potential sellers are offering their homes as “lease with option to buy” rentals. The pressure of the high vacancy rate and a saturated market may be two reasons that landlords are willing to consider released offenders.

Cities face difficult problems in dealing with returning offenders. The “tough on crime” programs are resulting in increases in the number of offenders returning to the community. At the same time, through programs such as Project HAPPEN, the city has made the problem of finding housing even harder for the released offenders. Landlords fear extended vacancies caused by criminal and code enforcement programs, which means that the landlords are less likely to accept someone with a criminal history, especially if that history includes convictions for drug-related offenses. Sex offenders face an especially difficult time finding housing, not just because of the location restrictions placed upon them but due to the landlord dislike of the type of crime and landlord fear of the home being targeted by neighbors or the city for complaints or legal action in order to force the tenant to move out.

The results of the survey can provide direction for re-entry programs. Based upon the findings of this survey, one focus should be employment options in order to make finding housing easier. A steady income and employment are critical factors for landlords.

A second focus should be assisting clients in documenting rehabilitation programs and other efforts that prove their trustworthiness. This includes letters of support from local ministers, community programs, employers, medical and treatment specialists; tax records (to document employment); educational program transcripts; results of drug screening tests; and volunteer efforts in local community groups.

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## **Future Research**

Trust is an important element in the process of selecting tenants. Landlords depend upon signs such as credit, employment, and rental history to determine if a person is trustworthy. A criminal conviction is most likely interpreted as a sign of untrustworthiness. The positive responses to Question 6 on rehabilitation suggest that landlords are willing to extend trust if signs of rehabilitation can be shown. Research needs to be done to determine what landlords consider “rehabilitation.” Even if the criminal applicant demonstrates rehabilitation by being employed and having a steady income, those two factors by themselves may not be enough for establishing trust.

What forms of rehabilitation engender trust? Would treatment programs, church attendance, or involvement in community activities qualify, or would the landlords be looking for something more intangible? Is there a “moral” measure that must be met to overcome the stigma of criminal record?

While this study has shown that there are some differences to be found between the level of the crime (misdemeanor vs. felony), other factors like offender age, length of time served, and length of time since release may be similarly important. Does one positive factor, such as being older and presumably more mature, mitigate a negative factor like a longer sentence? How is the nature of the crime balanced against the forms of rehabilitation? Another area of research would be the impact of social policies related to the political “get tough on crime” campaign on landlord decisions.

Finally, as suggested in Pager (2003), research on the effect of racial discrimination should be done. Pager (2003), in a study of race, criminal history and employment, found that a black man with some college received fewer job callbacks than a white man with a criminal conviction. Given the high number of black men currently residing in prisons and jails or under community control, the importance of determining the potential of such discrimination occurring cannot be

understated. HUD rules currently do not allow for fair housing testing to be done using testers with criminal convictions. It matters a great deal if someone is turned away from housing on a pretext of criminal history if the underlying reason is racial discrimination.

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# Table 1: Landlord Demographics

Gender			Age			Race			Education		
	%	#		%	#		%	#		%	#
<b>Men</b>	63%	385	<b>&lt;40</b>	10.5%	64	<b>White</b>	76.3%	466	<b>Less than HS</b>	3.3%	22
<b>Women</b>	33%	204	<b>40-49</b>	20.0%	122	<b>Black</b>	16.0%	98	<b>HS</b>	30.6%	187
<b>Unknown</b>	4%	22	<b>50-59</b>	26.4%	161	<b>Other</b>	3.6%	22	<b>Some College</b>	30.6%	187
<b>Gender</b>			<b>60+</b>	40.6	248				<b>College</b>	44.4%	271

**EXHIBIT A**

**Landlord Survey – Summer 2006**

**Please circle one response for each item.**

**Q1.** *Below are factors that some landlords consider when reviewing rental applications. How important are the following factors to **you** when reviewing rental applications.*

	Not at all Important	Somewhat Not Important	Neither Important nor Unimportant	Somewhat Important	Very Important
Income	1	2	3	4	5
Employment	1	2	3	4	5
Credit level of applicant	1	2	3	4	5
Prior rental history	1	2	3	4	5
Prior evictions	1	2	3	4	5
Landlord references	1	2	3	4	5
Criminal background	1	2	3	4	5

**Q2.** *Do you give applicants an opportunity to explain the problems you may have with their application?*

	Never	Sometimes	Always
Income	1	2	3
Employment	1	2	3
Credit level of applicant	1	2	3
Prior rental history	1	2	3
Prior evictions	1	2	3
Landlord references	1	2	3
Criminal background	1	2	3

**Q3.** *In the PAST THREE YEARS, have you changed any standards regarding the following?*

	More Restrictive	Less Restrictive	No Change
Credit Standards	1	2	3
Income Requirements	1	2	3
Employment Standards	1	2	3

**Q4.** *Three years ago did you accept applicants with criminal histories?* Yes No

**Q5.** *Do you now accept applicants with criminal histories?* Yes No

**Q6.** *If you do not accept applicants with a criminal background would you reconsider if the applicant was able to show that they were rehabilitated?* Yes No

**Q7.** *Would you be more likely to rent to a released offender if their family would be living with them?* Yes No

**Q8.** *How long would a person need to be out of prison before you would consider them for renting?*

Under six months	6 months	1 year	2 years	3+ years	It depends upon the crime
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**Q9.** *If you accept **male** applicants with criminal backgrounds, do you inquire as to*

	Yes	No
What they were convicted of	1	2
Rehabilitation programs they participated in	1	2
Current rehabilitation efforts they may be involved in	1	2
References from parole or probation officers	1	2

**Q10.** *Do you rent to **male** applicants with any of the following types of convictions?*

	Never	Once in awhile	Fairly Often	Very Often
Felony (of any kind)	1	2	3	4
Misdemeanor (of any kind)	1	2	3	4
Drug use or possession	1	2	3	4
Drug sales	1	2	3	4
Domestic violence	1	2	3	4
Assault	1	2	3	4
Sex offender	1	2	3	4
Multiple convictions	1	2	3	4

**Q11.** *Do you reject an applicant if they lie about a criminal record on their application?*

Never                      Sometimes                      Always

**Q12.** *Do you worry that the city might take an action against your property if you rent to someone who later commits*

	Yes	No
A crime that involves drugs?	1	2
A crime that involves violence (physical assault)?	1	2

**Q13.** *Over the past three years, have the number of responses to rental vacancy advertisements*

Increased                      Remained About the Same                      Decreased

**Q14.** *Over the past two years have the number of dwellings you own*

Increased                      Remained About the Same                      Decreased

**Q15.** *How successful are the following methods of obtaining applicants:*

	Not at all	Rarely	Sometimes	Mostly	Very Successful
Referral from existing tenant	1	2	3	4	5
Referral from other landlord	1	2	3	4	5
Referral from agency	1	2	3	4	5
Phone book	1	2	3	4	5
Sign in yard/building	1	2	3	4	5
Advertisement in Beacon Journal	1	2	3	4	5
Advertisement in local weekly paper	1	2	3	4	5



**Table 2: Number of Units Owned and Vacancy Rate**

<b># Units Owned</b>	<b># of Landlords</b>	<b>% of Total</b>	<b>Vacancy Rate</b>
1-5 units	406	66.4%	17%
6-10 units	75	12.3%	14%
11-20 units	49	8.0%	17%
21-50 units	28	4.6%	14%
51+ units	28	4.6	13%
Total # Units 12,585		Mean Vacancy Rate 16%	

**Table 3: Screening Criteria Rankings**

<b>Variable</b>	<b>N</b>	<b>Mean</b>	<b>Std Dev</b>	<b>Range</b>
Prior Evictions	591	4.65	0.79	1-5
Employment	596	4.62	0.74	1-5
Income	604	4.50	0.82	1-5
Rental History	595	4.37	0.87	1-5
Criminal History	594	4.34	0.99	1-5
Landlord References	592	3.93	1.11	1-5
Credit Level	592	3.81	1.08	1-5

1 = Not Important At All 5 = Very Important



**Table 4: Does the Landlord Allow Applicant to Explain Deficiencies**

<b>Variable</b>	<b>N</b>	<b>Mean</b>	<b>Std Dev</b>	<b>Range</b>
Employment	587	4.19	1.10	1-5
Income	591	4.14	1.08	1-5
Rental History	597	4.01	1.15	1-5
Credit Level	581	3.87	1.26	1-5
Prior Evictions	584	3.82	1.39	1-5
Landlord References	580	3.78	1.24	1-5
Criminal History	580	3.77	1.44	1-5

## Table 5: Acceptance of Applicants with Criminal Histories

Question	Response	#	%
Three years ago did you accept applicants with criminal histories?	No	368	64.79
	Yes	200	35.21
Do you now accept applicants with criminal histories?	No	376	66.08
	Yes	193	33.92
If <b>not</b> currently accepting applicants, will you reconsider if they can show they are rehabilitated?	No	130	21.28
	Yes	367	60.07
	No answer	114	18.66
Are you more likely to accept if the applicant is living with his/her family?	No	217	37.80
	Yes	357	62.20
Do you reject an applicant if they lie about a criminal record on their application?	Never	39	7.3
	Sometimes	109	20.4
	Always	386	72.3

**Table 6: Cross-tabulation of Now Accepting\*Reconsider if Rehabbed**

	<b>Now Accept Applicants</b>		<b>Total</b>
<b>Reconsider if Rehabilitated</b>	<b>No</b>	<b>Yes</b>	
No	129 (22.3%)	2 (.35%)	129 (22.7%)
Yes	234 (41.1%)	115 (20.2%)	349 (61.3%)
Missing on Rehab Question	15 (2.6%)	76 (13.4%)	91 (16.0%)
<b>Total</b>	<b>376 (66.1%)</b>	<b>193 (34.0%)</b>	<b>569 (100.0%)</b>

**Table 7: Do you rent to applicants with any of the following types of convictions\* accepting applicants/rehabilitation**

	Now Accept Applicants			Reconsider If Rehabilitated			
<b>Felony</b>	<b>No</b>	<b>Yes</b>	<b>Total</b>	<b>No</b>	<b>Yes</b>	<b>Missing</b>	<b>Total</b>
No	220 (47.6%)	43 (9.3%)	263 (56.9%)	87 (18.5%)	156 (33.1%)	27 (5.7%)	270 (57.3%)
Yes	78 (16.9%)	121 (26.2%)	199 (43.1%)	14 (3.0%)	140 (29.8%)	47 (9.9%)	201 (42.7%)
Total	298 (64.5%)	164 (35.5%)	462 (100%)	101 (21.4%)	296 (62.9%)	74 (15.7%)	471 (100%)
Chi-Square	1df value=97.8 p<.0001			2df value=50 p<.0001			
	Now Accept Applicants			Reconsider If Rehabilitated			
<b>Misdemeanor</b>	<b>No</b>	<b>Yes</b>	<b>Total</b>	<b>No</b>	<b>Yes</b>	<b>Missing</b>	<b>Total</b>
No	130 (28.1%)	21 (4.6%)	151 (32.7%)	58 (12.3%)	82 (17.3%)	14 (3.0%)	154 (32.6%)
Yes	163 (35.3%)	148 (32.0%)	311 (67.3%)	40 (8.4%)	217 (45.9%)	62 (13.1%)	319 (67.4%)
Total	293 (63.4%)	169 (36.6%)	462 (100%)	98 (20.1%)	299 (63.2%)	76 (16.1%)	473 (100%)
Chi-Square	1df value=49.7 p<.0001			2df value=42.1 p<.0001			

# Exhibit B: Do you rent to applicants with any of the following types of convictions?

Now Accepting				Reconsider If Rehabilitation Shown			
Drug Use	No	Yes	Total	No	Yes	Missing	Total
No	242 (51.9%)	79 (17.0%)	321 (68.9%)	89 (18.7%)	198 (41.5%)	40 (8.4%)	327 (68.6%)
Yes	57 (12.2%)	88 (18.9%)	145 (31.1%)	12 (2.5%)	99 (30.8%)	39 (8.2%)	150 (31.5%)
Total	299 (64.2%)	167 (35.8%)	466 (100%)	101 (21.2%)	297 (62.3%)	79 (16.6%)	477 (100%)
Chi-Square	1df value=56.5 p<.0001			2df value=30.2 p<.0001			
Drug Sales	No	Yes	Total	No	Yes	Missing	Total
No	284 (60.2%)	124 (26.3%)	408 (86.4%)	96 (19.8%)	257 (53.0%)	67 (13.8%)	420 (86.6%)
Yes	18 ( 3.8%)	46 ( 9.8%)	64 (13.6%)	5 (1.0%)	46 (9.5%)	14 (2.9%)	65 (13.4%)
Total	302 (64.0%)	170 (36.0%)	472 (100%)	101 (20.8%)	303 (62.4%)	81 (16.7%)	485 (100%)
Chi-Square	1df value=41.3 p<.0001			2df value=8.1 p<.0001			
Domestic Violence	No	Yes	Total	No	Yes	Missing	Total
No	223 (64.7%)	54 (11.5%)	277 (58.9%)	83 (17.2%)	168 (34.9%)	32 (6.6%)	283 (58.7%)
Yes	81 (17.2%)	112 (23.8%)	193 (41.1%)	18 (3.7%)	133 (27.6%)	48 (10.0%)	199 (41.3%)
Total	304 (64.7%)	166 (35.3%)	470 (100%)	101 (21.0%)	301 (62.5%)	80 (16.6%)	482 (100%)
Chi-Square	1df value=73.9 p<.0001			2df value=35.5 p<.0001			
Assault	No	Yes	Total	No	Yes	Missing	Total
No	248 (53.6%)	71 (15.3%)	319 (68.9%)	88 (18.6%)	200 (42.3%)	38 (8.0%)	326 (68.9%)
Yes	52 (11.2%)	92 (19.9%)	144 (31.1%)	13 (2.8%)	93 (19.7%)	41 (8.7%)	147 (31.1%)
Total	300 (64.8%)	163 (35.2%)	463 (100%)	101(21.4%)	293 (62.0%)	79 (16.7%)	473 (100%)
Chi-Square	1df value=75.4 p<.0001			2df value=31.7 p<.0001			
Sex Offenders	No	Yes	Total	No	Yes	Missing	Total
No	279 (59.2%)	124 (26.3%)	403 (85.6%)	94 (19.4%)	260 (53.7%)	61 (12.6%)	415 (85.7%)
Yes	25 ( 5.3%)	43 ( 9.1%)	68 (14.4%)	8 (1.7%)	43 (8.9%)	18 ( 3.7%)	69 (14.3%)
Total	304 (64.5%)	167 (35.5%)	471 (100%)	102 (21.1%)	303 (62.6%)	79 (16.3%)	484 (100%)
Chi-Square	1df value=26.8 p<.0001			2df value=8.1 p<.0001			
Mutliple Crimes	No	Yes	Total	No	Yes	Missing	Total
No	283 (60.7%)	95 (20.4%)	378 (81.1%)	96 (20.1%)	242 (50.6%)	49 (10.3%)	387 (81.0%)
Yes	19 ( 4.1%)	69 (14.8%)	88 (18.9%)	5 (1.1%)	58 (12.1%)	28 ( 5.9%)	91 (19.0%)

Total	302 (64.8%)	164 (35.2%)	466 (100%)	101 (21.1%)	300 (62.8%)	77 (16.1%)	478 (100%)
Chi-Square	1df value=88.8 p<.0001			2df value=28.0 p<.0001			
<b>House Any Criminal</b>	<b>No</b>	<b>Yes</b>	<b>Total</b>	<b>No</b>	<b>Yes</b>	<b>Missing</b>	<b>Total</b>
No	222 (39.0%)	43 (7.6%)	265 (46.6%)	87 (14.2%)	158 (25.9%)	27 (4.4%)	272 (44.5%)
Yes	154 (27.1%)	150 (26.4%)	304 (53.4%)	43 (7.0%)	209 (34.2%)	87 (14.2%)	339 (55.5%)
Total	376 (66.1%)	193 (33.9%)	569 (100%)	130 (21.3%)	367 (60.1%)	87 (14.2%)	611 (100%)
Chi-Square	1df value=69.3 p<.0001			2df value=46.8 p<.0001			

**Table 8: Concern about City Enforcement Actions**

Concerned about City Enforcement	Drugs		Violence	
	#	%	#	%
No	120	20.8%	234	41.0%
Yes	458	79.2%	338	59.1%

## Faith-Based Approaches for Controlling the Delinquency of Juvenile Offenders

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**THERE HAS BEEN** growing interest in developing faith-based initiatives to address multiple human service needs. Much of this interest stems from President George W. Bush's emphasis on the value of faith-based initiatives and the allocation of funding for their development. As recently as October 2006, the U.S. Department of Health and Human Services (HHS) awarded \$58,025,562 to 420 grass-roots faith-based and community organizations to provide a range of services, including those designed to aid homeless persons, empower at-risk youth, and promote healthy marriages ([www.whitehouse.gov/government/fbci/](http://www.whitehouse.gov/government/fbci/)). The correlation between religiosity and reductions in areas such as hypertension, depression, substance abuse, suicide, non-marital child bearing, and delinquency (Johnson, Tompkins, & Webb, 2002; Johnson, 2001) suggests that faith-based programming may help address these critical needs. In many cases, however, "faith-based" services have little to do with religion; they are, instead, secular services that are provided by a religiously affiliated organization.

Certainly, faith-based programming has a long tradition in the corrections field. The first correctional institutions, implemented by the Quakers, were premised upon the belief that incarceration should be a period of hard work and solitude in which offenders reflected upon their crimes, read the Bible, and become penitent of their "sinful" ways (O'Connor, 2002). Likewise, the motivation to preserve delinquent and wayward children was often derived from the religious faith of child care advocates interested in saving children from the detrimental effects of the Houses of Refuge, jails, and abandonment to the city streets.

