

# National Association of Probation Executives EXECUTIVE EXCHANGE

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## PRESIDENT'S MESSAGE

Welcome to the Fall 2014 issue of *Executive Exchange*. My name is Marcus M. Hodges and I am your newly elected President. I have worked for the Virginia Department of Corrections for twenty-three years and have also been fortunate to have worked for the National Institute of Corrections.

Before I go any further I would like to congratulate Ronald Schweer, Chief United States Probation Officer and NAPE Vice President, for receiving the *Walter Dunbar Memorial Award* at the APPA Summer Institute in New Orleans. His work ethic, humility, and dedication to our profession are greatly appreciated.

NAPE was not only represented in New Orleans by our Vice President receiving an award, but I had the unique opportunity to be the opening speaker for the Institute. My theme at the opening speech and at our NAPE reception was that we need to recommit to the commitment. As corrections professionals we need to continually examine why we are here, and are our actions, values, and beliefs aligned with the desired outcomes of safer communities, less victims, and lower recidivism.

As you are aware, we incarcerate more individuals than any other country in the world. The cost of corrections (institutions) has skyrocketed during the last decade. Every criminal justice policy/procedure is being examined by legislatures and Congress for other alternatives. For decades we knew the answer; however, we never clearly articulated our value to the corrections industry. Over the last couple of years, however, we have seen a growing movement that community corrections is the alternative. Everyone doesn't need to go to prison, and for those, community corrections is the viable option. Therefore, **OUR TIME IS NOW!**

We must supervise individuals using the science of evidence based practices, as using these practices will lead to safer communities, less victims, and lower recidivism. We



must train and educate our staff so that we can have an informed workforce that can produce these desired outcomes. We must market and educate all stakeholders on the role of community corrections. We must also collaborate with other criminal justice stakeholders and social service agencies

to help us achieve these goals. I am a firm believer that if we all strive for this, all of our communities will be safer, thus showing everyone that community corrections is a positive force for change.

I want to challenge all NAPE members to reach out to their colleagues and tell them about the wonderful benefits of a NAPE membership. NAPE offers unique opportunities for probation executives by providing them a forum to share ideas and network. In these challenging and exciting times it is critical for us to network and engage in meaningful fellowship as I don't believe in reinventing the wheel or operating in a vacuum. We have outstanding programs and great supervision strategies going on all

over the country and we must share these with each other as it will improve all of our desired outcomes.

This current issue of *Executive Exchange* contains a wealth of information about practices, programs, and challenges in community corrections. Also found in this issue are proposed changes to NAPE's constitution. Please become familiar with these proposed changes as you will be asked to vote on them later this year.

In closing, I want to thank our immediate Past President Robert L. Bingham for his dedicated service in the field of community corrections and, I appreciate all that he has done for NAPE. Lastly, I want to thank all of you for what you do to protect and serve your communities. I am honored to be your President.

**Marcus M. Hodges**  
President

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### NAPE ACTIVITIES IN NEW ORLEANS

On August 2-3, 2014, the National Association of Probation Executives (NAPE) met in New Orleans, Louisiana, during which probation professionals were recognized and the Board of Directors conducted association business. As in the case of prior years, the NAPE activities preceded the Annual Training Institute of the American Probation and Parole Association (APPA).

#### MEMBERS RECEPTION

On the evening of Saturday, August 2, 2014, the annual Members Reception was held at the Hyatt Regency New Orleans, where more than 250 probation executives gathered to network and to honor fellow professionals.

#### Sam Houston State University Probation Executive of the Year Award

Since 1989, the National Association of Probation Executives and the George J. Beto Criminal Justice Center at Sam Houston State University have recognized the Probation Executive of the Year by presenting the recipient the *Sam Houston State University Award*. This year's recipient was **Linda Brady**, Chief Probation Officer for the Monroe Circuit Court Probation Department in Bloomington, Indiana.

Brady has been a probation officer in Monroe County for more than a quarter of a century. Prior to being appointed to her current position, she served as an adult probation officer before working as the supervisor and then director of the Court Alcohol and Drug Program. In 1995, she was appointed Chief Probation Officer by the Monroe County Board of Judges.



Since becoming Chief, Brady has served on numerous statewide committees and boards, including the Court Alcohol and Drug Program Advisory Committee and the Probation Officers Advisory Board. Her service on both of these groups has been instrumental in making positive and progressive changes in the community supervision of offenders.

Brady's impact locally has been tremendous during her tenure. She has applied her experience, expertise, and knowledge on various boards and committees advocating for youth, education, addiction prevention and treatment, and victims. She pro-

vides strong leadership in her department moving the organization into effective evidence based practices.

Nationally, Brady is a member of the American Probation and Parole Association, where she recently aided in the development of APPA's Annual Training Institute in Indianapolis in 2012. She is also a member of the Board of Directors of the National Association of Probation Executives, representing the Central Region.

In addition, she is a member of the Probation Officers Professional Association of Indiana (POPAI) where she currently serves as President of the nearly 900 member statewide organization. As POPAI President, Brady has held a unique position of influence in Indiana. She has been instrumental in affecting recent legislation regarding community supervision issues and has been at the forefront of advocating for the probation profession.

Brady has served as a mentor and a model for others around the state. Her contributions to the field of probation have been recognized through two prestigious awards. She was first honored with the *John Augustus Award* given to one probation officer each year in the state of Indiana by the Probation Officers Advisory Board to the Judicial Conference of Indiana. She was most recently awarded the POPAI *Founder's Award* given to those who are dedicated to improving the field of probation.

Recently retired Marion County Chief Probation Officer **Robert L. Bingham**, who has worked closely with Brady over the years, presented the award to her.

Prior recipients of this prestigious award include: **Barry Nidorf** (California), **Don R. Stiles** (Texas), **Donald Cochran** (Massachusetts), **Cecil Steppe** (California), **Don Hogner** (California), **T. Vincent Fallin** (Georgia), **M. Tamara Holden** (Oregon), **Richard A. Kipp** (Pennsylvania), **Ronald P. Corbett, Jr.** (Massachusetts), **Richard E. Wyatt** (Nevada), **Rocco A. Pozzi** (New York), **Ron R. Goethals** (Texas), **Cheryl K. Townsend** (Arizona), **E. Robert Czaplicki** (New York), **Robert L. Bingham** (Indiana), **Gerald R. Hinzman** (Iowa), **James R. Grundel** (Illinois), **Joanne Fuller** (Oregon), **Tom Plumlee** (Texas), **Ellen F. Brokofsky** (Nebraska), **Christopher Hansen** (Nevada), **Sally Kreamer** (Iowa), **Raymond Wahl** (Utah), **Ronald G. Schweer** (Kansas), and **Todd Jermstad** (Texas).

#### Dan Richard Beto Award

This discretionary award, presented for the first time in 2005, is presented by the President of the Association in recognition of distinguished and sustained service to the probation profession. It is named after **Dan Richard Beto**, who served NAPE as Secretary, Vice President, and President. Receiving the *Dan Richard Beto Award* for 2014 was **Christopher T. Lowenkamp**, who was unable to attend the reception.

Lowenkamp received his doctorate in criminal justice from the University of Cincinnati. He has served as the Director of the Center for Criminal Justice Research and Associate Director of the Corrections Institute at the University of Cincinnati. He also held the Positions of Research Associate and Research Professor at the University of Cincinnati.

He has served as a probation officer and jail emergency release coordinator in Summit County Ohio and, most recently,

was employed with the Office of United States Probation and Pretrial Services.

Currently Lowenkamp is a part-time lecturer at the University of Missouri-Kansas City Department of Criminal Justice and Criminology and is a private consultant.

Lowenkamp is the co-author of numerous training curricula for correctional staff, the Ohio Risk Assessment System, and two cognitive behavioral curricula for offenders. He is the author of the Post Conviction Risk Assessment and the Pretrial Risk Assessment that are in use in the Federal Probation and Pretrial Systems. Lowenkamp has co-authored over 60 articles and book chapters, some of which are published in top-tier academic journals. He is internationally recognized as an expert in risk assessment and supervision practices. In an effort to close the knowing-doing gap, Lowenkamp has been involved in training thousands of correctional staff in risk assessment and other effective correctional practices.

Earlier recipients of this award include: **Dan Richard Beto** (Texas), **Christie Davidson** (Texas), **Ronald P. Corbett, Jr.** (Massachusetts), **George M. Keiser** (Maryland), **Thomas N. Costa** (Pennsylvania), **Robert J. Malvestuto** (Pennsylvania), **Barbara Broderick** (Arizona), **William D. Burrell** (New Jersey), and **H. Ted Rubin** (Colorado).

#### George M. Keiser Award for Exceptional Leadership

**Javed Syed**, Director of the Nueces County Community Supervision and Corrections Department in Corpus Christi, Texas, was presented the *George M. Keiser Award for Exceptional Leadership* by President **Marcus Hodges**. This award, given in honor of **George M. Keiser**, the former Chief of the Prisons and Community Corrections Divisions of the National Institute of Corrections, was first presented in 2001 to corrections professionals who have demonstrated leadership qualities.

Javed Syed has been Director of the Nueces County Community Supervision and Corrections Department in Corpus Christi, Texas, since January 2005.

Syed, who earned a bachelor's degree in law enforcement in 1978 and a master's degree in police science and administration in 1985, both from Sam Houston State University, has been involved in the criminal justice system since 1979, when he served

as Special Assistant to the Director of the Saudi Arabia Traffic Training Program at Sam Houston State University.

He began his career in community corrections in January 1982 when he was hired as a probation officer with the Harris County Adult Probation Department (now known as the Harris County Community Supervision and Corrections Department) in Houston, Texas. A year and a half later he was promoted to Supervisor; assignments in this position included supervision of Specialized Caseloads, Intensive Supervision, Court Services, and Regional Caseloads.

In March 1993 Syed was promoted to the position of Facility Director; in this capacity he managed the Little York Restitution Facility for one year, the Conservation Work Program for approximately three months, and the female treatment center for one year. He was promoted to Branch Manager in September 1995, a position he held until becoming Director of the Nueces County Community Supervision and Corrections Department. During the ten years he served as Branch Manager, he oversaw several specialized programs and the Department's West Region, then the North Region, and lastly the South Region.

In January 2005 Syed took over a department troubled with low morale and lawsuits, and through his calm leadership style he brought closure to these problems and, at the same time, provided a new direction for the department. During his tenure in Nueces County, he has placed considerable emphasis on staff training, developing a culture of learning, and creating programs and strategies to better serve the courts, the community, and the offender population.

During a distinguished career that spans more than three decades, Syed has been active in a number of professional organizations and has served on several state committees dealing with the delivery of probation services. He presently serves on the Board of Directors of the Texas Probation Association and co-chairs that organization's Adult Legislative Committee. In addition, for a number of years he has served and continues to serve as a member of the Board of Directors of the National Association of Probation Executives. He also serves on the Safety Committee for the Coastal Bend Council of Government and on the NAPE International Committee.

Prior recipients of this award include: **George M. Keiser** (Maryland), **Carey D. Cockerell** (Texas), **Dan Richard Beto** (Texas), **Donald G. Evans** (Ontario), **Rocco A. Pozzi** (New York), **John J. Larivee** (Massachusetts), **W. Conway Bushey** (Pennsylvania), **Douglas W. Burris** (Missouri), **Robert L. Thornton** (Washington), **Mark D. Atkinson** (Texas), **Dorothy Faust** (Iowa), **Cheryl K. Townsend** (Texas), and **Yvette Klepin** (California).

#### Other Recognition

President Hodges also presented **Robert L. Bingham** of Indiana with a plaque in recognition of his service as NAPE President for 2012-2014.

#### Reception Sponsors

This highly successful reception could not have happened without the support of a number of corporate sponsors.

*Gold Sponsors* included **Corrections Software Solutions**, **CorrecTech**, and **National Curriculum & Training Institute**.

*Silver Sponsors* for this enjoyable event included **Smart-Start**, **JPay**, **Alcohol Monitoring Systems**, and **Norchem**.





### BOARD OF DIRECTORS MEETING

On Sunday morning, August 3, 2014, the NAPE Board of Directors met at the Hyatt Regency New Orleans, during which they heard a presentation from Lauren Glaze with the Bureau of Justice Statistics in which she provided an update on her project – the Census of Adult Probation Supervising Agencies (CAPSA) – and asked for NAPE's support. Information about this project

was published in the Spring 2014 issue of *Executive Exchange*, available on the NAPE website.

Considerable time was devoted to NAPE by-law revisions, something that had not been undertaken since 1995. Much of the content of the Fall 2014 issue of *Executive Exchange* is devoted to these revisions. Members are encouraged to review these proposed revisions, approved by the Board, and be prepared to vote on them by mail ballot later this year.

## PROPOSED CONSTITUTION REVISIONS

### NATIONAL ASSOCIATION OF PROBATION EXECUTIVES

Found below are proposed changes to the constitution of the National Association of Probation Executives. These proposed changes, which tend to reflect practice, were approved at the Board of Directors meeting in New Orleans in August of this year. The language to be deleted has a line drawn through it and the new language is highlighted in yellow.

Please review these changes and be prepared to vote on them later this year. Members of the Board of Directors spent considerable time reviewing the constitution and their thoughtful efforts are reflected in the proposed changes. A favorable vote will be appreciated.

Christie Davidson  
Executive Director

### CONSTITUTION

#### ARTICLE I - NAME

The name of this organization shall be the NATIONAL ASSOCIATION OF PROBATION EXECUTIVES.

#### ARTICLE II - PURPOSE

The purposes of this Association shall be to:

- (a) Assist in the education, training and development of probation executives.
- (b) Conduct training sessions, conferences or workshops concerning probation methods and practice.
- (c) Provide technical assistance to public and private institutions and programs with the goal of improved probation practice.
- (d) Offer consultation and encourage the exchange of information between individuals and organizations interested in any endeavor which can have impact upon the success of probation.
- (e) Encourage, sponsor, and conduct basic research in the field of probation, and respond to the findings of research conducted by others.
- (f) Assemble, correlate, evaluate, and disseminate data, findings, conclusions and recommendations in said field **the field of probation and the broader field of community corrections.**
- ~~(g) Develop standards and accredit probation departments and their institutions and programs as having met such standards.~~
- ~~(h) Promulgate education and training standards for use or guidance of the probation field.~~
- ~~(i)(g) Educate the general public with respect to current methodology and to problems in the field of probation and their proposed solutions.~~

#### ARTICLE III - MEMBERSHIP AND DUES

Section 1. Specific qualifications for membership may be established by the Board of Directors of the Association, published in an issue of the Association news organ and then referred, via mail ballot **or electronically**, to all members of the Association granted voting privileges in this constitution for their approval or rejection, as directed by the majority voting on that ~~mail~~ ballot. Membership privileges current at the time of the ballot shall not be affected by this action. Subsequent changes in membership qualifications may be made in accordance with this constitution, ~~Article IX.~~ Members shall be of ~~four~~ **six** classes:

(a) ~~Regular.~~ Regular members shall be those persons employed in a full-time professional executive capacity by or within a probation agency or association who have a minimum of two levels of professional staff under their supervision or are defined as executives in the organization by the director/chief probation officer (policy makers including directors of research, attorneys/counselors, etc.) and the individuals do not manage case loads themselves.

(b) ~~Organizational.~~ Organizational members shall be ~~agencies, corporate or individual sponsors. The chief executive officer of said organization will automatically become a member of the Association~~ **probation and community corrections agencies. The chief executive officer of the organization shall automatically become a member of the Association; in addition, s/he may designate up to four administrative employees to receive the benefits of membership.**

(c) ~~Honorary.~~ Honorary memberships may be bestowed by two-thirds vote of the Board of Directors as special recognition for an outstanding contribution to the field of probation or for special or long-term meritorious service to the Association.

(d) ~~Subscriber.~~ **Corporate.** ~~Subscriber~~ **Corporate** members shall be corporate or business entities and/or individuals whose work is related to the practice of probation. ~~Subscriber~~ **Corpo-**

**rate** members shall be nonvoting members and may not hold office in this Association.

(e) **Retired.** Retired members shall be those persons who have retired in good standing from a full time professional executive capacity in a probation, parole, or community corrections agency or association.

(f) **Former Presidents.** All past Presidents shall retain membership in the Association following the successful completion of their term of office, and they shall be exempt from paying dues.