The purpose of this article is to examine the merits of faith-based approaches for the prevention and control of delinquency within community-based services for juvenile offenders. There is substantial empirical support for an inverse relationship between religious involvement and delinquency in youth and criminal behavior in adults (Carr, Cuff, & Molzahn, 2003; Johnson, 2001; Johnson, n.d.; Johnson, Tompkins, & Webb, 2002; Larson and Johnson, n.d.; Rohrbaugh and Jessor, 1975; Jang & Johnson, 2001; Johnson, Jang, Larson, & Li, 2001). Is this evidence enough to support the use of faith-based approaches for government-run, youth-serving agencies operated within a social context that places such emphasis on religious freedom and the separation of church and state? Are faith-based approaches practical and ethical solutions for addressing delinquency and other antisocial behaviors? As a starting point for exploring these



questions, this paper examines the theoretical and empirical relevance of faith-based approaches for the prevention and control of delinquency, highlights the controversies surrounding their use, and reports the results of a survey of juvenile justice personnel regarding their perceptions on using faith-based programming for the youth they serve.

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## Literature Review

The literature on faith-based programming distinguishes between “organic” and “intentional” religion (Johnson et al., 2002). Johnson et al. (2002) define organic religion as representing “the influence of religion practiced over time” and intentional religion as “the exposure to religion one receives at a particular time in life for a particular purpose” (p. 8). There have been numerous studies that have examined the impact of organic religion on physical health, mental health, delinquency, and crime, while far fewer have assessed the effects of intentional religion (Johnson et al., 2002). In general, individuals of “high organic religion” experience less hypertension, depression, drug and alcohol abuse, have lower rates of suicide, non-marital child bearing, and delinquency (Johnson et al., 2002; Johnson, 2001). Johnson et al. (2002) postulate that “if a relationship can be established between religious practice and overall health and well being, then there may be additional justification for assuming that intentional religion via faith-based organizations may yield similar outcomes...”(p. 9).

There is certainly a strong theoretical basis for why one would expect to find an inverse relationship between religiosity and delinquency. Social control, social learning, and cognitive theories are all capable of explaining this link. Social control theory is based upon the assumption that deviant or delinquent behavior is a natural, human tendency that is constrained by internal controls (morals and guilt) and external controls (social bonds, punishment, and laws) (Hirschi, 1969; Reckless, 1967). Religion functions as a control agent in several ways. It provides youth with an attachment to a positive social institution and its members, and provides opportunities for involvement in conventional activities. The more attached a person is to a religious institution, “the less likely he or she is to commit crime, for he or she has something of value to lose...” (O’Connor and Perreyclear, 2002, p. 19). Worthington (1993) contends that “religious doctrine and participation reinforce and strengthen internalization of moral beliefs, which in turn, foster restraint through...feelings of moral revulsion and guilt” (as cited in Benda, 1995 p. 447). According to Rohrbaugh and Jessor (1975) one’s perception of God can function as a control agent: If one views God as wrathful, deviant behavior is inhibited out of fear of punishment; if one views God as loving, God is an ideal, whose character is to be emulated in one’s own life.

Social learning theory maintains that individuals are less likely to commit a delinquent or criminal act when they are exposed to pro-social models, when they learn definitions unfavorable to law violation, and when they are reinforced for their demonstration of prosocial attitudes and behaviors (Akers, 2003). Involvement in a religious institution increases the likelihood that youth will be exposed to prosocial models whom they can emulate. These models, along with religious text, sermons, and counseling, offer general definitions (i.e., beliefs, values, and norms) that are unfavorable to criminal behavior.

Cognitive theory also provides an explanation for the inverse relationship between religiosity and delinquency. Criminal offenders and delinquents are disproportionately represented in the pre-conventional stage of moral development (Jennings, Kilkenney, and Kohlberg, 1983). At this stage, decisions that an individual makes are predicated upon the desire to avoid punishment and carrying out one’s self interests, with no concern as to the welfare of others (Van Voorhis, Braswell, & Lester, 2004). In contrast, individuals at the conventional stage of reasoning are internally motivated to do that which is expected of them; they try to live by the rule of “do unto others as you would have them do unto you,” and seek to preserve conventional, pro-social institutions (Van Voorhis et al., 2004). Consistent exposure to religious models and religious doctrines that emphasize morality and reciprocity may help youth progress from pre-conventional to conventional reasoning and lessen their likelihood of engaging in antisocial or other behaviors

that serve their self-interests at the expense of others.

In addition to this theoretical support for religion as a delinquency prevention tool, there is a significant amount of empirical support, primarily as it relates to the inverse correlation between organic religion and delinquency (Baier and Wright, 2001; Carr, et al. 2003; Jang & Johnson, 2001; Johnson, 2001; Johnson, n.d.; Johnson et al., 2002; Larson and Johnson, n.d.; Rohrbaugh and Jessor, 1975). This relationship has been challenged, with many authors asserting that it is actually an indirect relationship that is completely mediated by social bond, social learning and other secular variables. Some studies have found that religiosity becomes non-significant after controlling for social bonding and social learning variables (e.g., Benda, 1995; Burkett & Warren, 1987; Elifson, Petersen, & Hadaway, 1983). Several other evaluations, however, have found that although the relationship is mediated by social control and social learning variables, the relationship between religiosity and delinquency remains statistically significant (Larson and Johnson, n.d.; Johnson et al., 2001; Jang and Johnson, 2001).

Benda and Corwyn (1997) conclude that the impact of religiosity depends upon the indicators used to measure religiosity, whether social bonding variables are considered, and the type of delinquency analyzed. For example, Adlaf and Smart (1985) found that church attendance is more substantially related to drug use than self-reported religious feelings, and Benda (1995) found that religiosity is more influential on anti-ascetic conduct (e.g., substance abuse, gambling, sexual promiscuity) than on property or person crimes.

A review of studies on faith-based programs (i.e., intentional religion) in correctional settings reports positive outcomes, including reductions in violence, recidivism, and disciplinary infractions, and improvements in literacy and prison adjustment (Clear and Sumpter, 2002; Evans, Cullen, Dunaway & Burton, 1995; Johnson et al., 2002; O'Connor & Perryclear, 2002). It should be noted, however, that many of these studies possess methodological flaws, including small sample size and a lack of clearly defined control groups. Furthermore, these studies involve univariate, descriptive analysis of the relationship between program involvement and program outcomes. Despite methodological shortcomings, Johnson et al. (2002) conclude that preliminary findings of evaluations of faith-based programs are promising and that there are apparent advantages of such programming in helping individuals prevail over difficult conditions.

Clearly, more research is needed to assess the viability of intentional religion, or faith-based programming, as a delinquency prevention tool. Additional empirical support for faith-based programming, however, can be found in research on resiliency and protective factors. Researchers have found that supportive relationships with adults buffer the effects of high-risk environments by providing a sense of "felt-security" (Bretherton, 1985; Mecartney, Styles, and Morrow, 1994), by improving a youth's self-concept (Unger and Wandersman, 1985), and by promoting self-efficacy (Werner, 1993). In this vein, many authors assert that urban youth who are involved in religion are able to partially negate the influence of the disordered neighborhoods in which they live as the result of time spent engaged in pro-social activities and exposed to responsible adults (Larson and Johnson, n.d.; Jang and Johnson, 2001; Title and Welch, 1983).

There are three primary points of controversy surrounding the use of faith-based approaches. The first issue concerns the separation between church and state. By using faith-based programming as a tool for preventing delinquency, will an agency be in violation of the establishment clause of the first amendment? According to Johnson et al. (2002), agencies using faith-based approaches have not yet been challenged on the basis of constitutional violations against freedom of religion. The second issue revolves around the potential for discriminatory practices that would exclude agnostic or atheistic youth, or youth that practice a religion other than that practiced by the program, from participating in the program. The third point of controversy reflects the state of the research on faith-based programming. If, as some research suggests, the benefits of faith-based programming are derived from the secular variables of social bonds and social learning, it might make sense, considering the aforementioned controversies, to expose youth to these factors through programs operated outside of a religious context.

The extent to which religiosity and faith-based programming have value in juvenile corrections

may be proportionate to its place within the “what works” paradigm. According to the “what works” literature, effective programs are those that address criminogenic needs (or dynamic risk factors), accommodate the personal characteristics and learning styles of youth, and use cognitive-behavioral and social learning approaches to reduce delinquent and other antisocial behaviors (see Andrews, Bonta, and Hoge, 1990; Gendreau, 1996). There are three ways that faith-based interventions reflect this literature. First, Carr et al. (2003) assert that religiosity, specifically faith-based programming, can appreciably affect the seven dynamic risk factors for criminal behavior, which are employment, family life, antisocial associates, substance abuse, community functioning, personal or emotional orientations (including cognitive distortions), and antisocial attitudes. Second, the religious preference of youth and their families may be an important factor to consider when matching youth to programs, as it may make them more or less amenable to faith-based programming. Third, as previously discussed, religion or faith-based programming can aid the moral development of individuals, and expose youth to positive role models that can demonstrate prosocial behavior and reinforce the pro-social behavior exhibited by youth.

Despite the theoretical and empirical support that exists for faith-based programming, little is known about the extent to which faith-based approaches are being used by juvenile justice agencies or about their attitudes regarding such approaches. The remainder of this article reports on a survey of juvenile justice personnel in a southern state regarding their perceptions of using faith-based approaches with juvenile offenders. Specifically, the survey was designed to explore the:

- extent to which juvenile probation officers are aware of and utilizing faith-based services for the youth they serve;
- perceptions of juvenile probation officers regarding the value of faith-based interventions; and
- perceptions of juvenile probation officers regarding barriers to faith-based approaches.

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## **Methodology**

The survey was administered to 203 community service workers (i.e., juvenile probation officers) employed with the State via e-mail using the SPSS Data Entry System. This system streamlines data collection by using SPSS functions to create the survey and collect and analyze the data. After creating the survey with the SPSS Data Entry Builder, the Data Entry System software electronically and automatically distributes the survey through e-mail. Respondents submit their responses to the survey electronically and transfer the data back to the Data Entry Enterprise Server. Through this collection process, data is summarily organized and prepared for analysis in SPSS ([http://www.spss.com/data entry/](http://www.spss.com/data%20entry/)). Although participation was encouraged through an accompanying email from a juvenile justice administrator, recipients were informed that their participation was completely voluntary and anonymous.

The advantages and disadvantages of questionnaires administered via e-mail are comparable to those associated with questionnaires sent by regular mail. Advantages include cost effectiveness, timeliness, anonymity, and accessibility. Additionally, respondents can also complete the survey in a time and manner that is convenient for them, and interviewer bias is minimized. Unfortunately, there are also a number of disadvantages associated with self-administered questionnaires. They have the lowest response rates and there is often the problem of surveys that are returned incomplete or filled out incorrectly. In addition, researchers cannot observe the respondents' environments, cannot control the circumstances or conditions under which the survey is completed, or probe to refine ambiguous answers. Moreover, inclusion of complex questions and contingency questions is limited (Babbie, 2004). An additional disadvantage associated with online surveys is that they limit participation to those with email capacity (Babbie, 2004). This was not a concern in this study, however, because all members of the target

population had regular access to their e-mail account through their work. To encourage a high response rate, the survey was distributed on three separate occasions.

For the purposes of the survey, faith-based programming was defined as “any program, service, or intervention that connects youth to a religious organization, church (Synagogue, mosque, sweat lodge, etc.), or church member for the purpose of preventing future delinquency or other problem behaviors.” Although the questionnaire consisted predominantly of close-ended questions, it also contained a number of open-ended questions to allow for further comment. Respondents were asked about their awareness and use of faith-based approaches with the youth they serve, their perceptions about the effectiveness of these approaches, and perceived barriers to using faith-based approaches with juvenile offenders.

In an attempt to contextualize the results of the survey, respondents were asked about their demographic characteristics, educational and employment background, correctional philosophies, and personal perspectives and experiences with religion. Items on religious/spiritual background were taken from a scale developed by O’Connor (2002), and the scale on religious views was developed by Gorsuch and McPherson (1989) and has demonstrated reliability and validity (Egbert, Mickley, & Coeling, 2004; Hill & Hood, 1999). As this survey is exploratory in purpose and nature, the analysis was limited to descriptive statistics.

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## **Results**

### *Description of Sample*

Seventy surveys were completed and returned for a response rate of 34 percent. The typical respondent was female (58.57 percent), approximately 40 years old, and Caucasian (85.71 percent). Most were raised in a small town of less than 50 thousand (32.86 percent), in the country (non-farm) (21.43 percent), or on a farm (22.86 percent). The respondents were well educated in diverse fields of study. A Bachelor’s degree was the highest degree earned for 70 percent of the respondents, while another 25 percent had earned their Master’s degree. Fields of study ranged from the Arts, History, and Science to Psychology, Social Work, and Criminal Justice.

On average, respondents had worked in the social services for 10.62 years, and had been with the Department of Juvenile Justice for 6.51 years. Respondents’ perceptions regarding the most important goals of juvenile corrections were consistent with traditional juvenile justice philosophy: 67.14 percent of respondents ranked rehabilitation as the most important goal of juvenile corrections. Restoration was considered the second most important goal, followed by deterrence and incapacitation. Retribution was viewed as the least important goal.

Eighteen percent (n=13) of the respondents reported prior experience working with faith-based organizations, and 10 percent (n=7) of the respondents reporting having received training on faith-based approaches for preventing delinquency. The majority (77.14 percent) reported frequent church attendance (once a week or more) throughout their childhood, and 51.43 percent of respondents attended church once a week or more at the time of their response. A large majority of respondents (81.43 percent) identified themselves as Christian, Protestant. Religious faith is a salient factor in the majority of respondents’ lives: Sixty percent of the respondents indicated that they base most of their important decisions on their religious faith; 58.57 percent indicated that their faith is of central importance in their lives; and 72.85 percent either agreed or strongly agreed that without their faith, their lives would not possess much meaning. These items were combined into a religious salience scale (Gorsuch and McPherson, 1989) ranging from 0 (low religious salience) to 10 (high religious salience). The mean score was 8.01.

### *Awareness, Use, and Perceived Effectiveness of Faith-Based Programming*

The data suggest that the majority of juvenile service workers who responded to the survey were

unaware of existing faith-based opportunities for youth ([Table 1](#)). The types of faith-based programs that workers were most aware of and to which they made the most referrals were individual mental health counseling, drug and alcohol education, community service, and mentoring. Although considerably fewer workers were aware of a faith-based anger management program or family intervention services, these programs received among the highest rates of referrals. Respondents were asked to rate the effectiveness of the faith-based programs of which they were aware on a scale of 1 (not effective at all) to 5 (very effective). The mean scores ranged from a low of 2.92 for individual mental health counseling to a high of 4.33 for educational services.

## [Table 2](#)

### *Purpose of faith-based approaches*

When asked why they personally use faith-based approaches with the youth they service, the most commonly selected responses were to provide a positive environment for social learning (35.71 percent), to develop a network of social support (34.28 percent), and to expose youth to pro-social standards of behavior (34.28 percent). When asked to rank the purposes of faith-based approaches in terms of their importance in preventing future delinquency, respondents most frequently ranked “exposing youth to pro-social standards of behavior” as the most important. Enhancing a youth’s personal spirituality/religiosity was most frequently considered the least important reason to use faith-based approaches with juvenile offenders.

Most respondents agreed that a significant proportion of youth that they serve could benefit from participation in faith-based programming ([Table 3](#)). Despite this, they believed that few would voluntarily participate in such programming. Moreover, a strong majority of juvenile service workers responded that fewer than twenty percent of their clients currently attend church.

### *Barriers to faith-based approaches*

Of the barriers listed in the survey, respondents most frequently identified legislative requirements regarding the separation of church and state (68.57 percent), the lack of availability of faith-based programming (60 percent), resistance from family and/or youth (55.71 percent), and lack of awareness of faith-based programming (50 percent) as barriers that limit their use of faith-based approaches ([table 4](#)). Only 2.86 percent of respondents identified their own negative attitudes regarding the value of faith-based initiatives as a barrier. Despite this, respondents indicated that in the absence of such barriers, their use of faith-based programming would not increase at all (48.5 percent) or increase only a little (42.86 percent).

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## **Summary and Conclusions**

The majority of respondents to this survey were Caucasian, from small towns and/or rural areas, identified themselves as Christian, Protestant, and indicated that religious faith was a salient factor in their lives. Most respondents had worked in juvenile justice or some type of social service for at least five years. Few had received any training on faith-based approaches for preventing delinquency, and the reported levels of awareness and use of faith-based programming was low. Although the majority of respondents believed that faith-based programming could benefit the youth they served, few indicated that they would increase their use of faith-based programming even if perceived barriers were addressed. These results suggest that, despite the emphasis on faith-based programming at the federal level, its appeal had not permeated into juvenile justice practice within the southern state involved in this study.

Clearly, the low response rate and the predominant Christian orientation of the respondents limit the generalizability of the study results. There are several potential explanations for the low response rate. On a practical note, the juvenile service workers may just have been too busy to complete the survey. It is also possible, however, that the juvenile service workers chose not to respond because they considered the topic of the study to be too private and personal. Despite

precautions taken to preserve the anonymity and confidentiality of the responses, they may have been concerned about the lack of privacy that is often associated with agency email. Or it could be that their decision not to participate was due to a lack of interest in, or indifference to, faith-based programming.

Different results might be expected from a survey of juvenile justice workers within a state that is more diverse in race and religion. Persons with religious affiliations other than Christian may attach more value to faith-based programming. If we consider statistics showing that religious affiliation is more prevalent in southern states, however, a more logical assumption may be that even less value would be attached to faith-based programming in states outside of the southern region.