**Section 2.** A member may be dropped from membership in the Association for conduct which is incompatible with the purposes of the Association. A complaint against a member of the Association must be presented in writing to the Executive Committee by a member of the Association. The Executive Committee shall investigate the complaint, and if it appears that there is probable cause that the complaint is true, the matter shall be presented to the Board of Directors. The Board of Directors shall advise the accused of the complaint and shall allow thirty (30) days for the accused to request a hearing. If so requested, the accused and the accuser and such other persons as having pertinent information regarding the facts shall appear before the Board of Directors, after which hearing the board of Directors shall take appropriate action.

Any person dropped from the membership of the Association by action of the Board of Directors may be reinstated by action of the Board of Directors.

**Section 3.** The dues required for membership shall be proposed by the Board of Directors and submitted to the membership at the Annual Business Meeting for approval by a majority of the votes cast at said meeting. Individual membership shall be for one year from date member's application is accepted and dues paid. The following members in good standing shall have voting privileges: Regular; Organizational (the chief executive officer of an organizational member); and Former Presidents. and Honorary members in good standing shall have voting privileges.

**Section 4.** Donations to the Association may be accepted; if they are equal to or in an amount greater than regular dues, they may be accepted as dues unless otherwise provided by the donor.

Donations to the Association for specific purposes may be accepted by the Secretary/Executive Director upon approval of the Board of Directors.

**Section 5.** Special Assessments: For special or cogent reasons necessary to accomplish a specific objective of the Association, an assessment may be levied. Such assessment shall be made in the same manner as the constitutional amendment.

#### ARTICLE IV - OFFICERS

**Section 1.** The officers of this Association shall be the President, Vice-President, Secretary, Treasurer, and seven at-large board members. It is intended that the board members reflect as broad a geographical representation of the nation as is possible.

**Section 2.** President Duties: The President shall call and preside over all meetings of the Board of Directors and Executive Committee. S/he shall, with the advice and consent of the Board

of Directors, appoint a chair over all committees and shall fill any vacancies occurring during the terms of office of the chairs of such committees. S/he shall be a member ex-officio of all committees with the exception of the Nominations and Election Committee.

**Section 3.** Vice-President Duties: The Vice-President shall, when directed by the President or in the absence of the President, preside at meetings of the Association, the Board of Directors, and Executive Committee. S/he shall, when requested by the President or when the President is unable to perform his/her duties, perform the duties of the President. S/he shall supervise and coordinate any activities of a regional nature and shall chair be chairperson of the annual training conference committee.

**Section 4.** Secretary Duties: The Secretary shall be responsible for keeping the minutes of meetings, maintaining the Association's Book of Policy Resolutions, completing correspondence as directed by the President, and carrying out the procedures relating to the election of officers.

**Section 5.** Treasurer Duties: The Treasurer shall be responsible for keeping the Association's books, receiving and disbursing funds, and developing and presenting the Association's annual budget for Board approval. In the event the Association retains the services of an Executive Director (Article V, Section 6), who, with the approval of the Board of Directors, is responsible for managing the fiscal affairs of the Association, it will be the responsibility of the Treasurer to review the financial records of the Association on an annual basis and report to the Board of Directors.

**Section 6.** At-Large Board Members Duties: There are two types of Board Members: those elected from the five regions and two at-large members. At-Large Board Members shall be responsible for coordinating administrative activities, membership development and support, and training and research activities; and In addition, Regional Board Members shall be responsible for communication within a specified geographical area as assigned by the Board.

**Section 7.** The Board of Directors may require any officer of this Association to perform additional duties and functions. Each officer shall at the expiration or termination of his/her term of office deliver to his/her successor in office all Association records and properties in his/her possession.

**Section 8.** Standing committees may from time to time be created by the President with confirmation by Board of Directors. Chairperson of said committee shall be a member of Board of Directors.

**Section 9.** Any elected officer of the Association may be removed from office for cause by the Board of Directors. The Board of Directors shall present to an officer under consideration for removal a written statement of the alleged reasons for removal. S/he shall be allowed thirty (30) days to request a hearing. If so requested, the officer charged may respond personally and/or in writing to any allegation and said response shall be considered by the board of Directors before action is taken. All decisions by the Board shall be final.

## Executive Exchange

### ARTICLE V - GOVERNMENT

Section 1. The Association shall be national in scope but will emphasize regionalization. The regions of the Association will be as follows:

New England -Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut.

Mid-Atlantic -Washington, D.C., Maryland, Delaware, New Jersey, Pennsylvania, and New York.

Southern -Texas, Oklahoma, Arkansas, Louisiana, Tennessee, Alabama, Mississippi, Florida, South Carolina, North Carolina, Georgia, Virginia, and West Virginia.

Central -North Dakota, South Dakota, Minnesota, Wisconsin, Michigan, Nebraska, Iowa, Kansas, Missouri, Illinois, Indiana, Ohio, and Kentucky.

Western -Washington, Montana, Oregon, Idaho, Wyoming, California, Nevada, Utah, Colorado, Arizona, New Mexico, Alaska, and Hawaii.

Section 2. This Association shall be governed by the following bodies:

- (a) The membership of the Association;
- (b) The Board of Directors; and
- (c) The Executive Committee.

Section 3. The Board of Directors shall consist of the President, Vice-President, Secretary, Treasurer, the immediate past president, and seven at-large board members. The Board of Directors shall be responsible for carrying out the purposes and the objectives of the Association.

When the Association membership is not in session, all the powers of the Association shall pass to and be vested in the Board of Directors except as otherwise provided in this constitution.

There shall be a meeting of the Board of Directors at least once per year. ~~in conjunction with the Annual Training Conference.~~

Other meetings of the Board of Directors may be called by the President or upon written request made to the President by at least five members of the Board. No action shall be taken by the Board of Directors of this Association unless a quorum of said Board of Directors has voted thereon.

A quorum of the Board of Directors shall consist of six of the duly qualified members of said Board.

~~When an incoming Board of Directors takes office, the first order of business at the second board meeting shall be to review, define and take appropriate action on the policies and procedures of the previous Boards of Directors as stated in the Association's Book of Policy Resolutions as maintained by the Secretary/Executive Director.~~

The Board of Directors shall adopt a policy for payment of necessary expenses of Association members in the transaction of Association business.

Section 4. Executive Committee: The Executive Committee shall consist of the President, Vice-President, Secretary, Treasurer, and both At-Large Board Members. ~~one at-large board member chosen by ballot cast by the at-large board members at the first Board meeting of the year.~~

The Executive Committee shall be empowered to administer the executive and administrative duties of the Board of Directors. It shall be bound by and shall carry out the principles and

policies established by said board. The President or a member of the Executive Committee in the absence of the President shall report at each meeting of the Board of Directors on actions taken by the Executive Committee and not previously reported to the board. A quorum of the Executive Committee shall consist of three members of the committee.

Section 5. Proxy: Any member of the Board of Directors may select any voting member of the Association as his/her proxy to attend and vote at a meeting of the board or may request the presiding officer to appoint a proxy to act for him. No member of the board or proxy shall have more than one vote.

Section 6. Executive Director: The Executive Director shall be a full or part-time employee of the Association with a salary compensation to be fixed by the Board of Directors, or shall be an employee of the organization providing secretariat services to the Association. The Executive Director may employ such additional office staff as may be necessary with approval of the Board of Directors. Under the general directions of the Board of Directors and under the specific direction of the President and the Executive Committee, the Executive Director shall manage the business affairs of the Association, assist in the formulation of Association policies, prepare the annual budget for approval by the Board of Directors, assist in liaison and communications, ~~carry out a positive public relations program with the public to include appearances before legislative bodies and public meetings,~~ manage an Association business office, and perform such duties as assigned by the Executive Committee and the Board of Directors of the Association. S/he shall attend all meetings of the Board of Directors and such regional meetings as are practicable and shall attend all Association business meetings. The Executive Director or the organization providing secretariat services to the Association shall be hired selected by majority vote of the Board of Directors and may be removed for reasonable cause by such majority vote.

If the Board of Directors does not hire select an Executive Director, or in the event of a vacancy, the President will assign the duties of the Executive Director to the appropriate Association officers and committees.

### ARTICLE VI - ANNUAL BUSINESS MEETING

Section 1. There shall be an Annual Business Meeting of the Association each fiscal year. Other general membership business meetings may be called by a majority vote of the Board of Directors.