It is possible that the low awareness and use of faith-based programming, in general, was attributable to the population of youth served by the respondents. In this state, youth are only referred to the Department of Juvenile Justice after one or more attempts at diversion, and, in many cases, after they have accrued a lengthy record of status offenses and other problem behaviors. It may be that faith-based programming would garner more support as a primary prevention strategy.

Although the overall awareness and use of faith-based programming was low, there were higher rates of referrals to anger management and family interventions, both of which target problem areas that are prevalent within a more delinquent population. Moreover, the services that received higher rankings on perceived effectiveness included services that were more educational than clinical in nature, and were services that may have been deemed to be more suitable to the purview of religious organizations (e.g., services that targeted family, spirituality, sexuality, life skills).

To our knowledge, there is no prohibition against using faith-based services on a voluntary basis; if there were, numerous faith-based organizations currently serving offender populations would be in violation. On the contrary, it is the limited access to all types of religions that is more frequently challenged within the correctional context.

Respondents' perceptions regarding the most important aspects of faith-based programming—the positive environment for social learning, the network of social support, and the pro-social standards of behavior to which youth could be exposed—were congruent with research findings suggesting that it is the mediating variables within a faith-based context, rather than the religious or spiritual aspects themselves, that reduce a youth's likelihood of delinquency. It would appear to be a perfect solution for youth who so frequently lack these protective elements in their families and neighborhoods. The survey results reported here, however, suggest that it is an underutilized resource, at least within this one southern state.

Given the push for evidence-based practice in juvenile justice, the effectiveness of faith-based programming in reducing delinquency must be documented through methodologically sound outcome evaluations. Additionally, juvenile justice personnel must receive training on their value and legalities. Only then will faith-based programs become viable supplements or alternatives to secular programming for the prevention and control of juvenile delinquency.

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**Table 1: Awareness of and Referral to Faith-Based Programming**

Type of Program	# ( %) reporting awareness of program	Total estimated # of referrals in last 12 months	Average # of referrals in last 12 months (among those reporting awareness of program)	Perceived Effectiveness (1=not effective at all to 5=very effective; mean reported)
Mentoring	10 (14.28)	41	4.10	3.00
Drug/alcohol education	13 (18.57)	38.5	2.96	3.15
Drug/alcohol treatment	1 (1.43)	1	1.00	3.00
Educational services	6 (8.57)	6	1.00	4.33
Vocational training	2 (2.86)	4	2.00	3.00
Family intervention	7 (10.00)	34	4.86	4.17
Spiritual counseling	6 (8.57)	17	2.83	4.33
Services for teen pregnancy/parenting	8 (11.43)	3	.38	4.25
Sexual education/counseling	5 (7.14)	4	.80	3.75
Individual mental health counseling	15 (21.43)	64	4.27	2.92
Mental health groups	2 (2.86)	0	0	—
Community service	11 (15.71)	55	5.00	3.40
Anger management	5 (7.14)	42	8.40	3.25
Life skills training	3 (4.28)	2	.67	4.00
Recreational services	8 (11.43)	5	.63	3.33
Other	2 (2.86)	15	7.50	3.00

## Table 2: Purposes of Faith-Based Approaches

Variable	Frequency(N)	Percentage(%)	Mean
<b>Purposes</b>			
Enhance religiosity/spirituality	9	12.86	
Provide positive environment for social learning	25	35.71	
Develop network of social support	24	34.28	
Structure leisure time	18	25.71	
Expose youth to pro-social standards of behavior	24	34.28	
Address specific problem area	16	22.86	
<b>Ranking of Purposes in terms of Importance*</b>			
Enhance religiosity/spirituality			3.97
	1 most important	10	14.28
	2	5	7.14
	3	10	14.28
	4	6	8.57
	5	8	11.43
	6 least important	20	28.57
	Missing N=11		
Provide positive environment for social learning			2.77
	1 most important	12	17.14
	2	15	21.43
	3	18	25.71
	4	9	12.86
	5	2	2.86
	6 least important	4	5.71
	Missing N=10		
Develop network of social support			2.86
	1 most important	11	15.71
	2	17	24.28
	3	13	18.57
	4	7	10.00



	5	9	12.86	
	6 least important	2	2.86	
	Missing N=11			
Structure leisure time				3.40
	1 most important	9	12.86	
	2	12	17.14	
	3	12	17.14	
	4	8	11.43	
	5	11	15.71	
	6 least important	8	11.43	
	Missing N=10			
Expose youth to pro-social standards				2.64
	1 most important	19	27.14	
	2	13	18.57	
	3	9	12.86	
	4	9	12.86	
	5	6	8.57	
	6 least important	3	4.28	
	Missing N=11			
Address specific problem area				3.71
	1 most important	10	14.28	
	2	7	10.00	
	3	8	11.43	
	4	8	11.43	
	5	15	21.43	
	6 least important	10	14.28	
	Missing N=12			

\*Several respondents assigned the same rank multiple times.

**Table 3: Participation of Youth in Faith-Based Programming**

<b>Variable</b>	<b>Frequency (N)</b>	<b>Percentage (%)</b>
% of youth that could benefit		
Less than 20%	9	12.86
20-40%	9	12.86
41-60%	11	15.71
61-80%	12	17.14
Over 80%	27	38.57
Missing N=2		
% of youth that would be willing		
Less than 20%	23	32.86
20-40%	15	21.43
41-60%	20	28.57
61-80%	6	8.57
Over 80%	3	4.28
Missing N=3		
% of youth that attend church		
Less than 20%	58	82.86
20-40%	10	14.28
41-60%	0	0
61-80%	0	0
Over 80%	0	0
Missing N=2		

**Table 4: Barriers to Faith-Based Approaches**

<b>Variable</b>	<b>Frequency (N)</b>	<b>Percentage (%)</b>
<b>Barriers perceived by juvenile service workers</b>		
Legislative requirements regarding the separation of church and state	48	68.57
Philosophical arguments in favor of the separation of church and state	28	40.00
Agency regulations prohibiting their use	25	35.71
Lack of availability	42	60.00
Lack of awareness	35	50.00
Lack of program integrity	28	40.00
Pervasive negative attitudes toward their value in DJJ	16	22.86
Your own negative perceptions regarding their value	2	2.86
Resistance from family and/or youth	39	55.71
Other	10	14.28
<b>Increase in the use of approaches in absence of barriers</b>		
Not at all	34	48.57
A little	30	42.86
A lot	3	4.28
Missing N=3		

## The Experiences of Offenders in a Prison Canine Program

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**IT IS VERY** popular to keep animals as pets, but practitioners in various helping professions, including social work, are beginning to recognize the benefits of using animals in their practices. It is no longer uncommon to find resident pets at nursing homes or mental health facilities. A growing number of correctional facilities are also recognizing the value of animal programs. Prisons and juvenile detention centers across the United States have begun implementing dog-training programs in which offenders within the facilities train dogs for a variety of service positions.

One of these programs is the Indiana Canine Assistant and Adolescent Network (ICAAN). This non-profit organization that trains and places service animals was founded in Indianapolis in 2001 by Dr. Sally Irvin. It began at a juvenile correctional facility, and it has since expanded to several correctional facilities involving males and females, both adolescent and adult. One of these facilities is a medium security facility for adult males. The program at this location was started in 2003 and currently involves six dogs and six trainers. The dogs are trained to complete a wide variety of tasks that can help to assist people with activities of daily living. When the dogs graduate from the program, they are placed with children who have physical disabilities.

This qualitative research study explores the experiences of the offenders who are involved in the ICAAN program at this prison. Through in-depth interviews with each of the program participants, the researcher was able to gain insight into the ICAAN program through the experiences of the prison inmates.

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### Literature Review

The human-animal bond is a well-documented phenomenon that has been around since humans began domesticating animals. Animals were raised to be workers, food, and also companions. The strength of the human-animal bond allowed companion animals to quickly adopt roles as members of the family. This is evidenced by the growing industry of pet products currently available. Beyond the basics of food and medical supplies, this industry has grown to include clothing and recreation for pets (Levinson & Mallon, 1997).

However, animals are not the only ones who benefit from the human-animal bond. This bond can have both physical and emotional benefits for people (Friedman, 1995). Research has indicated a variety of positive outcomes from the use of animals. For example, their use in therapy can decrease depression (Haynes, 1991), and petting a companion animal can lower one's blood pressure (Friedmann, Katcher, Thomas, Lynch, & Messent, 1983; Levitt, 1988).

Research has shown that cardiac patients who own pets have a higher survival rate than those patients who are not pet owners (Friedmann, Katcher, Lynch & Thomas, 1980). This is one of the numerous benefits companion animals can provide for the elderly (Levitt, 1988). The elderly also benefit from the companionship that a pet can provide. Many elderly persons are socially isolated, and the animal is often the only friend or companion with whom the elderly person maintains regular contact (Nieburg, 1984).

Children also place great value on their relationships with animals. Research suggests that companion animals can be very beneficial to self-care children, as the animals provide companionship and security (Heath & McKenry, 1989).

The current practice of Animal-Assisted Therapy stems from the techniques of pet therapy that Boris Levinson developed in the 1960s, but the therapeutic use of animals can be traced as far back as 1792 at the York Retreat in England (Hooker, Freeman, & Stewart, 2002). In recent years, there has been an increase in the use of animal programs within prisons. This is because these low-cost programs are believed to provide positive benefits to inmates and possibly reduce recidivism rates (Strimple, 2003).

One of these animal programs was developed at the Joseph Harp Correctional Center, a medium security prison in Oklahoma. This institution developed a therapeutic program that paired dogs with depressed inmates. Not only did the program decrease depression among those inmates, but the rates of aggression decreased among the inmates as well (Haynes, 1991).

More recently, the Kit Carson Correctional Center, a medium security prison in Colorado, has also developed a service dog training program. Evaluation of this new program has indicated enhanced morale for both inmates and staff at the institution. In addition, there have been many positive changes among the individuals who serve as dog trainers, including a decrease in high blood pressure and anxiety (Osborne & Bair, 2003).

A military prison at Ft. Knox has a dog training program in which twelve inmates are volunteer dog trainers. Staff involved with that program state that participation as a dog trainer teaches the inmates patience. They also believe that programs such as this help the inmates to increase self-esteem (Hasenauer, 1998).

An evaluation of the canine program at Nova Institution for Women in Canada found that participants in the program had scores on depression that were lower than scores for inmates who were not part of the program. In addition, the program participants scored significantly lower on the UCLA Loneliness Scale than did non-participants (Richardson-Taylor & Blanchette, 2001).

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## **Methods & Analysis**

Although dog training programs exist within prisons throughout the United States, there is very little academic research to actually document the benefits that these programs have for the offenders. Much of what is known about these programs comes from anecdotal accounts from staff within the institutions. One of the goals of this exploratory study was to gain insight and understanding into the offenders' experiences of participating in the dog training program. Because of the small sample size, this is best accomplished by adopting a qualitative methodology, using in-depth interviews as the primary means for data collection. This methodology allows the researcher to capture more depth and detail of the offenders' experiences. Interviews are one of the most frequently used qualitative methods of data

collection (with interviews defined as “conversations with a purpose” (Lincoln and Guba, 1985)). This technique allows the researcher to gain broad insight into the subject’s reality.

### *Participants*

Due to the small number of offenders participating in the dog training program, it was important to the researcher to involve as many of them as possible in this research study. Therefore, all dog trainers were invited to participate in the research. After the researcher had been granted all IRB approvals, staff at the prison introduced the research project to the inmates. All of the dog trainers volunteered to be interviewed.

The six participants, whose names have been changed to protect confidentiality, were: Chris, a young man who describes himself as an addict who was arrested due to drugs; Kevin, who has a college degree and claims that “greed” was his downfall, as he was arrested for check fraud; Rollin, the only African-American man in the ICAAN program, who claims that prior to prison he was immature and unable to keep a job; Renny, a recovering alcoholic and one of the original dog trainers in the program, who was preparing to be released the day after the interview; Sam, who recently joined the program, and states he had a drug problem prior to his arrest; and Aldis, who has been incarcerated since 1997, and also has a history of drugs.

### *Data Collection*

The interviews were unstructured, with just three guiding questions: 1) What is the experience for the offender participating in the canine program?; 2) What benefits does the offender believe he has gained through this participation?; 3) How has the experience of participating in the ICAAN program affected the offender? Other questions were asked as warranted within each interview.

Each of the interviews was conducted at the correctional facility and was audiotape recorded. Audiotaped interviews allow the researcher to attend to the respondent during the interview (Weiss, 1994). These audiotapes were then transcribed to be used for data analysis.

### *Data Analysis*

The purpose of data analysis in qualitative research is to organize the massive amount of data that has typically been collected in order to locate themes and interpretations. The analysis of the data in this study involved reviewing the transcripts to find common themes. The researcher used a technique known as cross-case analysis to uncover the themes within the data (Patton, 1990). The researcher used a data reduction technique called Code-and-Retrieve which involves labeling segments of the data based on content (Richards & Richards, 1994). The data was coded by both identifying concrete content within the transcripts that followed the themes, and by interpreting the meaning of content which also fit within a theme (Tutty, Rothery, & Grinnell, 1996).

In order to improve the trustworthiness of the data analysis, the researcher utilized a technique known as peer debriefing (Lincoln & Guba, 1985). After the researcher had identified themes within the data, a colleague not involved in the research read the transcripts and also noted themes. These were then compared to the themes found by the researcher. The peer debriefer noted themes very similar to those developed by the researcher.

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## **Findings**

The following themes were found: 1) Patience; 2) Parenting Skills; 3) Helping Others; 4) Increased Self-Esteem; 5) Social Skills; 6) Normalizing Effect; 7) Calming Effect on the Environment.

### *Patience*

The first theme identified among the data was the theme of patience. The offenders all stated that being part of the ICAAN program taught them to be more patient. One inmate makes the case that patience is something that most offenders lack. Sam stated, "I guess everybody in here, in the prison system, has always had that mentality 'I want what I want when I want it now.'" One inmate, Kevin, stated,

One of the biggest attributes, I guess, this program brings to us is the development of patience. Even though I am a father, patience is something that I think all of us lack to an extent. Having to deal with the dog, primarily when they were puppies, dealing with the dog from six in the morning until nine at night... just dealing with everything that comes along, with the training aspect... Patience would probably be the biggest virtue.

Although patience is a skill that was developed by working with dogs, it can be transferred to interactions with people, as well. One inmate described how he had developed patience with other inmates who had so many questions for him regarding the dog he was training. Rollin stated,

I had to answer twenty thousand questions, the same ones over and over and, you know, it taught me to be more patient... I taught myself to stop and be sociable and explain to them, even if it was the thousandth time that I had said it that day, and to realize it's not about me and what I'm doing. It's what I'm doing for someone else.

### *Parenting Skills*

Patience may also relate to the second theme, which involves the parenting skills of the offenders. All six of the inmates in the ICAAN program have children, and they mentioned how participating in the program will help them to re-establish relationships with their children and be better parents. Many of them explained that the program has taught them responsibility, and that lesson will carry over into their roles as fathers.

One dog trainer, Kevin, stated, It's similar to raising a child, the time and the care that's involved. Even though they're just a dog, you put a lot of care and a lot of love and just a lot of time. It definitely instills a sense of responsibility. I think that's something that probably all of us need.

He goes on to explain,

Again the responsibility and the compassion and the love and the caring obviously were probably some qualities that I lacked as a father, for me to make the mistakes that I did because I was thinking more of myself than of my family and my children. So being able to develop those type of parenting skills is definitely a plus.

Rollin believes that some of the skills he learned in training the dogs, may also be applicable to helping his two children who have autism.

One way I looked at the dog training, and I hate to say this, the OC, operant conditioning, stuff how you train dogs to do things, and I was thinking maybe I might be able to apply that to teaching my children, you know, my two children how to do different things... they're autistic and one of the main things that it does, it just presents a major language barrier, you know and with the dog you realize that when you say sit to the dog, the dog doesn't know what "sit" means. They recognize the cue, they recognize the sound, but

they don't know the definition of sit or stand... and I was thinking maybe I could train my children, my autistic children, to maybe further their communication, how to do different things.

Rollin also plans to utilize the skills he learned in dog training to train a dog for his five children. He stated,

Actually it's ironic that I got chose for the dog program because right before I got chose my kids came up, and I hadn't mentioned anything about it to them, and they said, "Daddy, we want a puppy." I figured if I get my kids a dog, I might as well know how to train the dog.

Rollin believes that he might be able to train the dog to assist his two autistic children, "It'd be therapeutic. It might bring 'em out of their autism, might bring out a different side of 'em."

Another inmate, Aldis, also said he will use the skills to train a family pet for his children, "I'll probably take the skills I've learned in the dog program and possibly, ya' know, teach my boys and my little girl how to train a dog. We'll train one together. That way they'll learn."

The trainers also explained that their children have been able to meet the dogs when they have visited. This helps to ease some of the anxiety of being in a prison environment, and makes the children more willing to visit.

### *Helping Others*

A major component of what the inmates like in the ICAAN program is the fact that they are helping someone else. One of the trainers, Aldis, stated, "The main thing I like is because what it (ICAAN) stands for and what we're doing with the dogs... they're gonna go to a child hopefully." Kevin articulated this theme when he stated,

I think when we all initially start, we really don't understand the actual concept. We know that we're gonna be training dogs for handicapped children. But we don't know the significance of that and we don't know how rewarding and gratifying that really is... we were able to watch many videos that Dr. Irvin had brought down showing the interaction between a graduated dog and a client... just watching the video, the introduction of those two, and the smile and happiness on her face. I think, if nothing else were to happen between now and the time that I go home, that was gratifying enough for me to think that I am doing something beneficial to help someone... It's just really a pleasure to know that even though I'm incarcerated, I'm still able to participate and I guess even serve the community. That's very gratifying.

Several of the men in the ICAAN program identify personally with the goals of the program because they have disabled persons in their own families. As mentioned, Rollin has two children with autism, and he appreciated the opportunity that ICAAN gives him to help other disabled children. Sam also tells of his family's special needs.

I got a handicap brother... I'd love to see somebody do this for him... the only thing that really makes this (the hard work) worth it in the end is that I know when I get done I will have paid my debt to society forever, and I will learn a lot of things about myself through the program.

Another inmate, Chris, related personally as well to the ICAAN program because he has an uncle who is disabled. He described how he first became involved in ICAAN because he thought it would be fun to interact with the dogs, but after realizing that the program was to help persons with disabilities, he liked the program even more.



Renny stated that it was the opportunity to do something for others that first attracted him to the ICAAN program. He states,

This was an opportunity for me to do something for someone else, because before everything was about me, and I realized after being incarcerated that, as part of my recovery, that I needed to start helping other people and I figured that this was the perfect opportunity to do so.

Renny's dog was one of the first to graduate the program and be placed with someone. Although it was difficult for Renny to see the dog go, he stated that he was able to see a video of the dog with its new owner. He described his reaction,

Just to see the expression on that lady's face, how happy she was, has made it all worth while. That's probably the most selfless thing that I've ever done in my life. And to see how happy that lady was, ya' know, the icing on the cake for me.

The opportunity to help others has given meaning to the lives of these incarcerated men. They seem to be trying to demonstrate how they have changed and to regain society's respect. This is, in part, because they now have respect for themselves.

### *Self-Esteem*

With 1400 inmates at the prison, the selection of ICAAN trainers is quite competitive. To be selected is an honor and a privilege that the current participants take pride in and helps to improve their self-esteem.

Chris describes the pride he felt when he was selected, "It made me feel real good inside that they were actually lookin' at me like that." Kevin also was pleased to be picked,

I was very elated. It was really rewarding just initially to know that, at that time there were only four of us, and to know that I was chosen. It was a huge responsibility I knew I was taking on, but I was really looking forward to it.

Renny also described his feelings about being chosen, "That made me feel great. It helped me feel a lot better about myself immediately. That was just the beginning... I had no idea I'd learn all the things I did about myself and other people... but mainly about myself."

Aldis never believed that he would be selected. He recalls a conversation he had with another inmate regarding the process, "they don't pick people like me, that's what I was telling him. I guess I was being a little bit hard on myself." Later when he discovered he had been chosen, he states, "I was kind of shocked, you know. I mean, I was tickled to be picked you know. I don't know, I'm not gonna say flattered, but I was tickled to be picked."

The additional responsibilities and privileges that are granted to the dog trainers also help to build self-esteem in the men. Renny had a history of violent relationships with women. He believes that he tried to control women, because his own life was so out of control. Through the ICAAN program, he has gained self-respect and states, "To be honest with you, I'd rather be by myself than be that way again, because nobody deserves that, and I don't need to do that to myself anymore." His increased self-esteem is also apparent when he says,

To have more control of myself is a good feeling because I know I don't have to react that way, like I used to. The past is what it is, and it's up to me to make what I want out of my future, regardless of what's happening... I'm what I make of it.

The increase in self-esteem also improves the inmates' willingness to engage with others. This willingness ties closely with the following theme of improved social skills.

### *Social Skills*

The inmates each described how the ICAAN program helped them to improve their social skills. Chris explained how he has changed from the program, "I wasn't very social at first. That's kinda helped me out a lot, too. Now I like to sit there and talk to people. Now it's a lot easier."

Other inmates also noted improvements in their abilities to relate to others. Kevin says, "It furthers your whole, your people skills, your responsibility and your communication, and compassion and things like that. I think ICAAN is a program that benefits the offender and the recipient and the community at the same time."

Rollin also noted that he learned better communication skills in the program, "I've learned communication first of all. You have to be able to clearly communicate with the dog."

Renny talked of how he began interacting more with others as a result of the ICAAN program.

I would just do my own thing, and, you know, be sorta isolated and just keep to myself and wouldn't socialize with anyone, and then being' in the dog program and having a dog and it being new, I was in the spotlight so to speak and it put me in front of everybody and I wanted to do a good job...

Aldis reflected on how after spending many years at another institution, he was isolating himself and becoming very withdrawn. He states that prior to being arrested,

I had pretty good communication skills, but when I first got locked up, the time that I had and stuff like that just took part away from inside. I just, 'ya know, stayed locked in the cells... I think I was starting to get institutionalized... I was lucky to be able to sit here and talk to you like this. You know, I would turn everything down, not trying to be mean, but I just didn't have no communication skills...

Some inmates noted how the ICAAN program is a team approach and has helped them learn how to work with others. Kevin stated,

This is definitely a team concept. I don't believe any of us feel that we're competing against one another. We want to try to graduate as many dogs as possible... we work together and do our best to make the program a success and not us as individuals.

Rollin also claims that he has learned the concept of teamwork. "...sometimes we have to work together to train the dogs. We've done a lot of group training here... I was already a team worker and stuff, but sometimes new experiences and new opportunities help reinforce things that we already know."

### *Normalizing Effect*

Another positive effect that the ICAAN program has is that it normalizes the institutional setting of the prison and reminds the offenders of home. When asked about his favorite part of the ICAAN program, Chris responded, "Being with the dogs. Being able to get away from the crowd up in the dorm and getting off by your self, just playing Frisbee with the dog, or working with them." Aldis described it as, "one of the only things that's from the streets that we actually can get in here and, ya' know, play with us and stuff."

Being a dog trainer provides the inmates with additional privileges and time away from the other

inmates, as they often need to be walking or working with the dog. Renny explains the benefit of these privileges, "Being able to walk around, because being in prison is all about controlled movement and then knowing where you're at, at all times... and being in the program, it gives you a sense of freedom, so to speak."

Kevin describes how unique it is for the offenders to have that freedom. "This is a position of which is unlike any here at the facility. You have very limited supervision. There's a lot of trust instilled in you, and you really have to live up to that."

Kevin said that other inmates at the prison also benefit from the dogs' presence. He asserts,

We have guys that have transferred from different facilities and some of them have been incarcerated for 15 or 20 years and seeing a dog, even though they're not really considered pets, that's the closest thing to home that they've seen in years. Being able to spend five or ten minutes of their day, getting on the floor and playing with a dog is, that's the highlight of their day.

Kevin also compared the setting at this prison with other facilities he had been to, noting that there is more green space and "really the only other dogs that I had seen were facility dogs for drug detection. So that was different."

Sam, who states he was quite bitter after being incarcerated, describes how the dog brought joy back in his life. When asked what he learned in the program, he stated,

This kind of sounds kind of corny or whatever, but I think how to love again... when I came in here my family was stripped away, all my possessions, everything, I mean, you know, everything... this is the first time since I got arrested that I've been smiling and havin' a good time.

### *Calming Effect on the Environment*

The dog trainers are not the only ones who are gaining joy from the presence of the dogs. The participants in the ICAAN program indicated that the dogs have made an impact on the whole prison environment. The inmates are housed in large rooms they call dorms, rather than individual cells. All of the dog trainers reside in two of the dorms, and they have noted a change in each of those dorms since the arrival of the dogs. Kevin said, "The stress levels in the dorm decreased; conduct reports decreased. They kind of did an initial study over the first six to eight months and everything that was negative tends to decrease with the influx of the dogs coming in."

Chris describes the difference he has noticed:

Go to a dorm that ain't, that don't, have dogs in it's got more tension in it. And if you go into a dorm that's got the dogs in it... it ain't got very much tension. It's very laid back. Everybody's thinkin' they're at home or something... it's a lot easier atmosphere to live in having the dogs around than not havin' the dogs. It takes a lot of the tension off.

Rollin also believes that the dogs make a difference in the environment. "It helps a little bit with the morale. It eases stress a lot, too, with a lot of the offenders... they can play with the dog or they can just pet the dog. It's almost like it's therapeutic in a way."

Renny told of the positive effect the dogs had on his dorm, "We had that incentive where what dorm got the least amount of write ups at one time, and I think we won like three times in a row... the dogs had a more calm, soothing effect for everybody in the dorm." He even suggested moving inmates so that there are dogs in each dorm, rather than keeping the dogs in just two

dorms. "It helps ease the tension between everybody because this is a stressful environment, I don't care what anybody says."

Aldis also cited the positive effects on the environment,

It has changed this place a lot. A lot of people's, I'm not gonna say soft, but they're softer than what they was, ya' know. They let their feelings come out, lay down, play with the dogs, ya' know, talk real feminine to 'em and stuff like that... It changed D dorm a lot, 'cause I was around D dorm before the dogs actually come in here and there was more fights and, 'ya know, a lot more aggressive stuff going on up there. Now you don't really see too much of that. It's like they just go over and pet the dog or something. Their whole attitude changes pretty much.

That statement seems to hold true for all of the inmates involved in ICAAN. Each trainer described how his involvement in the program made significant changes in his life.

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## **Discussion and Conclusions**

The data collected in this qualitative study suggests that the ICAAN program has positive effects on the rehabilitation of the offenders within the program. One of the most significant findings was that the men recognized improvements in self-esteem after participating in the program. This is probably due in part to the increased responsibilities they have been given and the trust that has been instilled in them from the prison staff. This is encouraging since prior research on prisons has indicated that a disproportionate number of inmates have low self-esteem (Castellano & Soderstrom, 1997). The self image of the men in the ICAAN program also benefits from the sense of accomplishment they receive when training a dog. This finding also corresponds with other research that has indicated there is a positive relationship between self-esteem and attachment to a companion animal (Triebenbacher, 1998).

The inmates also reported improved social skills from participating in ICAAN. Research indicates that programs that improve social skills have lower recidivism rates (Vacca, 2004). The improved social skills are probably complementary to the increase in self-esteem the inmates reported. As the social skills improve, they boost the offender's self-confidence; and the more confident the offender is, the more likely he is to socialize. The combination of these two program benefits could have a significant impact on the recidivism rates of the participants.

The increases in self-esteem and the improved skills in communication and patience are likely to have an effect on each inmate's life outside of prison. Offenders consistently have issues with anger and aggression, and patience is a characteristic that can counter those issues (Vannoy & Hoyt, 2004). Because this facility is a medium security prison, most of the inmates there are serving the last few years of their sentences and will likely be released within five years. Thus, an important part of the ICAAN program is rehabilitating prisoners to return to their communities.

Nationally, recidivism rates are approximately 60 percent. A dog training program in Wisconsin has had 68 inmates released who were dog trainers, and none of them have returned to prison (Strimple, 2003). When the inmates were asked about the possibility of re-offending, they did not believe that any of the dog trainers would return. Kevin best expressed it when he said, "I don't expect any of us that are involved now to come back, partly due to the program. Because it has given us many opportunities and it's given us some marketable skills."

A surprising find in this research was that the inmates derived such pleasure from knowing that their work was helping others. Research on rehabilitation suggests that anti-social orientations and self-centeredness are common characteristics among incarcerated individuals (Eisenman, 1993, Walters, 2003). The findings in this study demonstrate that the offenders have developed

compassion for others, which is a beneficial trait in keeping the inmate from re-offending after release. In addition, the opportunity to help others has given meaning and purpose to the inmate's life in prison.

Not only have the individuals benefited from the ICAAN program, but this research suggests that the program has a positive impact on the prison environment. The decrease in aggression reported by the participants directly reflects what the literature in this area has suggested (Harkrader, Burke, & Owen, 2004; Haynes, 1991).

In addition, the normalizing effect that the dogs have on the environment is important. When individuals are kept away from society, they can become institutionalized. As the one participant expressed, he had become very withdrawn and bitter after spending so much time in an institution. That would have made it very difficult for him to then transition back into society following his release. The dogs provide an important link to the world outside of prison. They are a source of comfort and affection that is otherwise nonexistent in an inmate's world.

Some would argue that a person in prison does not deserve comfort or affection, and that he is being punished. However, in a medium security prison such as this one where the offenders are going to be released in the near future, it seems to be more cost-effective to rehabilitate, rather than simply punish. The time in prison can be used to address the issues that put the inmate in prison initially and thus prevent him from concern for others, low self-esteem, lack of patience, and poor social skills, then canine programs such as ICAAN would be effective vehicles for rehabilitation.

There are some obvious limits to this study. The offenders in the canine program were selected carefully among many applicants. This is not a program for all offenders, and administrators of the program screened out applicants who they believed would take advantage of the additional privileges given to dog trainers. Another limitation is the small sample size. There were only six men who were interviewed; however, the data collection had reached a point of saturation even with just six. Because the methodology was qualitative and exploratory, it is not the author's intent to make broad generalizations based on this data. Instead, this data should be used to provide direction for future research in this area.

There is a need for quantitative research that evaluates all of the programs similar to this one. When embarking upon this project, the researcher could not find enough evaluation data specific to canine programs to develop hypotheses for testing. This led to the researcher's decision to use an exploratory design which could then be developed into hypotheses. Based on the hypotheses that have been generated by this qualitative evaluation, the researcher intends to develop quantitative measurement instruments that can be used to evaluate other programs. These instruments will measure the patience, parenting skills, altruism, self-esteem, and social skills of the inmate trainers, possibly using a pre and post design to measure the amount of change.

Future quantitative research can possibly provide concrete evidence of the positive effects of canine prison programs. This evidence can be used by the current programs to justify their continuation, to seek additional funding, and to expand the scope of the programs. Other prisons may also use the research in the development of new canine programs within their institutions.

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## Juvenile Focus

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

### **National Criminal Justice Reference Service**

A recent re-design offers a user-friendly layout, adjustable font size, and access to JUSTINFO, the service's bi-weekly e-newsletter that features announcements from NJCRS' federal sponsors, including OJJDP. Its Juvenile Justice page features publications, related links, and Q & A on topics affecting children and youth. See: [www.ncjrs.gov](http://www.ncjrs.gov).

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### **Juvenile Offenders National Report**

OJJDP recently released a thorough compendium of data about youth in the country, its 2006 National Report. The publication offers more than 110 one-to two-page "snapshots" on such topics as school dropouts, victimization risk factors, time-of-day analysis of juvenile offending, police dispositions of juvenile arrests, offense profiles by gender, and lengths of stay for juveniles in custody. Among some of the findings:

- The nation's juvenile population is rising at a rate consistent with the projected growth of the general population and is expected to grow by 36 percent from 2000 to 2020. The proportion of youth from birth to age 17 in the population should remain constant through 2050, at about 25 percent.
- Between 1998 and 2003, the number of children entering foster care remained fairly stable, while the number exiting increased slightly. An estimated 530,000 children were in foster care on September 30, 2002, which was seven percent fewer than on that day in 1999.
- Of the 385,400 delinquency cases adjudicated in 2002, 62 percent resulted in orders for formal probation, and 23 percent resulted in orders to place youths in residential facilities—a 44 percent increase in placement orders since 1985.
- The juvenile custody rate on October 22, 2003 ("census day") was 307 offenders in custody for every 100,000 youth in the general population. Although 60 percent of juvenile facilities in 2003 were privately operated, 60 percent of juvenile offenders were housed in public facilities. The number of delinquent youth in public facilities rose 36 percent from 1991 to 1999, then dropped 13 percent by 2003. The number in private facilities rose 95 percent from 1991 to 1999 and declined four percent from 1999 to 2003.
- In 2002, the number of homicides committed by juveniles dropped to its lowest level since 1984. Between 1994 and 2002, the number of murders involving juvenile offenders declined 65 percent.

Copies of the full report can be obtained at: <http://ojjdp.ncjrs.org/ojstatbb/nr2006/index/html>.

## **National Missing Children's Day Poster Contest**

OJJDP is sponsoring this year's National Missing Children's Day Poster Contest for the 11th Anniversary of AMBER Alert Program. This year's theme is "Bring Our Missing Children Home." Held annually, this contest challenges 5th grade students to develop artwork that represents America's goal to bring missing children home safely. The winning poster is displayed at the National Missing Children's Day ceremony, which will be held May 23, 2007. For more information about the Missing Children's Day Poster Contest, visit <http://dept.fvtc.edu/ojjdp/postercontest.html>.

## **New Tribal Justice and Safety Web Site**

The Justice Department's Office of Justice Programs (OJP) announced the launch of a new Tribal Justice and Safety Web site, <http://www.usdoj.gov/tribaljusticeandsafety>. The Internet home page will be a resource for American Indian and Alaska Native tribal governments and communities, and will help the general public and other federal agencies to better understand the resources available for improving safety in Native American communities. The site serves as a single source of information about courts, corrections, law enforcement, crime statistics, crime prevention, legal and other public safety issues. It also provides a resource for tribal communities to solicit information about how the Department can meet their informational, training, and funding needs.

## **OJJDP Fact Sheets Feature Juvenile Court Statistics**

OJJDP has published the following online fact sheets highlighting selected statistics on juvenile court cases:

- "Delinquency Cases in Juvenile Court, 2002"
- "Person Offenses in Juvenile Court, 1985–2002"
- "Juvenile Delinquency Probation Caseload, 1985–2002"

Based on OJJDP's forthcoming report "Juvenile Court Statistics 2001–2002," the fact sheets draw on data from the National Juvenile Court Data Archive. These online fact sheets may be accessed as follows: "Delinquency Cases in Juvenile Court, 2002" at <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238067>.

"Person Offenses in Juvenile Court, 1985–2002" at <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238068>.

"Juvenile Delinquency Probation Caseload, 1985–2002" at <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238069>.

## **Suicide Rates**

Suicide rates among young people and senior citizens have fallen by at least 25 percent since the introduction of antidepressants such as Prozac, but have declined much less in other age groups, as reported in the *American Journal of Public Health*. Suicides among people ages 15 to 24 have fallen 25 percent since 1988 and the rate among people over age 65 fell 26 percent. Suicides among people ages 25 to 64 fell less than 10 percent. The study, which examined census data from 1970 to 2002 and mortality reports from the National Center for Health Statistics, found no clear overall trend before 1988.