Section 2. The time and place of the Annual Business Meeting shall be selected by the Board of Directors, ~~and shall be set in conjunction with the Annual Training Conference.~~

At the Annual Business Meeting, the officers, committee chairs, and such others as may be directed by the President shall report to the membership. A summary of these reports, in the form of minutes, shall be published in the next regular issue of the Association's news organ: furnished to the membership electronically via listserv.

Notice of the Annual Business Meeting shall be made to the general membership at least thirty (30) days before the meeting.

The Annual Business Meeting shall be open to all members in good standing.

Section 3. A majority vote shall be required to pass any motion presented at the meeting.

#### **ARTICLE VII - TERM OF OFFICE**

Section 1. Fiscal Year: The fiscal year of this Association shall be from July 1 through June 30.

Section 2. The terms of the office of the President, Vice-President, Secretary, Treasurer and at-large members shall be for two fiscal years following their election.

#### **ARTICLE VIII - NOMINATION AND ELECTION**

Section 1. The following persons may be nominated for the office of President, Vice-President, Secretary, Treasurer, or at-large **board** member:

- (a) Any Regular member in good standing.
- (b) Any Honorary member in good standing who is currently employed in a probation capacity.

~~Nominations for each of said offices shall be by petition submitted in writing and signed by at least (10) voting members of the Association. Said petition shall be accompanied by a signed statement of the nominee confirming his/her willingness to accept such nomination.~~

All ~~nominating petitions~~ nominations must be postmarked or in the hands of the Secretary or the Executive Director of the Association, as the case may be, by midnight, ~~December 31~~ **February 28 in the year the election is to take place.** It shall be the duty of the Secretary/Executive Director to notify all members of the Association of their right to nominate ~~by petition~~. Such notification shall be made prior to ~~October 1~~ **December 1** of each year and may be made through the Association news organs.

Section 2. The Secretary/Executive Director shall notify the chair of the Nominations and Elections **s** Committee of all nominations received. Thereafter, the Nominations and Elections Committee may nominate additional persons for each office, and shall nominate one or more persons for each office for which no person has been nominated, ~~by petition~~.

Section 3. The Chair of the Nominations and Elections **s** Committee shall transmit to the Secretary/Executive Director of the Association by March ~~1~~ **30** a list of persons nominated by the committee. The Secretary/Executive Director shall then prepare a written ballot, including the names of all persons nominated ~~by petition~~ **the membership** or by the Nominations and Elections **s** Committee. Such ballot shall not distinguish between candidates nominated ~~by petition~~ **the membership** or the Nominations and Elections **s** Committee. With each ballot will be enclosed a brief statement setting forth the professional affiliation of each candidate. In the event that only one person has been nominated for each office, the Secretary/Executive Director shall cast a unanimous ballot for that person.

Section 4. Whenever there is more than one nominee for an office, the Secretary/Executive Director shall ~~mail~~ distribute by ~~March 20~~ **April 30** one ballot to each voting member of the As-

sociation whose name and address appears in the Association membership records and whose dues are paid as of March 10 of that year. Ballots shall be accompanied by voting instructions, ~~and a stamped, return addressed envelope bearing the printed notation "Ballot."~~ Voting members of this Association shall mark their ballots and return them to the Secretary/Executive Director ~~as directed, by United States Mail.~~ Ballots shall not be counted unless they are in the hands of the Secretary/Executive Director by ~~April 10~~ **May 20**. The Secretary/Executive Director shall deliver all ballots, in unopened envelopes as received from the members of the Association, to the Nominations and Election Committee. **The Secretary/Executive Director shall notify the membership via listserv of the location, date, and time the ballots are to be counted should any member wish to attend.**

Section 5. **The Secretary/Executive Director and at least one member of the Nominations and Elections Committee Association not seeking elective office** shall tabulate the ballots, ~~with at least four members of the committee present and participating at all times.~~ They shall report the results of the ballot tabulation to the Secretary/Executive Director and to the President of the Association within ten (10) days after ~~April 10~~ **May 20**. The report of the Nominations and Elections **s** Committee shall become part of the records of the Association and the person receiving the highest vote for each office shall be elected to said office.

Section 6. The Secretary/Executive Director of the Association shall notify the chosen officers of their election and shall notify the members of the Association of the results of the elections. Such notification may be made through the Association news organ.

#### **ARTICLE IX - DISSOLUTION OF ASSOCIATION**

**In the event the Association shall cease to exist, for whatever reason, any funds it may retain following the payment of all valid financial obligations it may have incurred, shall be donated to a nonprofit organization with a similar mission.**

#### **ARTICLE IX X - AMENDMENT**

An Amendment to this constitution may be proposed by the Board of Directors by resolution or by a petition in writing signed by at least twenty (20) voting members of this Association. The petition or resolution shall be read by the Secretary/Executive Director at a regular meeting of the Board of Directors. The proposed amendment will then be ~~printed~~ **published** in the next issue of the Association news organ. The Secretary/Executive Director shall then provide for a ~~mail~~ ballot, to be completed within sixty (60) days. The amendment must be approved by the majority voting in that ~~mail~~ ballot. Any amendment so approved shall take affect (30) days after the completion of balloting unless a later date is specified in the amendment.

~~Revised September 1995~~

**Revised August 2014**





## PROBATION: MYTHS, REALITIES, AND CHALLENGES

by

Fergus McNeill

### Introduction

In very many jurisdictions in Europe and around the world, recent decades have seen very significant developments in relation to offender supervision in the community. Probation institutions (meaning those institutions responsible for implementing all sorts of community sanctions and measures, hereinafter referred to as CSM, at whichever stage in the criminal justice process) have grown remarkably both in their scale and in their geographical reach. The forms of supervision that they deliver have also intensified so that probationers (meaning here those subject to CSM) now may face a range of different and more onerous conditions; for example, relating to residence in or exclusion from particular places, medical, psychiatric or psychological interventions, offending behaviour programmes, drug or alcohol related interventions, electronically monitored curfews, and so on.

The rapid expansion of offender supervision (and its changing forms) has been remarkably under-researched, at least relative to the attention that has been paid to “mass incarceration.” However, recent efforts have begun to redress this neglect, partly under the auspices of the COST Action on Offender Supervision in Europe (IS1106: see [www.offendersupervision.eu](http://www.offendersupervision.eu)) which I chair. That research network’s first book contains a brief, thematic review of the available European research on how supervision is experienced (by those subject to it) and practiced (by those who deliver it), as well as on associated decision-making processes and on the influence of European norms and standards (McNeill and Beyens, 2013).

For many years now, advocates of probation expansion have developed and deployed a number of compelling arguments. Perhaps the most influential of these, at least in the European context, has been that probation represents a much more cost-effective way of dealing with many offenders than imprisonment. It also avoids many of the unintended criminogenic consequences of imprisonment (e.g. disrupting family ties, diminishing labour market participation, stigmatizing and alienating offenders). The best available evidence suggests that, in general, reconviction rates are slightly lower for CSM, even taking into account differences between the prison and probation populations. From a moral or principled perspective moreover, advocates argue (or assume) that probation is inherently less problematic than prison in terms of respect for human rights and human dignity, since it obviously damages the person (and their family) less and thus represents a more parsimonious and less destructive punishment. Of course, critics sometimes see this as a weakness and suggest that probation is insufficiently onerous to represent an adequate sanction for some offences and some offenders.

Whilst I continue to regard myself as an advocate of the development of probation systems and practices, for precisely the sorts of reasons outlined above, my research and experience over the last few years has compelled me to qualify these arguments – and to call for more critical and measured sort of advocacy for probation; one that recognizes its potential costs and

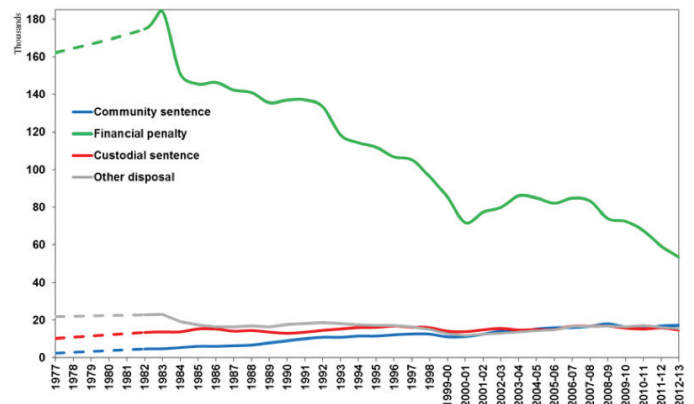
harms as well as its benefits. The question becomes less whether probation is a useful and constructive institution of justice and more under what conditions is probation a useful and constructive institution of justice?