The number of student suicides approximates 1,100 a year nationwide and suicide is the second leading cause of death among college students, after motor vehicle accidents

## **Synopsis Highlights School Crime Study**

The Federal Bureau of Investigation has published "Synopsis of Crime in Schools and Colleges: A Study of National Incident-Based Reporting System (NIBRS) Data." The synopsis previews the forthcoming study, which will draw on NIBRS data to examine characteristics of offenders

and arrestees involving crimes at schools and colleges. As noted in the synopsis, 69 percent of school crime-related offenders reported during the 2000–2004 study period were between the ages of 13–18, while 77 percent were males. To access “Synopsis of Crime in Schools and Colleges,” visit <http://www.fbi.gov/ucr/schoolviolence.pdf>.

### **Teenage Deaths**

According to the National Center for Health Statistics, in 2000, there were 8.2 deaths per 100,000 teenagers ages 15 to 19, compared with 12.8 deaths per 100,000 for individuals ages 20 to 24. The national rate of suicide is 10.6 deaths per 100,000 people. Firearms account for 10 percent of the deaths of children ages five to 14 and for every child killed, three others are injured.

### **Snapshot of Mentoring**

MENTOR/National Mentoring Partnership has published “Mentoring in America 2005: A Snapshot of the Current State of Mentoring.” In 2002, MENTOR conducted a national poll that measured the attitudes, motivations, and behaviors of active and potential mentors. In 2005, working with a group of advisors led by Dr. Jean Rhodes, University of Massachusetts, Boston, and Dr. David DuBois, University of Illinois at Chicago, MENTOR conducted a second poll to assess the state of mentoring in America. Among its key findings detailed in the report are the following:

- Since 2002, three million adults have had formal, one-to-one mentoring relationships with young people, an increase of 19 percent from the first poll.
- The overwhelming majority (96 percent) of current mentors would recommend it to others.
- Some 44 million adults who are not currently mentoring a young person would seriously consider it.

To access “Mentoring in America 2005,” visit <http://www.mentoring.org/leaders/files/pollreport.pdf>.

### **Underage Drinking by College Students**

Drawing on data from its National Survey on Drug Use & Health (NSDUH), the U.S. Department of Health and Human Service’s Substance Abuse and Mental Health Services Administration has released “The NSDUH Report: Underage Alcohol Use Among Full-time College Students.” According to the report, rates of past month, binge, and heavy alcohol use remained steady from 2002 to 2005. Based on combined data from the 2002 to 2005 surveys, 58 percent of full-time college students who were underage for legal drinking used alcohol in the past month, 40 percent engaged in binge drinking, and 17 percent engaged in heavy drinking.

### **Day Care**

Number of children age five who receive day care from a relative (by household income), according to the Department of Education:

\$25,000 or less	1.3 million
\$25,000–\$50,000	1.2 million
\$50,000–\$75,000	824,000
\$75,000–\$100,000	462,000
\$101,000 or more	564,000

### **Trends in Youth Violence**



The Chapin Hall Center for Children at the University of Chicago has published “Too Soon To Tell: Deciphering Recent Trends in Youth Violence.” Written by Drs. Jeffrey A. Butts, Research Fellow, Chapin Hall Center for Children, and Howard N. Snyder, Director of Systems Research, National Center for Juvenile Justice, the issue brief draws on data from the FBI’s Uniform Crime Reports to assess recent crime trends among youth. To access the issue brief, visit [http://www.chapinhall.org/article\\_abstract.aspx?ar=1437&L2=61&L3=132](http://www.chapinhall.org/article_abstract.aspx?ar=1437&L2=61&L3=132).

### **Violence in Teen Relationships**

According to the Centers for Disease Control and Prevention’s 2003 report, the following are percentages of high school students who said their boyfriend or girlfriend had hit, slapped, or physically hurt them on purpose in the past 12 months (by grade):

9th 8.1%

10th 8.8%

11th 8.1%

12th 10.1%

### **Adolescent Development and Juvenile Justice**

The MacArthur Foundation Research Network on Adolescent Development and Juvenile Justice has released a series of issue briefs that present findings from the Network’s past and ongoing research. The briefs address such topics as:

- adolescent legal competence
- pathways to desistance for serious juvenile offenders
- youth culpability and criminal blameworthiness
- assessing juvenile psychopathy
- transfer of adolescents to adult criminal court.

To access these youth-related research briefs, visit [http://www.adjj.org/content/page.php?cat\\_id=2&content\\_id=28](http://www.adjj.org/content/page.php?cat_id=2&content_id=28).

### **Cases Handled by Youth Courts**

The American Bar Association (ABA) and OJJDP have announced the release of *Youth Cases for Youth Courts: A Guide to the Typical Offenses Handled by Youth Courts.* Published by ABA with funding from OJJDP and others, this desktop guide provides community leaders with helpful information that equips them to address questions critical to the effective implementation of youth courts. Numbers—Data covering the period 1996–2001 and published in *America’s Children: Key National Indicators of Well-Being*:

- 86 percent of adolescents living with their married, biological parents who were reported to be in excellent or very good health.
- 80 percent of adolescents living with a married stepparent who reported excellent or very good health.
- 76 percent of adolescents living with a single parent who reported excellent or very good health.
- 67 percent of adolescents who were living with neither parent who reported excellent or very good health.

### **Youth and Conservatism**

It might surprise their parents, but in the age of graphic lyrics and violent video games, American children entering their teens remain very cautious about sex and dating and still trust their parents and church, according to *Time* magazine. *Time* reports that 60 percent of the 500 13-year-olds surveyed are against sex before marriage, and 63 percent believe they are too

young to date at their age.

### **E-tool Assists in Implementing Juvenile Graduated Sanctions**

Developed under a cooperative agreement between OJJDP and the National Council of Juvenile and Family Court Judges, this e-tool provides for a valuable online resource for those concerned with juvenile graduated sanctions. This e-tool presents programs and intervention strategies that work within each of the following sanctioning levels:

- immediate
- intermediate
- community confinement
- secure confinement
- aftercare.

Detailed program descriptions and contact information enable users to connect juveniles and their families to the services they need. To access this juvenile graduated sanctions e-tool, visit [www.ncjfcj.org/content/view/full/752/456/](http://www.ncjfcj.org/content/view/full/752/456/).

### **Student Safety**

In 2003, nearly all students ages 12 to 18 observed the presence of one or more of selected security measures at their schools, according to the National Center for Education Statistics:

<b>1999</b>	<b>2001</b>	<b>2003</b>
<i>Percentage of students reporting security measures</i>		
9	8.7	10.1
<i>Security guards and/or assigned police officers</i>		
54.1	63.6	69.6
<i>Other school staff or other adult supervision in the hallway</i>		
85.4	88.3	90.6
<i>Locked entrance or exit door during the day</i>		
38.1	48.8	52.8
<i>A requirement that visitors sign in</i>		
87.1	90.2	91.7

### **Youth Unemployment**

The number of young people unemployed in developing countries in Southeast Asia and the Pacific has shot up 85.5 percent in the last decade, leaving 9.5 million youths between the ages of 15 and 24 out of work, according to the U.N.'s International Labor Organization. The increase vastly outpaced the global average increase of 14.8 percent. The global youth work force is expected to grow by another 24 million by 2015, with nearly half or 11 million in Southeast Asia or the Pacific alone.

### **Child Support**

The Office of Child Support Enforcement (OCSE) has prepared a tool kit to support state efforts to improve the effectiveness of the review and adjustment process in the Child Support Enforcement (CSE) system. *Entitled Automated Systems for Child Support Enforcement: A Guide for Enhancing Review and Adjustment Automation*, the tool kit provides valuable information for analyzing and developing system enhancements related to the review and

adjustment process along with detailed case studies. The tool kit includes the following information and analysis and design aides:

- Level of automation initiative overview
- History of review and adjustment
- Federal legislation, regulations, and certification guide requirement related to the review and adjustment process
- Comparison of review and adjustment enhanced automation
- Discussion guide
- Good practices
- Case studies.

The guide is available online at: [www.acf.hhs.gov/programs/cse/stsys/tab11.htm](http://www.acf.hhs.gov/programs/cse/stsys/tab11.htm).

### **Safe Kids/Safe Streets Program**

OJJDP announces the availability of “Lessons Learned From Safe Kids/Safe Streets.” This bulletin reports results from an evaluation of OJJDP’s Safe Kids/Safe Streets Program, which applies a comprehensive, collaborative approach to child maltreatment. The bulletin’s portrayal of the experiences of participating program sites offers insights into collaboration, system reform, and service options, among other matters.

### **Tribal Training**

Computer-based training courses on child support enforcement are being revised to increase use by tribal support enforcement programs. The revisions will reflect the sovereign status of tribes and the choices by each tribal IV-D program to meet the individual needs of their community and legal system. Under an OCSE contract with Policy Studies, Inc., five courses are under revision: Child Support Enforcement-Orientation, Child Support Enforcement-Locate, Child Support Enforcement-Paternity Establishment, Child Support Enforcement-Enforcing the Order, and Child Support Enforcement-Processing Intergovernmental Child Support Cases. For additional information, contact [tbaker@acf.hhs.gov](mailto:tbaker@acf.hhs.gov).

### **Substance Abuse**

Nearly 40 percent of teenagers treated for injuries at one hospital had traces of alcohol or illegal drugs in their blood, according to a report by the University of Michigan Health System. Researchers studied 443 patients ages 14 to 17 who were admitted to the University of Michigan’s hospital for treatment of a severe injury between 1999 and 2003. They found that 29 percent tested positive for opiates such as heroin or opium, 11.2 percent for alcohol, and 20 percent for marijuana.

### **Drugs in School**

Percentage of students grades 9-12 who said someone had offered, sold, or given them an illegal drug at school in the 12 months before the survey (by race/ethnicity), according to the National Center for Education Statistics:

More than one race	36.6%
Non-white Hispanic	36.5%
Pacific Islander	34.7%
American Indian	31.3%
White	27.5%
Black	23.1%
Asian	22.5%

## Drop-Out Rates

Recent data from the National Longitude Survey of Youth reveal that, based on a nationally representative sample of about 9,000 young people who were interviewed annually over a seven-year period, 10 percent had dropped out of school at age 17. At age 18, 15 percent of youths had dropped out of school, 28 percent were still enrolled in high school, 22 percent had graduated from high school and were not in college, and 35 percent had graduated from high school and were enrolled in college. Among students who were high school drop-outs at age 17, 15 percent had enrolled in or completed high school one year later, including two percent who were enrolled in college. Among 18-year-olds who were not in college, 60 percent were employed and four percent were in the armed forces.

## Graduation Rates

A Manhattan Institute study, *Leaving Boys Behind: Public High School Graduation Rates*, reports that white females have the highest graduation rate nationwide for the school year ended in 2003, at 79 percent. White males' rate was 74 percent, followed by Asian females at 73 percent, and Asian males at 70 percent. Overall for 2003, the graduation rate was 72 percent for girls and 65 percent for boys. Hispanic girls led their male counterparts by 58 percent to 49 percent; while black females graduated at a rate of 59 percent compared to black males at 48 percent. The Economic Policy Institute reports that the overall graduation rate is 82 percent with nearly 75 percent of minority students graduating with their class or soon thereafter

**Teens and Careers** According to *USA Today*, the following are careers teens are considering most:

Arts	30%
Medicine/Health	28%
Engineering	26%
Law	24%
Business	23%
Teaching	21%
Science	21%
Communications	13%

## Federal Government Careers

More than half of all upperclassmen and engineering graduate students in a survey of six universities, according to the Partnership for Public Service, indicate they don't know much about careers in federal government, but almost half said they were interested. They cited bureaucracy as the main reason that would deter them from working for the government. Data include: Percentage of students who said they are knowledgeable about career and internship opportunities in the federal government:

Not too	39
Somewhat	34
Not at all	15
Very	9
Extremely	4

Percentage of students who said they were very interested in working for the following categories of employers:

Large private-sector companies	49
Small private-sector companies	42
Federal government	42
Nonprofit organizations	40
State government	28
Local government	20
Military	10

**Special Project Bulletins**—OJJDP announces the availability of three Special Project Bulletins developed by the National Center for Juvenile Justice (NCJJ) with support from OJJDP. The Special Project Bulletin series is produced by NCJJ’s Technical Assistance to the Juvenile Court Project. The three new bulletins are:

- “Guide to the State Juvenile Justice Profiles”—guides users through the layout and content of the State Juvenile Justice Profiles Web site.
- “The Importance of Timely Case Processing in Non-Detained Juvenile Delinquency Cases”—lists seven steps for achieving timely court processing, a key principle of the “Juvenile Delinquency Guidelines,” and describes promising practices and programs that help courts speed up case processing of non-detained delinquency cases.
- “How Does the Juvenile Justice System Measure Up? Applying Performance Measures in Five Jurisdictions”—presents a case for measuring and reporting juvenile justice system performance outcomes and describes six essential features of a strategy for measuring juvenile justice performance.

To access the above and other Special Project Bulletins, visit <http://ncjj.servehttp.com/NCJJWebsite/publications/serial/taspecial.htm>. A limited number of hard copies are available.

**Marketing of Alcohol on Youth-Oriented Media**—According to a report on a recent study conducted by researchers at the Center on Alcohol Marketing and Youth, approximately half the alcohol advertising on radio aired during programs in which the audience was youth-oriented (i.e., composed disproportionately of persons 12 to 20 years old). Published by the Centers for Disease Control and Prevention (CDC), the report also notes that advertisements on such programs accounted for nearly three quarters of all youth exposure to alcohol advertising. For further information about the study and its findings, see the CDC’s “Morbidity and Mortality Weekly Report” at <http://www.cdc.gov/mmwr/preview/mmwrhtml/mm5534a3.htm>.

### **Juvenile Runaways**

The Office of Community Oriented Policing (COPS) has produced an 86-page guide that describes the problem of runaways, reviews risk factors, and identifies questions designed to help communities analyze their runaway problem. The guide also reviews research and police practices. See: [www.cops.usdoj.gov/mime/open.pdf?Item=1964](http://www.cops.usdoj.gov/mime/open.pdf?Item=1964).

### **Juvenile Victims**

Juveniles of all ages are the victims of violent crimes. Some youth—young children, in particular—are the victims of abuse and neglect at the hands of caregivers and family members. “Juvenile Offenders and Victims 2006 National Report” summarizes what is known about the prevalence and incidence of juvenile victimizations. To view the above described summary, visit <http://ojjdp.ncjrs.gov/ojstatbb/nr2006/downloads/chapter2.pdf>. To access the complete report, visit <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=234394>.

### **Community-Based Learning**

Research conducted by the Coalition for Community Schools shows that as many as six in 10 students are disengaged from learning. Research suggests that these students can be re-engaged by involving them in community-based learning—an approach that brings together the strategies of service learning, place-based education, environment-based education, civic education, work-based learning, and academically-based community service. A report describes the shared characteristics of community-based learning and summarizes the academic, civic, moral, personal, social, and work-related outcomes of various community-based learning strategies. See: [www.communityschools.org/CCSDocuments/CBLFinal.pdf](http://www.communityschools.org/CCSDocuments/CBLFinal.pdf).

### **Youth Courts**

More than 1,100 youth courts in 49 states and Washington are all listed in this up-to-date, online directory provided by the National Youth Court Center. The Center's main site includes links to publications, online training for adult and youth volunteers, and information for new youth court coordinators. See: [www.youthcourt.net/national\\_listing/overview.htm](http://www.youthcourt.net/national_listing/overview.htm).

**Youth Court Legislation** The National Youth Court Center has issued "An Update on Teen Court Legislation." Published with support from OJJDP, the 12-page bulletin offers an overview of youth court legislation in the U.S. Thus, it provides a helpful resource for states contemplating revising or drafting such legislation. "An Update on Teen Court Legislation" is available online at <http://www.youthcourt.net/publications/paper.pdf>.

### **Substance Abuse Directory**

This electronic version of the U.S. Substance Abuse and Mental Health Services Administration guide to local drug and alcohol treatment programs provides information on nearly 11,000 programs in all 50 states; Washington, DC; Puerto Rico; and four U.S. territories. The directory is organized by state and includes such information as the level of care offered and areas of service specialization. See: <http://findtreatment.samhsa.gov>.

### **Mental Health Needs of Youth**

The National Center for Mental Health and Juvenile Justice has published a series of research and program briefs on issues related to youth with mental health needs in contact with the juvenile justice system. The series includes:

- "Blueprint for Change: Improving the System Response to Youth with Mental Health Needs Involved with the Juvenile Justice System." This brief provides an overview of the Center's report "Blueprint for Change: A Comprehensive Model for the Identification and Treatment of Youth with Mental Health Needs in Contact with the Juvenile Justice System." The report details the results of the largest mental health project to date funded by the OJJDP.
- "Juvenile Diversion: Programs for Justice-Involved Youth with Mental Health Disorders." This brief offers an overview of juvenile diversion for youth with mental health disorders, reviewing key findings from a Center survey of diversion programs and reviewing promising program models.
- "Juvenile Mental Health Courts: An Emerging Strategy." This brief summarizes the results of a recent Center survey of juvenile mental health courts, and discusses some key issues surrounding the growing use of these courts.
- "Youth with Mental Health Disorders in the Juvenile Justice System: Results from a Multi-State Prevalence Study." This brief discusses key findings from a multi-state study of the prevalence of mental health disorders among youth in the juvenile justice system, funded by OJJDP.

To access the above briefs, visit <http://www.ncmhjj.com/publications/default.asp>. Printed copies may be requested from the National Center for Mental Health in Juvenile Justice at [ncmhjj@prainc.com](mailto:ncmhjj@prainc.com) or, toll free, at 866-9NCMHJJ.

### **Juvenile Residential Facility Census**

OJJDP announces the availability of “Juvenile Residential Facility Census, 2002: Selected Findings.” Written by Melissa Sickmund, Senior Research Associate, National Center for Juvenile Justice, this bulletin is part of OJJDP’s National Report series. The bulletin provides statistics on facilities and offenders by state and facility type, as well as national data on aspects of confinement, overcrowding, suicide, mental health screening, and deaths in custody. Juvenile Residential Facility Census, 2002: Selected Findings” is available online only at <http://ojjdp.ncjrs.org/publications/PubAbstract.asp?pubi=232342>.

### **Out-of-School Time Programs**

The American Youth Policy Forum has published “Helping Youth Succeed Through Out-of-School Time.” The National Institute on Out-of-School Time defines “out-of-school time” as encompassing “a wide range of program offerings for young people that take place before school, after school, on weekends, and during the summer and other school breaks.” The report reviews current research and literature on out-of-school time programs, explores a range of such programs and activities, considers their capacity to meet the needs of young people, and provides policy guidance on how to support and sustain high-quality out-of-school time programs. “Helping Youth Succeed Through Out-of-School Time” is available online at <http://www.aypf.org/publications/HelpingYouthOST2006.pdf>.

### **Resources for Youth Development**

Published by America’s Promise, a coalition of communities, organizations, businesses, and individuals supporting youth development programs, the “Guide to Federal Resources for Youth Development” provides information on federal funds available to support youth development programs. The guide lists more than 100 federal programs, including programs from the U.S. Department of Justice, which are cross-referenced to five core resources regarded as crucial to effective youth development. The “Guide to Federal Resources for Youth Development” is available online at [http://www.americaspromise.org/partners/federal\\_funding\\_guidelines.pdf](http://www.americaspromise.org/partners/federal_funding_guidelines.pdf).

### **Drug Abuse Treatment Recommendations**

The National Institute of Drug Abuse (NIDA) has released a landmark scientific report showing that effective treatment of drug abuse and addiction can save communities money and reduce crime. *Principles of Drug Abuse Treatment for Criminal Justice Populations* outlines some of the proven components from successful treatment of drug abusers who have entered the criminal justice system. The comprehensive report offers 13 principles based on a review of the scientific literature on drug abuse treatment and criminal behavior. Examples are that drug addiction is a brain disease that affects behavior, that recovery requires effective individualized treatment that may include medication, and that continuity of care is essential for drug abusers reentering the community after a period of incarceration.

See: (NCADI# BKD 550) or [www.drugabuse.gov](http://www.drugabuse.gov).

### **Mentoring Children of Prisoners**

The Family and Youth Services Bureau, Administration for Children and Families, administers a grant program called Mentoring Children of Prisoners (MCP). Its mission is to train adult volunteers to mentor children and youth whose parents are incarcerated. Approximately 2 million children and youth in the U.S. have at least one parent in a correctional facility. In addition to suffering disruption in the relationship with the parent, these young people often struggle with the economic, social, and emotional burdens of the incarceration. MCP publishes a monthly e-newsletter and provides information about services and resources. To obtain more information, See: [www.acf.hhs.gov/programs/fysb/content/youthdivision/programs/locate.htm](http://www.acf.hhs.gov/programs/fysb/content/youthdivision/programs/locate.htm).

### **College Success**

Nearly one in four teachers in urban schools believe that most students would not be successful

at a community college or university or be motivated to learn, according to a study conducted at the Southern Connecticut State University. In all, 23.6 percent of public school teachers at all levels say success in college would elude most students, while an additional 18 percent say they aren't sure. White teachers seem to have the bleakest view: 24.5 percent predict failure in college; higher than among black (22.1 percent) or Hispanic (17.6 percent) teachers. Administrators paint a rosier picture: only seven percent predict the same for their students, but 15.6 percent say their students are not motivated to learn. The researchers also report that part of the problem could be a perceived lack of support from parents: 57 percent of teachers say parents are supportive, but 28 percent say they are not supportive. Other findings:

- One in eight teachers say their school is not a safe place.
- 65.8 percent of black administrators say children are bullied regularly at their school; only 49.3 percent of white administrators and 29.7 percent of Hispanic administrators say the same.

See: [www.nsba.org/cube/whereweteach](http://www.nsba.org/cube/whereweteach).

## **Homework**

A new review of research on homework indicates there is no conclusive evidence that homework increases student achievement across the board, according to the National School Boards Association's Center for Public Education. The study states that students from low-income homes might not benefit as much as those from high-income homes. The possible reasons: the latter have more resources, including computers, and help with their work. Research on the most effective time students should spend on homework is limited, but what is available shows that high school students should put in between 1 ½ and 2 ½ hours; middle school students, less than one hour a night.

See: [www.centerforpubliceducation.org](http://www.centerforpubliceducation.org).

## **High School Dropouts**

Five of every 100 students enrolled in high school in October 2003 left before October 2004 without completing the program, reports the National Center for Education Statistics. Since 1972, dropout rates have gone down, from 6.1 percent in 1972 to 4.7 percent in 2004, although the decline occurred primarily between 1972 and 1990. Dropping out of high school is related to a number of negative outcomes. For example, the median income of high-school dropouts age 18 and over was \$12,184 in 2003, while the median income for those age 18 and over who received diplomas (including GED) was \$20,431. According to the report, the West and the South registered higher dropout rates than the Northeast and Midwest—6.1 percent, 5.4 percent, 3.8 percent, and 3.1 percent respectively.

See: [www.nces.ed.gov](http://www.nces.ed.gov).

## **Babies and Pneumonia**

A new vaccine has slashed pneumonia hospital admissions for U.S. babies and toddlers, according to the Vanderbilt University School of Medicine. Hospital admission rates for children younger than two fell 39 percent by the end of 2004, compared to rates in the years just before the 2000 debut of the Wueth pneumococcal conjugate vaccine. The decline translates to an estimated 41,000 pneumonia hospitalizations prevented for children younger than two in 2004.

## **Juvenile Justice Programs Assessment**

The performance of OJJDP's Juvenile Justice Programs was recently rated under the federal government's Program Assessment Rating Tool (PART) system. PART was developed in 2002 to assess federal programs in four major areas: purpose/design, strategic planning, management, and results/accountability. Results of the assessment, which have been released on ExpectMore.gov, indicate that OJJDP's Juvenile Justice Programs are performing with an overall



rating of “adequate.” The assessment notes that the programs “compare favorably with other programs focusing on juveniles, delinquency, and crime.” In addition to the overall rating and scores, the ExpectMore.gov report for OJJDP presents updates on program improvement plans, trend data for six performance measures, and detailed responses to each of the twenty-five PART questions.

See: <http://www.whitehouse.gov/omb/expectmore/summary/10003813.2006.html>.

### **Juvenile Offending Data**

High-profile incidents often shape public perceptions of juvenile offending. In seeking remedies, it is useful to have an accurate view of the crimes committed by juveniles. “Juvenile Offenders and Victims 2006 National Report” provides a review of data from diverse sources that shed light on the proportion and characteristics of youth involved in law-violating behaviors and trends in those behaviors.

See: <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=234394>.

### **Autism Study**

A study of all children born in Denmark in the past decade found marked increases in autism as well as hyperactivity and Tourette’s Syndrome. The report, from Denmark’s University of Aarhus, did not delve into what caused the increases, but noted that numerous other studies had reported increases in recent years. The report indicates that some of the change in autism numbers may be related to greater scrutiny of children for the disorder or perhaps an expanded definition of it. The researchers examined records of 669,995 children born in Denmark between 1990 and 1999.

Approximately one in every 150 children in the U.S. has autism or a closely related disorder, according to the Centers for Disease Control and Prevention. The new data, from 14 states, do not mean that autism is on the rise, because the definitions and criteria used in the past are not identical to those presently used. But the sheer number of children apparently affected—500,000 nationwide if the new statistics are extrapolated to all 50 states—makes autism an urgent public health issue.

For information about the Interactive Autism Network, see [www.ianproject.org](http://www.ianproject.org).

### **Child Care**

Children who got quality child care before entering kindergarten had better vocabulary scores in the fifth grade than did youngsters who received lower quality care. Also, the more time children spent in child care, the more likely their sixth-grade teachers were to report problem behavior. The findings come from the largest study of child care and development conducted in the U.S. The 1,364 children in the analysis had been tracked since birth as part of a study by the National Institutes of Health. Researchers reported that the increase in vocabulary and problem behaviors was small and that parenting quality was a much more important factor. In the study, child care was defined as care by anyone other than the child’s mother who was regularly scheduled for at least 10 hours a week.

### **Software Benefits on Tests**

Educational software, a \$2 billion-a-year industry, has no significant impact on student performance, according to a study by the U.S. Department of Education. The technology—ranging from snazzy video-game-like programs played on Sony PlayStations to more rigorous drilling exercises used on computers—has been embraced by low-performing schools as an easy way to boost student test scores. The study, mandated by Congress when it passed the No Child Left Behind law in 2002, evaluated 15 reading and math products used by 9,424 students in 132 schools across the country during the 2004-2005 school year. The findings reveal that there are no statistically significant differences on test scores between students who used the software and

those who did not.

### **Preventing Youth Drug Use Guide**

The Department of Health and Human Services' National Institute on Drug Abuse has released a second edition of "Preventing Drug Use among Children and Adolescents: A Research-Based Guide for Parents, Educators, and Community Leaders." The new edition includes information on risk factors for youth drug abuse, guidance on planning community drug abuse prevention programs, and descriptions of core elements of effective prevention programs.

See: <http://www.drugabuse.gov/Prevention/Prevopen.html>. A free print copy of the guide may be ordered at <http://ncadistore.samhsa.gov/catalogNIDA/> or by calling the National Clearinghouse for Alcohol and Drug information, toll-free, at 1-800-729-6686.

### **UNICEF Child Welfare Survey**

The U.S. and Britain ranked at the bottom of a U.N. survey of child welfare in 21 wealthy countries that assessed subjects ranging from infant mortality to whether children ate dinner with their parents or were bullied at school. The Netherlands, followed by Sweden, Denmark, and Finland, finished at the top of the rankings, while the U.S. was 20th and Britain 21st. Researchers explain that U.S. and British children fared worse despite high overall levels of national wealth due to greater economic inequality, poverty, and poor levels of public support for families. The study also gave low marks to the two countries for their higher incidences of single-parent families and risky behaviors among children, such as drinking alcohol and sexual activity. On average, 80 percent of the children in the countries surveyed lived with both parents, with only 60 percent in the U.S. The U.S. finished last in the health and safety category, based on infant mortality, vaccinations for childhood diseases, deaths from injuries and accidents before age 19, and whether children reported fighting in the past year or being bullied in the previous two months.

### **Residential Placement Data**

Users of Easy Access to the Census of Juveniles in Residential Placement can create tables displaying national data from the Census of Juveniles in Residential Placement, which can be imported into spreadsheets for further analysis. This latest addition to the Easy Access family of tools is an integral part of the Office of Juvenile Justice and Delinquency Prevention's Statistical Briefing Book, which provides online information about juvenile crime and victimization and youth involved in the juvenile justice system. Other recent updates have also been made to the Briefing Book.

### **Cyberbullying**

- 90 percent of middle-school students have had their feelings hurt online.
- 75 percent have visited a Web site bashing another student.
- 40 percent have had their passwords stolen and changed by a bully (who then locked them out of their own account or sent communications posing as them).
- Only 15 percent of parents polled knew what cyberbullying was.

What parents can do:

- Use technology as an opportunity to reinforce your family values; attach rules for use of technology, such as cell phones and computers.
- Move the computer out of your child's bedroom and into the family room.
- Teach your child not to share passwords.
- Install monitoring and filtering software, such as [k9webprotection.com](http://k9webprotection.com) and [safefamilies.org](http://safefamilies.org).
- Monitor your child's screen name(s) and Web sites for inappropriate content.
- Save and print out any evidence if your child is cyberbullied. See: [wiredsafety.org](http://wiredsafety.org).

## **Underage Drinking**

Acting U.S. Surgeon General Kenneth Moritsugu, M.D., has called on citizens to do more to keep America's 11 million underage drinkers from continuing to use alcohol and to stop other youth from starting in the first place. Although "research shows that young people who start drinking before the age of 15 are five times more likely to have alcohol-related problems later in life," Dr. Moritsugu observed, "too many Americans consider underage drinking a rite of passage to adulthood."

"The Surgeon General's Call to Action to Prevent and Reduce Underage Drinking" offers recommendations for government and school officials, parents, youth, and others concerned about the problem.

See: <http://www.surgeongeneral.gov/topics/underagedrinking/>

## **Heavy Drinking**

According to the Department of Health and Human Services, 2004 data reveal heavy drinking among students, in terms of what they say about having had five or more drinks in a row during the previous two weeks:

8th grade—10.9 percent  
10th grade—21.9 percent  
12th grade—26.5 percent.

## **Mom's Multiple Partners**

White children are more likely than black children to act out if their mothers have multiple live-in lovers, a Johns Hopkins University study reveals. The two-generation study of a nationally representative sample of 1,965 mothers and their 3,392 kids examined data from 1979, when the mothers were adolescents, and from 2000, when their mothers were adults and their children were ages 5-14. The mothers reported behavior problems about their children, and kids ages 10-14 reported details of delinquent behaviors such as vandalism, theft, and truancy. A relationship was found between a mother's past delinquent behavior and children's delinquent behavior. The authors suggest the strength of the extended black family may mediate upheaval caused by the breakup of a marriage or a change in a relationship.

## **Youth Substance Abuse**

The U.S. Department of Health and Human Service's Substance Abuse and Mental Health Services Administration (SAMHSA) has released "State Estimates of Substance Use from the 2004-2005 National Surveys on Drug Use and Health." The report provides state estimates for 23 measures of substance use and mental health problems. According to the report, the use of illicit drugs among youth aged 12 to 17 declined from 10.9 percent in 2003-2004 to 10.3 percent in 2004-2005, while past-month alcohol use decreased from 17.7 to 17.1 percent in the same period.

See: <http://oas.samhsa.gov/2k5state/toc.cfm>.

## **Reclaiming Futures Initiative**

The Robert Wood Johnson Foundation recently announced an expansion of its Reclaiming Futures initiative, which assists youth involved with the juvenile justice system who are struggling with drugs and alcohol. The foundation will provide \$6.5 million to support Reclaiming Futures' ten pilot sites for two more years and help new sites implement the model over the next four. The expanded effort will create a national resource center to provide case studies and other data to communities seeking to enhance drug- and alcohol-related services for system-involved youth. Reclaiming Futures will invite applications from communities interested in participating as a pilot site. Successful applicants will be selected in the summer of 2007 and

will receive technical assistance, on-site coaching, educational materials, and invitations to national conferences and workshops. Application forms will be posted on the Reclaiming Futures web site in late spring.

See: <http://www.reclaimingfutures.org>.

### **Sex Offender Treatment**

The Center for Sex Offender Management has published “Understanding Treatment for Adults and Juveniles Who Have Committed Sex Offenses.” The center is a project of the U.S. Department of Justice’s (DOJ’s) Office of Justice Programs, in collaboration with DOJ’s National Institute of Corrections, the American Probation and Parole Association, and the State Justice Institute. The report provides a broad overview of current research, professional literature, and practice trends related to treating adults and juveniles who have committed sex offenses.

See: [http://www.csom.org/pubs/treatment\\_brief.pdf](http://www.csom.org/pubs/treatment_brief.pdf).

### **Teen Prescription Drug Abuse**

The Office of National Drug Control Policy (ONDCP) has published “Teens and Prescription Drugs: An Analysis of Recent Trends on the Emerging Drug Threat.” Recent studies and reports indicate that the intentional abuse by adolescents of such prescription drugs as pain relievers, tranquilizers, stimulants, and sedatives is a growing concern. The ONDCP report examines this emerging threat, which has seen the number of new abusers of prescription drugs, aged 12–17, match the figure for marijuana.

See: <http://www.mediacampaign.org/teens/brochure.pdf>.

### **Truancy Reduction Program Tool Kit**

OJJDP is offering an online truancy reduction tool kit for communities interested in instituting a truancy reduction program. The tool kit covers such topics as truancy’s extent, causes, and connections to dropping out of school and delinquency, as well as lessons learned from the evaluation of truancy reduction programs. It provides resources and information to guide communities, schools, and parents in addressing the problem of truancy.

See: <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=238899>.

### **Working Teens**

U.S. youngsters ages 14-18 who work at retail and service jobs during the school year put in an average of 16 hours a week, often at jobs that are dangerous and unsupervised, according to a 2003 study by the University of North Carolina. Researchers found that some of the working conditions described in interviews with a representative sample of 928 teenage workers violated federal law. Thirty-seven percent of those under age 16 reported working after 7 pm on a school night. Despite federal regulations banning teens under age 18 from using certain types of dangerous equipment, such as meat slicers and box crushers, or serving and selling alcohol in places where it is consumed, more than half of the boys and 43 percent of the girls said that they had done work that was prohibited, the study reported.

### **Juvenile Arrest Data**

Written by Howard N. Snyder, Director of Systems Research, National Center for Juvenile Justice, the 12-page bulletin summarizes juvenile arrest data from the FBI’s “Crime in the United States 2004” and analyzes trends. The analysis shows that the juvenile arrest rate for violent crimes in 2004 was at its lowest level since at least 1980, down 49 percent from its 1994 peak.

See: (NCJ 214563) <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=236114>.

Print copies may be ordered at <http://www.ncjrs.gov/app/publications/alphaList.aspx>. For quick access, search by document number.