### Three Myths and an Illustration

Perhaps the simplest way to illustrate my reasoning is to reflect on the example of my own jurisdiction. The Scottish experience of the last 40 years is helpful in debunking three myths about probation:

- The growth of probation shrinks the prison population.
- Making probation “tougher” and/or more “credible” and/or more “effective” and/or more “professional” increases public and judicial support for it.
- Doing probation is easier for offenders than doing prison time.

In Scotland, between 1977 and 2008-09 (the peak year) we witnessed a near nine-fold increase in community sanctions and measures (from just over 2,000 to about 18,000, and this figure excludes post-release supervision)[1]. Not only have the numbers of people under such supervision increased, the legal forms of supervision have multiplied, as have the range of conditions to which people can be subject. This remarkable growth has been achieved partly through Government investment in ring-fenced funding (since 1991) of the criminal justice social work services delivered by local authorities, through the implementation of national objectives and standards and through the development of social work education and training. In the last decade, rates of reconviction of those subject to CSM have declined (especially relative to those receiving custodial sentences). The credibility of criminal justice social work services has improved.



However, over the same period, the number of custodial sentences in Scotland has also increased, from about 10,000 to about 16,000. This puzzling simultaneous rise in both probation and custodial sentences is largely explained by the dramatic decline in the use of financial penalties – from around 160,000



in 1977 (and 180,000 by 1983) to about 70,000 by 2008-09 (and less than 60,000 in 2012-13). Though it would take more detailed research to establish the precise relationships between the fates of the three main sorts of penalties (financial, supervisory and custodial), *prima facie* it seems that probation's growth has, for the most part, displaced financial penalties rather than custodial sentences.

In the Scottish case, this finding may be accounted for in part by reforms elsewhere in the justice system. Since more and more "low-level" offences and offenders have been diverted from court processes altogether (often through fines or fixed penalties applied by prosecutors), the profile of the population coming to court for sentencing today is different from that in the 1970s. If that population now includes a higher proportion of more serious offences and offenders, then that might account for the decline of the fine as court imposed sanction.

However, since the total number of convictions has also fallen significantly in Scotland over the same period, the rise in the prison population, and the apparent failure of probation to do much to arrest that rise remains a matter of concern. Indeed, examining the data about the criminal histories of people receiving supervisory and prison sanctions in Scotland does not provide strong evidence that probation is successfully diverting higher tariff offenders:

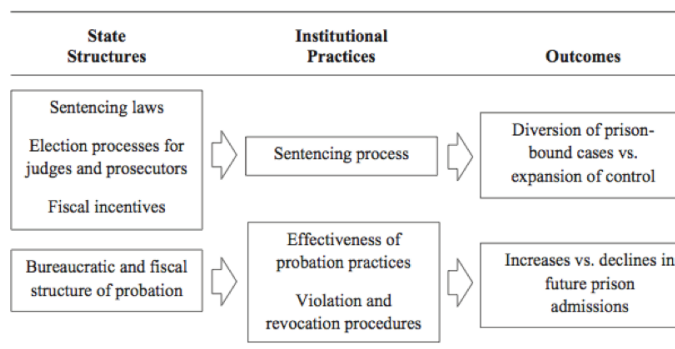
Community Service Order (CSO)	Total number of all offenders = 100	Number of previous convictions			
		None	1 or 2	3 to 10	Over 10
2007-08	3,501	35	25	29	11
2008-09	3,727	34	26	29	11
2009-10	3,631	36	24	29	11
2010-11	3,668	34	25	29	12
Probation Order (PO)	Total number of all offenders = 100	Number of previous convictions			
		None	1 or 2	3 to 10	Over 10
2007-08	4,634	23	23	35	19
2008-09	5,150	23	23	36	18
2009-10	5,048	21	24	35	19
2010-11	4,597	20	22	37	21

Discharged from custody	Total number of all offenders = 100	Number of previous convictions			
		None	1 or 2	3 to 10	Over 10
2007-08	7,060	12	11	32	46
2008-09	7,404	12	11	31	46
2009-10	7,432	12	10	32	46
2010-11	7,289	12	10	29	49

A recent United States research study has helped us to better understand the complexities of the relationships between probation and prison growth. Based on an analysis of data across

all US states and over 30 years (from 1980-2010), Phelps (2013) concludes that, under different conditions, probation can be both a genuine alternative to imprisonment and a form of net-widening. The following figure sets out the key conditions and relationships which affect which of these outcomes arises:

Table 1. The Paradox of Probation Model: Understanding the Probation-Prison Link



Phelps (2013: 58)

There is too little space to elaborate these relationships properly here, but perhaps the key point is that reforming probation itself (for example, in relation to its effectiveness, or its approach to breach and violation of conditions, or even in relation to its symbolic and expressive aspects) is an insufficient means of seeking to reduce prison populations. The wider structural contexts and the ways in which sentencing processes are governed and implemented are also crucial influences on outcomes. In order for probation to reduce prison populations and to avoid a net-widening effect, its systemic context needs to facilitate and incentivize penal reductionist goals (through political and sentencing reform); it needs to be effectively targeted; its practices need to be effective; and its management of breach/violations needs to be careful and considered.

In the Scottish case, some similar findings emerged from small scale research into efforts to establish Probation Alternative to Custody projects in the 1980s and 90s (Creamer, Hartley and Williams, 1992). When intensive probation was carefully targeted, when pre-sentences reports were well-prepared, and when judges had confidence in the quality of the supervision, probation could exercise an influence for penal reductionism.

The recent Scottish Prisons Commission (2008) drew on similar arguments and evidence to recommend not just internal reforms to the organization and practice of criminal justice social work, but also systemic reforms to sentencing, emphasizing of the centrality of reparative, community-based sanctions not as alternatives to prison, but as the default penalty (except for those who commit serious offences or present significant risks to public safety). The subsequent introduction of some of the proposed reforms and specifically of the Community Payback Order (in 2010-11) does seem to have had some effect in reducing the use of short-term prison sentences, though we await a full evaluation of these reforms.

The final myth I mentioned above relates to public (and sometimes judicial) misperceptions about the demands that probation (and other CSM) make of those subject to them. Al-

though I noted at the outset how increasingly onerous conditions have become a part of sentencing options in many jurisdictions – both for “front-door” CSM and for post-release (“back-door”) supervision – both probation’s advocates and its critics tend to stress its “helping” aspects. And indeed, the available research of the experiences of those supervised tends to stress its positive aspects and effects (Durnescu, Enengl and Grafl, 2013). However, although such research is affected by problems of possible selection bias (i.e. those with more positive experiences and who are complying with supervision are likely to be over-sampled), it also reveals “holding” and “hurting” aspects of supervision (see McNeill, 2009). While “holding” can imply both constraint and support, both recent research on the pains of probation (Durnescu, 2011) and historical research (McNeill, 2009) makes clear that that probation can and does often cause forms of suffering – whether legitimate or illegitimate and whether intended or unintended.

Offenders in several jurisdictions have reporting finding supervision – and the conditionality with which it is commonly associated (Turnbull and Hannah-Moffat, 2009) – increasingly burdensome. Indeed, there is evidence that significant proportions of those with experience of both community-based and custodial sanctions find the latter easier to deal with – at least in certain respects. Thus, for example, in Scotland, Armstrong and Weaver (2011) found that some respondents regarded short prison sentences, whilst damaging in many respects, represented respite from chaotic lives. Though they regarded CSM as more constructive sanctions, this did not mean they regarded them as easier to negotiate; indeed, they pointed out the challenging and demanding aspects of supervision. Other studies have suggested that some offenders actively prefer the apparent simplicity and clarity of doing their jail time to the intrusions and complexities of supervision. In particular, they fear ending up suffering more severe sanctions as a result of violating conditions (May and Wood, 2010; Payne and Gainey, 1998).

### Conclusion

In my own work in recent years, I have often argued – both directly and indirectly – that prison represents an unpromising context for seeking to support desistance from crime (e.g Weaver and McNeill, 2007). It follows that if reducing reoffending is an important objective of criminal justice, we should use prisons sparingly and that we should construct their regimes carefully. I have also argued for reforms to probation practices so as to enable them to better support desistance.

None of the reflections above represent a retreat from these positions or arguments: I remain convinced that – other things being equal – probation is better placed to support desistance than imprisonment. However, the caution that I have sought to add in this address is this: We cannot and must not assume that probation and its growth is an unqualified good. While it can and does support change, it also represents an expansive and penetrating form of penal control which – like all others forms of penal control – must be used proportionately and parsimoniously. Moreover, even where probation’s principal intent is to support social rehabilitation or reintegration and thus to benefit probationers, its intrusions into the lives of its European citizens must always be constrained by the same human rights safeguards and principles that we apply to imprisonment.

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- [1] The Scottish data, charts and tables discussed in this section were supplied directly by Justice Analytical Services in the Scottish Government.

**Fergus McNeill** is Professor of Criminology and Social Work at the University of Glasgow. Prior to becoming an academic in 1998, he worked for a number of years in residential drug rehabilitation and as a criminal justice social worker. He teaches on undergraduate and postgraduate courses in criminology, social work, and sociology. His main interests lie in the fields of sentencing, community sanctions, ex-offender reintegration, and youth justice. Most of his recent research projects and publications have explored cultures and practices of punishment (particularly in the community) and the implications of criminological evidence (particularly about desistance from crime) for the reform and development of these cultures and practices. His previous books include *Reducing Reoffending: Social Work and Community Justice in Scotland* (with Bill Whyte), published by Willan, 2007, and *Youth Offending and Youth Justice* (with Monica Barry), published by Jessica Kingsley, 2009. His latest book, (co-edited with Peter Raynor and Chris Trotter) is a major

international collection on *Offender Supervision: New Directions in Theory, Research and Practice*, published by Willan/Routledge, 2010.

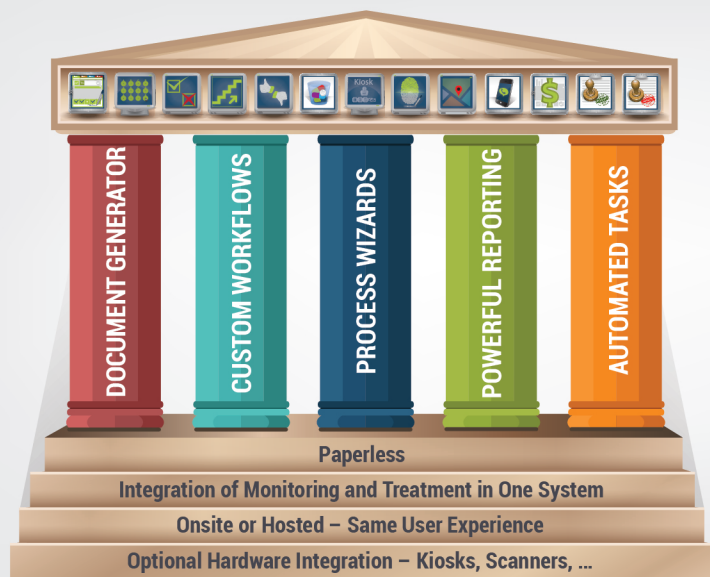
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## PAROLE AND PROBATION IN NORTHERN IRELAND: EXPERIENCES AND REFLECTIONS FROM PRACTICE

by

Cheryl Lamont  
and  
Christine Glenn

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### Background and Context

Nowhere in Europe has the criminal justice landscape changed as significantly in the last two decades as it has in Northern Ireland. After years of violence, conflict, and political negotiations, the Agreement reached in Belfast on Good Friday 1998 paved the way for a review of criminal justice that led to fundamental changes in the structure, delivery, and accountability of justice throughout Northern Ireland. In this changing environment, and acknowledging the need to consider the legislative provisions in place in Northern Ireland, a policy consultation was held in 2005 on a Review of the Sentencing Framework for Northern Ireland, seeking views on sentences and sentencing; dealing with dangerous offenders; discretionary release and post-release supervision; electronic monitoring; and fine default amongst other topics. That Review and consultation identified a need for additional provisions in Northern Ireland for the management of dangerous violent and sexual offenders. This in turn led to one of the most significant and far-reaching pieces of Northern Ireland criminal justice legislation being given Royal Assent on May 7, 2008 (Bailie, 2008).

The Criminal Justice (NI) Order 2008 put in place a new sentencing framework and powers for dangerous sexual and violent offenders; established post-release supervision on release from prison; removed automatic remission (which was 50% in Northern Ireland) for sentenced prisoners; and created new powers to manage the risk posed by certain sexual and violent offenders in the community. It also created a body of independent Parole Commissioners for Northern Ireland (PCNI) to assess dangerous offenders' suitability for release into the community and to review decisions recalling licensed prisoners to custody. Prior to this, the Parole Commissioners only considered life sentence prisoners, as indicated by their title at that time of Life Sentence Review Commissioners.

There had been a full local public consultation on the proposed changes in sentencing powers and there was widespread local community and media support for the proposals. In particular, the 50% remission scheme for sentenced prisoners, which meant all prisoners in NI were eligible for release after serving only half of their sentence, had been widely criticised. In 2003 Attracta Harron, a 65 year old retired librarian, was abducted and murdered while walking home from church. Trevor Hamilton, who was convicted of her murder, was found to have carried out the crime having been released from prison four months early under the 50% remission scheme. A daily newspaper – the *Belfast Telegraph* – ran a campaign to end the practice of 50% remission, such was the public outcry to the murder and strength of feeling about current sentencing policy. The “Justice for Attracta” campaign received widespread public and political support and the issue was raised with the British Prime Minister and European Parliament (McGreevy, 2013). The emphasis on

public protection was, therefore, universally welcomed in Northern Ireland as were the proposals to put violent and sex offender risk management arrangements on a statutory footing.

### The Criminal Justice (NI) Order 2008 in Practice

Along with the development of risk assessment and management procedures, the Criminal Justice (NI) Order 2008 introduced extended and indeterminate sentences for public protection. The sentences within the new framework have two components: a period in custody followed by a period of post-release supervision by PBNI. For offenders who commit a specified sexual or violent offence and who are assessed by the Courts as “dangerous,” their release from custody is dependent upon evidenced risk reduction.

The legislation defines “dangerousness” as “significant risk to a member of the public of serious harm occasioned by the commission by the offender of further specified offences.” Serious harm is defined as “death or serious personal injury whether physical or psychological.” Dangerous offenders can be dealt with by an indeterminate custodial sentence (ICS) where release is subject to licence which could potentially last for life; or an extended custodial sentence (ECS) where an extended licence period is served, which may last for a maximum of eight years for a sexual offence and a maximum of five years for violent offences.

This means that dangerous sexual and violent offenders are unlikely to be released into the community until the risk they pose is considered by the Parole Commissioners to be at a level which is then manageable. They will then be released under the supervision of the Probation Board, and the multi-agency arrangements will be used to make the management of their risk as effective as possible. Provision was also made for the increased use of electronic tagging and the multi-agency arrangements known as “The Public Protection Arrangements Northern Ireland” were put on a statutory footing.

This article will consider the changes made to practice since the introduction of the 2008 legislation by both the Probation Board and the Parole Commissioners to adapt to the new legislation and fulfil their statutory requirement to help make communities safer and prevent reoffending and highlight learning for other jurisdictions.

### The Role of Probation Board for Northern Ireland and the Parole Commissioners for Northern Ireland

The Parole Commissioners are an independent body made up of individuals with professional qualifications or experience in the legal, medical, criminological, and rehabilitative fields. Similarly, the Probation Board is an independent non-departmental public body and with representatives drawn from across all communities in Northern Ireland. Independence, effective accountability, and community representation are key features of

both organisations. The Probation Board for Northern Ireland plays the lead statutory role in the supervision of primarily adult offenders in the community.

In 2013, the Criminal Justice Inspectorate – which has the role of assessing the effectiveness of all the criminal justice agencies in Northern Ireland and publishing publically on its findings – reported that the Probation Board is an effective organisation which understands and accepts its role in delivering public safety and reducing reoffending. Inspectors noted that in three key areas PBNI performance exceeded the average percentage scores when benchmarked against English and Welsh probation services, specifically in relation to likelihood of reoffending, assessments, and for compliance and enforcement work.