### **Decline in Youth Drug Use**

According to the Monitoring the Future study, recently released by the University of Michigan, teen drug use has declined by 23 percent since 2001 for 8th, 10th, and 12th graders combined, with reductions in the use of nearly every drug in every drug prevalence category. Approximately 840,000 fewer youth were using illicit drugs in 2006 than in 2001. Monitoring the Future is an ongoing study of the behaviors, attitudes, and values of American secondary school students, college students, and young adults. The study is funded under a series of investigator-initiated competing research grants from the National Institutes of Health's National Institute on Drug Abuse and is being conducted at the Institute for Social Research at the University of Michigan.

See: <http://www.monitoringthefuture.org/>.

**Assessment Anomaly**—High school grade-point averages have increased over the past 15 years, according to the Nation's Report Card. The overall grade-point average by year of high school graduation includes:

1990—2.68  
1994—2.79  
1998—2.90  
2000—2.94  
2005—2.98

However, only 35 percent of 12th-graders scored at or above proficient on the National Assessment of Educational Progress reading test. The 2005 reading achievement-level results include:

At or above basic—73 percent  
At or above proficient—35 percent  
Advanced—5 percent

### **Educational Success**

According to a *USA Today* report, the following is the percentage of women ages 25 and older with a bachelor's degree:

1985—16.5 percent  
2005—27 percent

### **State Juvenile Justice Legislation**

The National Juvenile Defender Center has released the "2006 State Juvenile Justice Legislation Review." The review examines juvenile justice legislation by issue and state and enables users to analyze changes in the law and trends in legislative activity at the national and state levels.

See: <http://www.njdc.info/pdf/2006%20State%20JJ%20Legislation.pdf>.

### **School-Based Partnerships**

The Office of Community Oriented Policing Services (COPS) announces the availability of "School-Based Partnerships: A Problem-Solving Strategy." The COPS Office funded the School-Based Partnerships grant program for the purpose of partnering law enforcement agencies with schools to address crime and disorder problems in and around middle and high schools. The report focuses on three school-based partnership sites and their use of the SARA (Scanning, Analysis, Response, and Assessment) problem-solving process to address specific issues in their schools: students and teachers feeling threatened, illegal drug sales, and truancy.

See: (NCJ 216230) <http://www.cops.usdoj.gov/mime/open.pdf?Item=1920>.

### **Juvenile Information Sharing**

OJJDP announces the availability of “Guidelines for Juvenile Information Sharing.” This online report outlines a course of action for States and local jurisdictions involved in efforts to improve information sharing among key agencies that work with at-risk youth and juvenile offenders. The guidelines integrate the three critical components of juvenile information sharing—collaboration, confidentiality, and technology—into an effective developmental framework.

See: (NCJ 215786) <http://ojjdp.ncjrs.gov/publications/PubAbstract.asp?pubi=237372>.

### **Violence in Public Schools**

According to the U.S. Department of Education School Survey on Crime and Safety, 2004, of the U.S.’s 80,454 public schools, the percentage that reported violent incidents, by school level, in 2003-04:

Primary—74 percent

Middle—94 percent

High—96 percent

Combined schools—85 percent Violent incidents include rape, or sexual battery, physical attack or fight with or without a weapon, and robbery with or without a weapon. **Uninsured Kid** About 47 percent of parents in families earning less than \$40,000 a year are offered health insurance through their employers—a 9 percent drop during the past decade. The figure underscores concern that low-income parents are experiencing dramatic erosion in employee benefits, according to the Robert Wood Johnson Foundation. The states with the highest percentage of uninsured children include: Texas—20.3 percent

Florida—16.9 percent

New Mexico—16.6 percent

The states with the lowest rates include:

Vermont—5.6 percent

New Hampshire—6.0 percent

Michigan—6.1 percent.

### **Prescription Drugs**

The Office of National Drug Control Policy (ONDCP) reported that while teenagers’ use of marijuana is declining, their abuse of prescription drugs is holding steady or in some cases increasing. Many teenagers are obtaining drugs over the Internet, getting them from friends, or from someone’s medicine cabinet. Based on national surveys, 2.1 million teenagers abused prescription drugs in 2005. While their use of marijuana declined from 30.1 percent to 28.5 percent from 2002 to 2006, use of OxyContin, a painkiller, increased from 2.7 percent to 3.5 percent over the same period. Teens are also abusing stimulants, such as Adderall and anti-anxiety drugs, such as Xanax. The report is based on the 2005 National Survey of Drug Use and Health, a survey of 68,308 families, and the 2005 Monitoring the Future Survey of 50,000 eighth-, 10th-, and 12th-graders conducted by the University of Michigan.

### **Teen Drivers**

States with the most stringent teen licensing programs have fewer deaths and serious injuries to 16-year-old drivers, the AAA Foundation for Traffic Safety reports. Sixteen- year-old drivers are involved in 38 percent fewer fatal crashes and 40 percent fewer crashes with injuries if their state’s teen licensing programs have at least five of seven components that AAA says are important, such as a minimum age of 16 for a learner’s permit and a requirement that permits must be held for a period of at least six months before unsupervised driving is allowed.

See: [aaafoundation.org](http://aaafoundation.org).

## **Black Bias**

Many young black Americans think the government treats most immigrants better than it treats most black people in the U.S., according to research at the University of Chicago's Black Youth Project. It asked 15- to-25-year-olds about issues from politics and government to sex, marriage, health, and hip-hop. The study, involving 1,590 young people of different racial and ethnic groups, found that black experience—and the perception of blacks' experience by others—suggests a demographic group that sees a lot of obstacles, including:

- 48 percent of blacks, compared with 18 percent of Hispanics and 29 percent of whites, believe the government treats immigrants better than it treats blacks.
- 68 percent of blacks believe the government would do more to find a cure for AIDS if more whites were infected, compared with 34 percent of whites and 50 percent of Hispanics.
- 61 percent of blacks say it is hard for young black people to get ahead because of discrimination; 45 percent of Hispanics and 43 percent of whites agree.
- 54 percent of blacks say blacks receive a poorer education on average than whites; 40 percent of Hispanics and 31 percent of whites agree.
- 79 percent of blacks, 73 percent of Hispanics and 63 percent of whites believe the police discriminate “much more” against blacks than whites.
- 49 percent of blacks say they were “rarely or never” discriminated against because of their race.

## **Child Support**

With 48,545 newly established orders, 17,923 terminations, more than 60,000 changes to existing orders, and millions of dollars processed and forwarded to State Disbursement Units since its inception, the Social Security Administration's new child support garnishment system appears to be working successfully. Recently, SSA implemented its new garnishment system, the Court Ordered Garnishment System (COGS), to improve its ability to respond to income-withholding orders (IWOs) from child support agencies. The results are cost savings to the agency and immediate benefits to the child support program. To obtain more information about child support programs, see [www.acf.hhs.gov/programs/cse](http://www.acf.hhs.gov/programs/cse).

## **College Students and Money**

According to the Higher Education Research Institute, the percentage of U.S. college freshmen who believe it is “essential” or “very important” to:

Be very well off financially:

1967: 41.9 percent

2005: 74.5 percent

Develop a meaningful philosophy of life:

1967: 85.8 percent

2005: 45 percent

**Child Labor**—According to USA Today, the percentage of children ages 5 to 14 who work:

Sub-Saharan Africa—26.4 percent

Asia and the Pacific—18.8 percent

Latin America and the Caribbean—51.1 percent

Other regions—5.2 percent

**College Workers**—More than a quarter of college freshmen in 2006 said they intended to hold down jobs for more than 20 hours a week during the school year, according to Noel-Levitz, an educational consulting firm. Students at private colleges planned to work even longer hours than

their public college counterparts. The percentage of freshmen who said they intended to work, by hours per week:

#### ALL COLLEGES

No work—21.5 percent  
1-10 hours—20.6 percent  
21-30 hours—30.7 percent  
31-40 hours—8.6 percent  
More than 40 hours—3.4 percent

#### FOUR-YEAR PRIVATE

No work—20.9 percent  
1-10 hours—23.8 percent  
11-20 hours—28.6 percent  
21-30 hours—12.5 percent  
31-40 hours—9.1 percent  
More than 40 hours—5.2 percent

#### FOUR-YEAR PUBLIC

No work—25.4 percent  
1-10 hours—21.7 percent  
11-20 hours—34.2 percent  
21-30 hours—13.8 percent  
31-40 hours—3.9 percent  
More than 40 hours—0.9 percent

### **Domestic Violence**

Domestic violence rates fell sharply in the U.S. between 1993 and 2004, but show recent signs of a rebound, according to the Bureau of Justice Statistics. The number of domestic homicides fell 32 percent from 1993 to 2004 and the frequency of nonfatal violence between domestic partners dropped by more than 50 percent, from 5.8 attacks per 1,000 U.S. residents age 12 or older, to 2.6 attacks. Men benefited from the decline more than women, and black victims more than white women. The number of women killed by current or former partners fell from 1,572 in 1993 to 1,159 in 2004, or 26 percent. The number of men killed dropped from 698 to 385, or 45 percent. On average, 18.2 of 1,000 American Indian and native Alaskan women are victimized each year, nearly three times the rate among white women and twice the rate among black women. The least violence was reported against Asian men, white men, and people age 50 and over.

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## Your Bookshelf on Review

### Crime and Technology

*The New Technology of Crime, Law and Social Control*, edited by James M. Byrne and Donald J. Rebovich. Monsey, NY: Criminal Justice Press, 2007.

Reviewed By Timothy P. Cadigan Washington, DC

This book presents an excellent opportunity for exploration of the many issues raised by the expanding role of technology in the criminal justice system. To meet this goal, the editors take a very comprehensive approach both in terms of breadth and scope. After a short introduction the editors begin with the impact of technology on criminality itself and then march through a discussion of each phase of the criminal justice system, from crime prevention to policing, courts, institutional corrections, and finally, community corrections. Another aspect of the work's structure that I enjoyed is the focus on two specific areas at each level of the system, specifically hard and soft technologies. The terms "hard and soft" were defined as you might expect, with "hard" representing equipment-type technologies while "soft" primarily represented technological advancements in software. The editors have chosen a wonderfully deep and comprehensive topic in need of exploration and developed a great plan to guide that exploration. Let's delve into the substance and analyze the product they have assembled.

"The Impact of Technology on Criminality," written by Kip Schlegel and Charles Cohen, opens with the recognition that offenders have been using the technology of the day to separate us from our money since the beginning of time, so in a sense little has changed. They begin with the standard look at the many enormously incomplete statistics that have been developed in an effort to document or prove the vast impact of current technology on criminality, and reach a refreshingly frank conclusion, "Perhaps the safest conclusion one can draw from these numbers is that the extent of crime that involves modern technology is arguably worth writing about." While they attempt to categorize the impact in a variety of ways, I think their most significant contribution occurs in the section titled, "Framing the Role of Technology in Offending." There they borrow from the 1981 work of Richard Sparks and categorize technology crimes into three areas: 1) Crime as Work; 2) Crime at Work; and 3) Crime After Work.

Simply stated, "Crime as Work" depicts those criminal activities that represent a way of life, that is, as a means of economic support and survival. "Crime at Work" represents those criminal events that take place in the context of one's (usually legitimate) occupation. And "Crime After Work" represents those events, often viewed as deviant, that are generally unrelated to one occupation and typically involve (for lack of a better word) illegal forms of leisure.

The discussion proceeds to incorporate motivation and opportunity, and the authors ultimately conclude that we have much to learn about the impact of technology on crime, which my own experience tells me is quite accurate.

“Technology, Crime Control and the Private Sector in the 21st Century,” by Donald J. Rebovich and Anthony Martino, attempts to bring a very real phenomenon—the expansion of private sector companies into resolving what has been perceived as public sector problems—into the criminal justice literature. As a manager charged with outfitting 5,000 federal law enforcement officers with technological innovations, from ChoicePoint to electronic monitoring systems, from 1995 to 2003, I appreciate the vital need for the discussion this section presents. At that time there was real concern about issues like the erosion of privacy regarding personal records, and essentially no place to look for reasoned thought on the various topics. This chapter provides excellent insight and discussion, at least alerting today’s managers to the many issues raised by the privatization of these previously public sector functions.

“Crime Prevention and Hard Technology: The Case of CCTV and Improved Street Lighting,” written by Brandon C. Welsh and David P. Farrington, initially seemed to me too limited in scope to suit the broad approach the book as whole is aiming for, because it focused on only two hard technologies: closed circuit television and improved street lighting. However, I found the chapter tremendously well researched; thorough and complete; and very well written for such a technical piece. While my general knowledge of crime prevention and hard technology was not vastly expanded, I learned a great deal about closed-circuit television and improved street lighting and felt relatively certain of the author’s assertion that these are the only proven hard technologies in crime prevention.

“Crime Prevention and Soft Technology: Risk Assessment, Threat Assessment and the Prevention of Violence,” by Andrew J. Harris and Arthur J. Lurigio, delivers what the title promises: a focused look at using risk and threat assessment devices to prevent violence. As a community corrections professional in an agency that is actively pursuing risk assessment, I only wish I had received the text earlier. The authors have put together an excellent, focused, and comprehensive look at risk assessment that will benefit all community corrections professionals who read it. Threat assessment is something much less familiar to me and I learned a great deal about its core principles, the difference between it and risk assessment, and the need to expand its empirical base.

“Policing and Hard Technology,” by Don Hummer, focuses on advances in weapons technology and discusses the next generation of non-lethal weaponry designed to increase officer safety and minimize damage to offenders taken into custody. To all law enforcement officers and anyone who has ever watched COPS, particularly the classic “Tazed and Confused” episode, the advances in weapons technology presented here have an inherent common-sense appeal when confronting violent offenders who are not armed with a firearm. In the above episode, a literally monstrous human being wants to take his bad day out on a much more modestly sized police officer, but before any of that can take place the offender is turned into a meek, mild and unhurt jail inmate through the use of a TAZER. In addition to pointing out the many officer safety benefits, the author also discusses the benefits of this hard technology for law enforcement programs, noting how it lends itself to the ideals of community-based policing and reduces costs associated with lawsuits from lethal force interactions. The author presents a wide range of relevant topics and concludes that these advances have saved the lives of and reduced injuries to both perpetrators and officers.

“The Police and Soft Technology: How Information Technology Contributes to Police Decision Making,” by Christopher J. Harris, argues that not since the advent of the telephone, two-way radio, and police car has law enforcement undergone such a significant revolution as it has embarked upon today by capturing, storing, manipulating, analyzing, sharing, and deploying data. From problem and community-oriented policing to COMSTAT and Crime mapping, numerous approaches are defined and debated in the article that, if implemented appropriately, will most likely enhance operations. The authors also discuss a number of technological and organizational issues and ultimately conclude that, while these methodologies have huge potential, there is little evidence that any information revolution has yet been achieved.

“The Courts and Hard Technology: Applying Technological Solutions to Legal Issues,” by Eric T. Bellone, and “The Courts and Soft Technology,” by Ronald Corbett, Jr. had what I felt were

the most difficult distinctions to draw in defining “hard” and “soft” technologies, and it seemed that the authors took greater pains to define the distinctions. One example is evidence presentation systems, which clearly rely on “hard” technology screens, computers, pointers, and “soft” technology such as presentation software. Given the inter-reliance of the technologies, both authors do an excellent job of drawing the distinctions in a more clouded picture. As a member of the Administrative Office of United States Courts for 20 years, with nearly half of those years devoted to system development in the federal courts, I note with sadness that there is much truth to the conclusion cited in the Corbett piece: “excessive parochialism on the part of court administrators... requiring only customized solutions that are very expensive and often beyond the means of the average system.” I think all of us who have been in the business for a decade or more can call to mind, at least to ourselves, a data system that fits the above conclusion.

Jacob I. Stowell’s “Institutional Corrections and Hard Technology,” was the first chapter to employ an introduction based on the larger field of study, in this case institutional corrections, and its current state and needs as a springboard into discussing technology to address those needs. The author looks at facility monitoring; inmate/officer interaction; and other applications. Since institutional corrections is not my area of expertise, I found the article very interesting, but lack the more complete understanding of the material to provide readers of this journal with more relevant feedback.

“Institutional Corrections and Soft Technology,” by James M. Byrne and April Pattavina, and “Community Corrections and Soft Technology,” by April Pattavina and Faye S. Taxman, both demonstrate the similarities among assessment, classification, data needs, reentry, and performance measurement that exist in community corrections and institutions. The similarities of needs and frequent exchange of offenders, from community corrections to institutions and from institutions to community corrections, should prompt us to do more to achieve synergy in our soft technologies.

This book is rounded out with “Community Corrections and Hard Technology,” by Patricia M. Harris and James M. Byrne and “The Engineering of Social Control: Intended and Unintended Consequences,” by Gary T. Marx, both of which are excellent explorations of their topics. Byrne and Harris offer a complete and inclusive discussion of the many hard technologies available to community corrections professionals in three primary areas: electronic monitoring, alcohol-involved offenders, drug testing, and sex offender management. Finally, Harris and Byrne bring their extensive research knowledge and excellent writing ability to bear on these topics. Marx provides an excellent culmination to the work by identifying and discussing six strategies that hard and soft technologies employ to enhance social and crime control. Those strategies are target removal, target devaluation, target insulation, incapacitation, exclusion and offender motivation reduction. While the concepts are certainly not new, Marx does an excellent job of presenting them in the larger context of the book and frankly does that well enough that the chapter might have been more effective earlier in the work.

Overall, the editors and each of their individual authors have done an excellent job of creating a book that works as a whole and also as a collection of 16 individually informative chapters. The *New Technology of Crime, Law and Social Control* presents a comprehensive discussion of a vast and almost limitless topic, providing readers with insight into the big picture as well as into its individual pieces. I highly recommend it to anyone with an interest in the current criminal justice scene.