As a result of the 2008 Criminal Justice Order and the resulting new Sentencing Framework, the Probation Board developed a Best Practice Framework in 2011 in a practitioner led approach to support the professional judgement for probation officers who are qualified social workers. In Northern Ireland, Scotland, and the Republic of Ireland, probation has retained the requirement of social work qualification, which is a fundamental in preventing reoffending. The skills acquired in their training and continuous professional development, include assessing the needs and risk of people and their circumstances, promoting engagement and participation, and dealing with complexity to help individuals positively change and stay safe are a critical component of PBNI's delivery of quality probation services as evidenced by reoffending rates.

One year adult reoffending rates for people leaving prison in 2010-11 published by the Department of Justice in June 2014 show that 47% of adults released from custody reoffend within 12 months, compared to 35% of people who received a Determinate Custodial Sentence<sup>1</sup> or 32% of people given a Custody Probation Order, both of which involve supervision on release from custody.

The introduction of the new legislation put significant demands on PBNI; therefore, in an effort to ensure its delivery across the new range of sentencing requirements, particularly with regards to public protection, the Department of Justice (DoJ) resourced an uplift to PBNI's overall capacity, which resulted in a recruitment of up to 50 new members of staff, across a number of grades, including probation officers, psychologists, and middle managers.

PBNI established specialist teams to manage sexual and violent offenders, which are known locally as the Intensive Supervision Units. One feature of these teams was the co-location of a Police Service of Northern Ireland and PBNI team to manage those highest risk sexual offenders across Northern Ireland. The local Health and Social Care Trust is also part of the co-located team. One other noteworthy feature was the establishment of a probation manager duty rota provided 24 hours a day, 7 days a week, 365 days a year which would allow for recall to be undertaken at any time if required and felt necessary.

These structures and systems have enabled PBNI to continue to take the lead in assessment of offenders, both at court stage and at tariff expiry stage. In these roles, probation officers may be writing assessment reports for judges or Parole Commissioners and supervising people subject to community based orders or who have been released from prison on licence. Probation

officers apply their professional knowledge and skills in assessment, rehabilitation, resettlement, reparation, and restorative justice, including in the provision of victim impact statements addressing the attitude and concerns of victims in life sentences and public protection cases. Underpinning all of PBNI's work is collaboration with partner organisations and local communities.

The Parole Commissioners also recruited a large number of new Commissioners in order to deal with its new workload. From a body of 25 Commissioners in 2010, there are now 41 Commissioners, all recruited in open competition. Commissioners come from England and the Republic of Ireland as well as from Northern Ireland, which means that they have considerable experience in more than one jurisdiction. Quality of decisions is paramount and Commissioners are required to undertake intensive training, have allocated mentors, and their decisions are reviewed and feedback given by the Chief Commissioner. Many decisions are made by a single Commissioner but others are made by panels of two or three Commissioners. A feature of Northern Ireland is the regularity of prisoners challenging decisions by way of referral to the High Court and so all panels will be chaired by a legally qualified Commissioner to ensure adherence to due process.

The table below shows the impact on the Commissioners' workload since the 2008 legislation commenced. These increases also affect PBNI and we have tried to work more closely together to maximise effectiveness and efficiency.

Article	2009/10	2010/11	2011/12	2012/13	2013/14	2014/15
6	26	29	29	41	43	
7(2)	0	0	0	0	0	
8(3)	2	5	6	10	8	
9(1)	4	7	4	4	1	
9(4)	7	12	22	10	1	
	<b>39</b>	<b>53</b>	<b>61</b>	<b>65</b>	<b>53</b>	
18	7	23	53	56	93	
24(5)	0	1	9	16	12	
28(2)(a) ECS	0	5	3	15	16	
28(2)(a) DCS	1	44	94	173	179	
28(4) ECS	1	3	4	14	17	
28(4) DCS	1	33	74	128	160	
29(6)	0	0	11	13	27	
	10	109	248	415	504	
46(3)	10	15	14	12	23	
Total	59	177	323	492	580	
% increase		200%	83%	52%	18%	
<b>SFI Projections</b>						
Lower limit	51	142	163	162	173	186
Median	70	222	246	262	276	292
Upper limit	88	306	342	365	384	407

<sup>1</sup> Introduced in May 2009, DCS prisoners are automatically released at the custody expiry date set by the court without recourse to the Parole Commissioners. They are subject to recall throughout their licence period.

## Executive Exchange

We would highlight the following areas of progress and collaboration.

### Recalls

In terms of recalls or revocations of licences, it is the role of the Probation Board for Northern Ireland, acting on behalf of the Department of Justice, or in the case of matters of national security, the Secretary of State, to submit a request for a recommendation for the revocation of a licence on the basis of evidence of an increase in risk of harm or serious harm to the public.

The Commissioner will make a recommendation to either recall the prisoner to prison or not. This recommendation is sent to the Offender Recall Unit (ORU) in the Department of Justice who will make the final decision. The table below shows the requests for recalls and the numbers of recalls made from 2010-2014.

#### RECALL METRICS 05 June 2014 (Statistics provided by ORU)

<i>Year</i>	<i>Total Requests</i>	<i>Not Recalled</i>	<i>Recalls</i>	<i>DCS</i>	<i>ECS</i>	<i>Oral Hearings</i>
<b>2010</b>	<b>24</b>	<b>2</b>	<b>22</b>	<b>22</b>	<b>0</b>	<b>0</b>
<b>2011</b>	<b>97</b>	<b>18</b>	<b>79</b>	<b>75</b>	<b>4</b>	<b>6</b>
<b>2012</b>	<b>161</b>	<b>27</b>	<b>134</b>	<b>123</b>	<b>11</b>	<b>10</b>
<b>2013</b>	<b>213</b>	<b>17</b>	<b>196</b>	<b>176</b>	<b>20</b>	<b>47</b>
<b>05/06/14</b>	<b>71</b>	<b>3</b>	<b>68</b>	<b>63</b>	<b>5</b>	<b>35</b>
<b>TOTAL</b>	<b>566</b>	<b>67<sup>1</sup></b>	<b>499</b>	<b>459</b>	<b>40<sup>2</sup></b>	<b>98</b>
<i>TYPE</i>	<i>Released on Licence<sup>3</sup></i>		<i>Recalled</i>		<i>Indicative Recall Rate</i>	
<b>DCS</b>	<b>1,642</b>		<b>459</b>		<b>28.0%</b>	
<b>ECS</b>	<b>60</b>		<b>40</b>		<b>66.7%</b>	
<b>TOTAL</b>	<b>1,702</b>		<b>499</b>		<b>29.3%</b>	

The chart above shows that in the vast majority of recalls requested by PBNI, the Department of Justice accepted the recommendation of the Parole Commissioners and the offenders were subsequently returned to prison. Over 90% of recommendations made for recall were accepted, which demonstrates the confidence Commissioners have in the professional judgement of probation officers.

In keeping with the culture of a “learning organisation,” PBNI seeks to understand and learn from its own practice. Throughout the organisation there are a range of methods in which staff are enabled and supported to do this, including

team meetings, case discussion, practice forums, joint professional training, and seminar events. Underpinning these approaches is that of internal audits of areas of practice, including recall.

Since the introduction of the 2008 Criminal Justice Order PBNI have conducted two internal audits of recall reports. The first audit was conducted on March 30, 2011, and considered 32 recall reports completed between February 2010 and March 2011. This audit focused primarily on the quality of recall reports and whether staff, in completing such reports, were adhering to guidance and joint protocols. A further audit conducted on May 3, 2013, considered 52 recall applications, all initiated during 2012. The sample of reports examined included all 22 unsuccessful applications and 30 randomly selected successful recall applications. The second audit sought qualitative feedback from the auditors in relation to their assessment regarding the quality of the recall report in addition to staffs’ adherence to guidance and joint protocols. Whilst recognising that the auditors’ perception regarding the quality of the reports was subjective, it was deemed important to get a sense of the quality of the reports being submitted to the Parole Commissioners.

From a quantitative perspective the feedback was generally positive with auditors highlighting some areas requiring attention/improvement. However, from a qualitative perspective, no reports were rated as “poor” and half stated that the report was “very good” or “excellent.”