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## **Churchill as CEO**

*Churchill on Leadership: Executive Success in the Face of Adversity*, by Steven F. Hayward. New York: Gramercy Books, 2004. 182 pages.

Reviewed by Michael Eric Siegel Senior Education Specialist, FJC.

There are far too many parables of leadership on the market today—a recent one offered the “leadership secrets of Santa Claus.” But this engaging, insightful book springs from a premise that is difficult if not impossible to dismiss: There is a great deal to learn about leadership from the life and career of Winston Churchill. Liberally supplied with examples of Churchill’s unique personality and oratory, the book makes compelling reading for anyone interested in the tough business of managing and motivating others. Author Steven Hayward quickly establishes the challenges that all leaders have in common, whether the context is the workplace or the world stage: “A senior business executive,” Hayward says, “no less than a political executive finds it necessary to inspire and persuade, to reorganize, to probe after details and to delegate responsibility, to deal with the egos and the character flaws of individuals, all the while having in mind how all the pieces of the organization and the plans fit together.” Hayward identifies the four keys to Churchill’s leadership style that set him apart from ordinary political leaders: candor and plain speaking, decisiveness, the ability to balance attention to details with big-picture thinking, and what can be called a keen “historical imagination.”

### **Candor**

A considerable amount of research, including Kouzes and Posner’s findings summarized in *The Leadership Challenge*, confirms the fact that followers value honesty and candor in their leaders. Churchill embraced this principle more than most politicians. He disdained politicians who “had the habit of saying smooth things and uttering pious platitudes and sentiments to gain applause, without relation to the underlying facts.” As prime minister during WWII, Churchill summoned the British people to resist the Nazis by telling them the truth. Edward R. Murrow once remarked that “Churchill mobilized the English language and sent it into battle.” In 1940, in the context of the Nazi air raids on London, Churchill confessed, “I have nothing to offer but blood, toil, tears, and sweat,” continuing, “in the end I know we will prevail!”

“Tell the truth to the British people,” Churchill advised a colleague. “They are a tough people, a robust people. They may be a bit offended at the moment, but if you told them exactly what is going on you have insured yourself against complaints and reproaches which are unpleasant when they come home on the morrow of some illusion.”

Churchill was equally candid in his criticism of political contemporaries. He bitterly opposed Prime Minister Stanley Baldwin’s policy of disarmament in the 1930s, commenting, “Occasionally he stumbled over the truth, but hastily picked himself up and hurried on as if nothing had happened.”

### **Decisiveness**

Churchill abhorred the tendency of politicians to temporize. He liked to say, “Ponder and then act!” In his many administrative posts (including Board of Trade president, home secretary, first lord of the Admiralty, Munitions minister, and chancellor of the Exchequer, in addition to prime minister), he adhered to one goal: Facilitate the making of clear decisions and their prompt, efficient execution. When something needed to be done, Churchill got it done. As he said,

There is one epicycle of action which is important to avoid, viz, recognition of an evil: resolve to deal with it; appointment of a committee to examine it and discover the remedy; formulation of the remedy; consultation with various persons who raise objections; decision to defer to their objections; decision to forget all about the remedy and put up with the evil.

According to Hayward, Churchill believed decision makers were effective when they kept the central aspect of the problem in mind, knew how to balance the chances on both sides of a decision, and remained open to changing their minds in the presence of new facts. Churchill noted that decision makers commonly erred by looking too far ahead, striving for excessive perfection, and making decisions that could be delayed or never implemented at all.

Though he was decisive, Churchill did not minimize the importance of deliberation and debate, however. If he tended to dominate meetings, he also encouraged a complete discussion of issues and never penalized or fired anyone for openly or vigorously disagreeing with him. On his first day back at the Admiralty in 1939, he sent his initial thoughts to senior staff with a concluding wish: “The First Lord submits these notes to his naval colleagues for consideration, for *criticism and corrections*, and hopes to receive proposals for action in the sense desired.” [Churchill’s emphasis]

## **Balance**

Churchill focused steadfastly on the big picture, on attaining what some modern management experts have labeled BHAGs—big, hairy, audacious goals. (See the review of *Built to Last*.) Early in his tenure as Chancellor of the Exchequer, he said, “I want this government not to fritter away its energies on all sorts of small schemes. I want them to concentrate on one or two things which will be big land-marks in the history of Parliament.”

Churchill did not ignore small details of public policy, on the other hand. In his first few weeks as prime minister, when the war crisis was at its worst, his concerns ranged from the size of the flag flown outside the Admiralty to whether anyone was looking after the animals in the London Zoo during the German air raids. He was even interested in the code names given to each military operation. In another dimension of detail work, Churchill apparently always found the time to say or write a few words of appreciation to staff, even in turbulent times.

## **Imagination**

“The longer you look back,” Churchill once famously observed, “the farther you can look ahead.” Churchill possessed the uncanny ability to see the world with bifocal vision that included a view of the past and a glimpse into the future. His study of history gave him confidence that his nation would prevail over the totalitarian threats during WWII. During the war he asserted that “Hitler should study English history and contemplate his doom.” Looking forward, he foresaw how nuclear weapons would change warfare—20 years before the production of the first atomic bomb. He also anticipated the danger posed by Soviet power after the war, well before most of his contemporaries.

Hayward outlines Churchill’s views on personnel and information management, as well as public administration. Perhaps more intriguing are the personal qualities he describes—the incessant cigar smoking and scotch drinking, the proclivity for dictating memoranda from the bathtub—and their relationship to Churchill’s enduring optimism, magnanimity, and self-criticism. On the last point, Churchill once remarked, “Every night I try myself by court martial to see if I have done anything effective during the day.”

Churchill always managed to find humor in the most challenging situations. A colleague in the House of Commons once chided him, “Must you fall asleep every time I speak?” To which Churchill responded, “No, it is a totally voluntary act!”

There are many fine biographies of Winston Churchill, some running to several volumes. The benefit of Hayward’s book is that it distills the leadership lessons of this remarkable statesman to less than 200 pages.

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## **Compassion and Compensation**

*What is Life Worth? The Unprecedented Effort to Compensate the Victims of 9/11*, by Kenneth J. Feinberg. New York: Public Affairs, 2005. 204 pages.

Reviewed by Michael Eric Siegel, Senior Education Specialist, FJC

On one level autobiography, on another meditation on human nature, Kenneth Feinberg's *What Is Life Worth?* makes compelling reading for anyone placed in the role of mediator or administrator. The book recounts Feinberg's administration of the 9/11 Victim Compensation Fund and his struggle to balance administrative precision with empathy for the victims' survivors.

### **The Formula**

On September 22, 2001, President George W. Bush signed the Air Transportation Safety and System Stabilization Act. Drafted by Congress within days of the 9/11 attacks, the law provided loan guarantees and other financial protections to keep the airlines in business. It also discouraged lawsuits against the airlines by requiring that 9/11 families who wished to sue the airlines could do so only in New York federal courts, not in their hometowns. In addition, the law placed a cap on the financial liability of the airlines, limiting their exposure to \$6 billion, \$1.5 billion in insurance for each of the four hijacked planes. A final provision, Title IV, created a tax-free compensation fund for the victims of 9/11 with the stipulation that the money would come from general revenues rather than a specific appropriation. In the end, this fund paid out almost \$6 billion in tax-free compensation to 97 percent of eligible families.

The statute creating the fund also authorized the Attorney-General to appoint a special master, without confirmation by the Senate, to oversee the program and to ensure equity in the disbursements. The master would carry out his duties without any oversight by Congress and with the support of Attorney-General John Ashcroft. Feinberg, who had a reputation as a skilled mediator in high-profile settlement cases of Agent Orange and Dalkon Shield, informed Ashcroft that he would serve without compensation.

The law also established what Feinberg characterizes as a “vague” three-part formula for computing individual awards based on:

- Economic loss suffered by the death or physical injury of a 9/11 victim
- Non-economic loss, i.e., the pain and suffering of the 9/11 victims and subsequent economic distress of surviving family members
- Collateral sources of income—life insurance, pension payments, workers' compensation, etc.

While Feinberg appreciated the Congressional “compassion” inherent in the fund, he was reluctant to adhere to a strict interpretation of the fund's allocation formula. Feinberg hoped to circumvent problems with the definition of economic loss and the disparities that would certainly arise, such that some lives were evidently valued more than others. He foresaw that families of bond traders would receive more money than those of dishwashers. Feinberg vividly expresses the difficulty—ultimately the impossibility—of making Solomonic judgments about individuals' pain and suffering. Nonetheless, he and his staff strove to cultivate consistency and transparency. They were determined to treat everyone equally, whether claimants arrived alone or with a high-priced attorney, even helping grieving individuals complete a 31-page application form. To achieve transparency, fund administrators convened over 100 town hall meetings. They also developed a straightforward user-friendly website explaining the program.

The group faced heavy criticism anyway. Experts say that a mediator must sometimes play the scapegoat, and Feinberg did. Viewing him as a representative of the government, families bombarded him with hard questions: What did the President know about the terrorist attacks, and when did he know it? Why is my son dead? Because the CIA was asleep at the switch? My neighbor and I were both wives of policemen who had the same salary and belonged to the same union, yet she gets \$1.2 million when I only get \$865,000?

Feinberg mostly took it on the chin, but he admits he wasn't perfect:

The communication style I'd developed over the years proved less than ideal for the new challenges. I tend to be straightforward and business-like, especially when I'm trying to explain a complex plan to a group of lawyers. My preferred approach is to dive head first: "Hello ladies and gentlemen. I'm here to explain how the 9/11 fund will work. Please hold your questions.... The statute authorizes the following procedures..." Looking back I should have started every meeting in a quiet, more empathetic way—expressing sympathy, offering words of respect and condolence, and inviting families to start the conversation: "I'm here on behalf of the U.S. Government to offer help to you in this terribly painful time. What do you need?"

### **The Human Connection**

Through his work as a special master, Ken Feinberg learned a great deal about himself and what he calls the "soul" of America. Upon completing this book, readers will better understand not only the mechanics of the 9/11 Victim Compensation Fund, but the struggles Feinberg and his team faced in administering it. Readers will also learn that traditional leadership techniques may not suffice in times of extreme trauma. These times, says Feinberg, call for "compassionate leadership."

In a recent article in the journal *Organizational Dynamics* (2004), Professor Peter Frost notes: "Leaders of people in pain listen. They listen with attention and compassion to someone else's pain providing a moment of human connection." In the words of an executive Frost interviewed, "I didn't say much, but I would look them in the eye and do a lot of nodding."

Inevitably, readers of *What Is Life Worth?* will be reconnected to the depravity and pathological hatred of the terrorists, and reminded of the pervasive feeling of vulnerability with which Americans struggled after 9/11. They will also be reminded of the vast outpouring of love that followed the terrorist attacks, the sense of renewal and hope that subsequently emanated from Ground Zero, and the inspiring spectacle of a nation coming together in a moment of crisis. More specifically, those who are called on to mediate conflicts in the judiciary, who make tough budgetary decisions where fairness is an issue, or who have come to the aid of traumatized staff will find valuable insights into the role of compassion in leadership.

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## Reviews of Professional Periodicals

### The Prison Journal

*“Recidivism Following Mandated Residential Substance Abuse Treatment for Felony Probationers,”* by Matthew L. Hiller, Kevin Knight, and D. Dwayne Simpson (Volume 86, Number 2, June, 2006). Reviewed By Sam Torres

Hiller, Knight, and Simpson acknowledge at the outset the link between substance abuse and crime and note that treatment programs have become an important component of community-based corrections. This study examines findings from a “modified” therapeutic community (TC) that serves substance-abusing probationers in a large metropolitan area, subsequently determined to be the Dallas County Judicial Treatment Center (DCJTC). For those not inclined to read the complete article, the abstract summarizes the major findings that treatment dropouts were more likely to be rearrested for a serious felony within two years of leaving the TC program than were those who completed treatment and graduated. Those who completed the program also did better on re-arrest rates than an untreated comparison group. Furthermore, a significantly smaller proportion of graduates were rearrested during the second year after successful completion compared to the drop-outs or control group.

Hiller et al. provide a very brief literature review and present data from recent Bureau of Justice Statistics (BJS) reports on adult offenders. At the end of 2004 almost 7 million adults were under some form of correctional control, including more than 2 million offenders incarcerated in prisons and jails, and almost 5 million under probation and parole supervision. That many of these offenders possess extensive criminal histories and exhibit multiple social and psychological problems, including substance abuse, has long been established in the empirical literature. The article also presents some of the literature that has found that rehabilitation-oriented programs can help address these social and psychological problems and thus contribute to reducing the incidence of drug use and crime. However, more specifically, the most intensive approach of the TC has been found in multiple studies to reduce drug use and criminal activity, and five large-scale prison-based TCs showed they were associated with reduced recidivism rates and enhanced parole outcomes. Recent evaluations of prison-based programs like KEY, CREST, and AMITY have found similar favorable reductions in recidivism rates upon release. That is, collectively, the studies show that TCs followed by aftercare reduce criminality and drug use for up to three years following release from prison.

Despite these favorable evaluations of community and prison-based TC intervention strategies, most offenders with substance abuse problems continue to return to the community untreated and thus to their continued pattern of drug use and criminality. Hiller et al. accurately report that, simply put, there are not enough treatment slots to meet the demand and it is unlikely that the demand for treatment can be met within prison-based settings. In fact it appears that, as the prison population has increased, the number of treatment slots has decreased.

The study included a sample of 429 probationers admitted to the DCJTC program in 1998, with



the participants divided into treatment graduates ( $n = 290$ ), treatment dropouts ( $n = 116$ ), and a third group ( $n = 23$ ) that included probationers who were discharged for medical problems or who were transferred to another county due to outstanding warrants. Lastly, a comparison group ( $n = 100$ ) who were similar in gender, ethnicity, and age was included. Overall, 70 percent of the sample was male, 10 percent Hispanic, and average age was noted to be 32.2 years; however, the three study groups differed in gender and average age, with the dropouts more likely to be male and *graduates more likely to be older* (italics added). Criminal record checks were conducted for all of the study participants for two years following discharge or the grant of probation.

As noted, this article presented the findings of research designed to examine the effectiveness of a TC for reducing recidivism in a group of probationers in Dallas County, Texas. The rates of recidivism for each group (TC graduates, dropouts, and control group) were compared for one and two years following treatment. Hiller et al. found that the TC had a limited impact on subsequent recidivism after the first year following completion of treatment. However, analysis demonstrated that the dropouts were more likely to have been arrested for a serious felony within two years of leaving the treatment program. Of greater significance is the finding that after an initial one-year arrest rate of 17 percent, a substantially smaller number of graduates (4 percent) were arrested during the second year when contrasted with the dropout (10 percent) or control groups (23 percent). In short, the benefits of the TC emerged after the second year following graduation, appearing to insulate the graduate group from being arrested for a serious felony.

The findings of this study appear consistent with the favorable results for TCs, both community and prison-based programs that have found a reduction in recidivism when paired with aftercare treatment. In this study, however, the reductions in recidivism were not observed during the first year after treatment but instead emerged during the second year, when recidivism rates went from 17 percent the first year to 4 percent during the 2nd year.

The limitations of this study were significant. For example, the authors acknowledge that offenders who participate in a TC often receive a greater level of supervision following treatment and thus are more likely to have violations detected. Hence, it is probable that violations in the treatment group were more likely to be detected than those in the control group, thus skewing the favorable results downward. Furthermore, treatment graduates were “significantly” older on average than dropouts and control group participants. As offenders and abusers get older they begin to “age-out” of criminality and substance abuse and generally are more responsive to intervention strategies, while the younger control group would be expected to be more resistant to “getting clean.” In addition, it was not known if the probationers in the control group might have received drug treatment services while they were on probation. Invariably, judges tend to order offenders with substance-abuse problems to participate in a program of drug testing and outpatient treatment at the direction of the probation officer. Rather than comparing a TC group with a non-treatment group, these researchers may well have been comparing TC (inpatient) with outpatient treatment. Thus, the control (no treatment group) may not have been a non-treatment group at all. Finally, Hiller et al. provide no description of the various intervention strategies utilized by the DCJTC participants. Remarkable differences exist in the strategies used by residential drug treatment programs. Some utilize professional treatment agents like MSWs, psychologists, psychiatrists, and other university-trained personnel, while others rely completely on a 12-step program, utilizing paraprofessional recovering addicts. Others utilize a combination of the two approaches.

This study is yet one more of many studies that have examined the most intensive drug treatment approach and found it to be generally effective in reducing recidivism when compared to a do-nothing approach. Most states have yet to jump on the TC bandwagon in lieu of a prison commitment for non-violent, low-risk felons. The TC provides a degree of incapacitation, since it does remove the offender from the community, although the TC is an open setting in contrast to the closed setting of imprisonment. The TC is highly cost-effective, costing approximately 30 percent to 40 percent of imprisonment or less. Furthermore, imprisonment places the substance abuser in a criminogenic environment where he or she will most likely continue using drugs, receive no treatment or intervention, and be released to the community with the same or worse problems. Despite a consistent body of literature demonstrating that TCs are effective in treating

substance abuse and reducing recidivism, one cannot expect that our legislators will wake up and see the light any time soon.

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### **Getting the Most out of Correctional Treatment: Testing the Responsivity Principle on Male and Female Offenders**

<sup>1</sup> Differences in number of hours of Corrective Thinking and other program characteristics were controlled for by a quality of programming variable.

<sup>2</sup> Differences in the groups will be controlled for through the use of risk/need level and quality of program.

### **Probation and Parole Officers and Discretionary Decision-Making: Responses to Technical and Criminal Violations**

<sup>1</sup> This article was originally published in the Winter 2007 (Volume 31, Number, pp.35-42) issue of *Perspectives: The Journal of the American Probation and Parole Association*, and is reprinted with permission.

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