Following completion of the 2013 audit of recall reports the findings were considered and shared with PBNI staff. In particular, PBNI Area Managers were encouraged to share the report with those staff responsible for supervising licensees and preparing recall reports. Secondly, a series of PBNI/PCNI seminar workshops were convened during which the findings from the audit were presented. As alluded to earlier in this paper, these events provided an excellent learning opportunity for the PBNI staff and the Parole Commissioners who participated in the workshops. Further joint workshops are scheduled to take place with representation from PBNI and PCNI in relation to areas of joint interest and relevance. Finally, PBNI recognise that we will need to conduct further work/analysis in relation to recalls, particularly in respect of the high rate of recall amongst those released from prison subject to licence, and in particular those subject to ECS licence.

### Joint Training

Joint Training has proven to be of immense value to probation staff and Parole Commissioners. Whilst both PBNI and PCNI undertake their own training, the benefits of joint training sessions, especially through seminars and discussion of case studies, has enabled greater levels of understanding of both roles and created clarity around process and systems issues. The first event in October 2013 was hosted by both authors. It is clear that we create a greater aptitude for learning and seeking knowledge when we deal with real people through case studies and discussion.

PBNI has also assisted PCNI in providing sessions at their induction training for new Parole Commissioners and annual plenary events and provided assistance as representatives on their recruitment panels through our Head of Psychology and Interventions.



### Increase in Probation Population

A review in February 2014 of the factors leading to the growth in prisoner numbers between 2009 and 2013 reported that under recall arrangements (Criminal Justice NI Order 2008), substantial numbers of licensees were being brought back to prison. Whilst the principal reason for seeking recall in these cases was to prevent the commission of a further offence, which is an appropriate reason for recall, many of those recalled (42%) had not committed further offences but had increased their level of risk through regression into former chaotic lifestyles including drug/alcohol addiction and homelessness.

Currently across the Department of Justice, action is being taken with regards to looking at a range of initiatives that will prioritise desistance, both in custody and in the community. These include appropriate intervention programmes both in regard to challenging offending behaviour and the provision of accommodation across a range of regimes, from a “wet” hostel to “approved accommodation” regimes designed for higher risk offenders and those with flexible regimes which allow for a “step up” or “step down” approach, dependent on the individual’s position in custody or the community. One such development has been the recent opening of Burren House, which is based on the previous Crumlin Road Prison site in North Belfast, with accommodation up to 22 prisoners at the pre-release stage. Burren House is a working out unit which is a “step down” and preparatory/testing out facility for prisoners usually serving longer sentences. This initiative, led by the NI Prison Service and supported by PBNI, is a progressive step in providing “testing out” facilities for offenders prior to integration and resettlement in their local communities.

### Profile of Offenders

Until the introduction of licensing in DCS and Public Protection sentences, (ECS and ICS), probation officers dealt mainly with offenders subject to probation and community service orders who had to “consent at court” to being made subject to such orders. Under the current sentencing arrangements, probation officers have had to engage, motivate, and manage those individuals who are more resistant to change and essentially are often assessed at higher levels of likelihood of reoffending. There is also a heightened profile of mental health issues with over 40% of PBNI clients having addiction issues.

Arising out of the new legislation and enacted through a later piece of legislation (Coroner’s and Justice Act 2009), offenders whose index offence is related to terrorism are also subject to the new sentencing framework. The terrorist risk of attack, as assessed by police, is primarily from dissident republican groups across Northern Ireland. This is a complex area of work for everyone across the justice system and as such the probation officers’ approach is through a resettlement framework with individuals in their local communities. This is an area of practice where front line staff are seeking to develop their work and a Professional Practice Development Forum has been established to enable staff to develop greater professional confidence and awareness in this area.

### Conclusion

As we move forward, further audits on recall are planned with PBNI and research is being undertaken by a member of

PCNI on specific aspects of recall which in the future can inform aspects of recall which in turn can inform our practice and learning.

In terms of practice development, there is no doubt that the ongoing collaborative work and joint training events on recall and oral hearings between PBNI and PCNI will enhance levels of understanding and continue to reinforce elements of practice and learning.

It would also be important to continue dialogue with the Departmental Administrative Unit that oversees the recall function (Offender Recall Unit) and prison colleagues. One of the main challenges now facing all of the public sector in Northern Ireland is that of constraints on public expenditure. The affordability of the current criminal justice system in Northern Ireland is now under heavy scrutiny. The Department of Justice has not been protected at this stage – unlike the Departments of Health and Education – by the NI Executive and that will have ramifications for all the Departmental agencies including PBNI and PCNI, both in the short and longer terms.

### References

- Bailie, R. “Criminal Justice (Northern Ireland) Order 2008,” *Irish Probation Journal*, 2008.
- McGreevy, G. “Probation and the Role of Public Relations,” *Irish Probation Journal*, 2013.

### Footnotes

- 1 Includes 3 cases where ORU did not accept a recommendation to recall from PCNI
- 2 Includes 1 Article 46 Recall (serious harm test)
- 3 Numbers at 5 June 2014

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**Christine Glenn** is the Chief Parole Commissioner for Northern Ireland. She was the Justices’ Chief Executive in the Inner London Magistrates’ Courts Service until 2001 and Chief Executive of the Parole Board for England and Wales from 2001 until March 2009. She sat as a judge in the First Tier Tribunal, dealing with asylum and immigration cases. She also works as a consultant on parole and criminal justice, including advising governments and training parole boards in Cyprus, the Cayman Islands, Montserrat, Anguilla, and the British Virgin Islands.

# SERVING VETERANS ON COMMUNITY SUPERVISION IN BELL COUNTY, TEXAS

by

Todd Jermstad, J. D.

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As with all offender populations under community supervision, supervision strategies need to be tailored to meet the specific needs of veterans in the criminal justice system. There are several unique aspects in supervising veterans. First, because all of these people served in the military and many were exposed to combat, there is a strong sense of group solidarity. This has the benefit in that other probationers who are veterans tend to look out for their fellow veterans and are pulling for each other's success in completing community supervision. Second, veterans come from a different culture than the civilian population, i.e., the military culture. As such, the experiences of veterans are very different from civilians. Hence it makes it much easier if the community supervision officer supervising this offender population is also a veteran. All too often the veteran's response to a supervision officer who has never been in the military is "you do not know what I have gone through." Finally veterans not only suffer from combat related stress and psychological problems, i.e., post-traumatic stress disorder (PTSD) and traumatic brain injuries (TBI), but also have many physical ailments. Not only does PTSD and TBI manifest in physiological ways as well as psychological, but the very nature of military service also tends to create physical ailments at a much earlier stage in life and with greater severity than is found in the civilian population.

Understanding these realities helps in the supervision of veterans. The community supervision and corrections department (CSCD) in Bell County is fortunate to have so many officers and staff who are either veterans themselves or their spouses are on active duty or a veteran. Being a veteran or having a veteran spouse helps to know what benefits a veteran on community supervision may be entitled to. For example, for those veterans who have an honorable or general discharge, they are entitled to many services through the U. S. Department of Veterans Affairs (VA). These include treatment for substance abuse and mental health. The VA will provide residential housing if the veteran is being treated at the VA. Moreover the VA has initiated a program to assist homeless veterans to secure housing. Finally, regrettably all too many female veterans suffered some form of sexual assault or abuse while on active duty. The VA offers counseling and treatment services for these female veterans.

Nevertheless, the VA is a bureaucracy, with all the rules, paperwork, and procedures of a bureaucracy. For many veterans, especially those who have a mental health issue or a substance abuse problem, it is a daunting task to access services through the VA. A supervision officer who is a veteran, in all likelihood, is also accessing services from the VA and has had to maneuver through the bureaucratic maze of the VA. This officer is ideal in assisting the veteran probationer to receive the benefits to which the person is entitled.

In 2009 the Bell County CSCD received funding from the Texas Department of Criminal Justice (TDCJ) to develop a PTSD/Substance Abuse Program. This program consists of both

group and individual counseling. Group counseling consists of twelve weekly sessions lasting one and one-half hours. The purpose of the program is to develop and implement effective coping skills to carry out normal responsibilities; maintain a program of recovery that is free of addiction and posttraumatic stress; resolve the emotional effects of the past trauma and terminate its negative impact on current behavior; and understand post traumatic stress symptoms and how they led to addiction in a self-defeating attempt to cope. The primary group that this program is aimed to serve is veterans with PTSD who are ineligible to receive VA benefits (possibly because of behavior in the military caused by PTSD) but who nevertheless have a serious substance abuse problem and pose a threat to the community if their PTSD is left untreated.

The Bell County CSCD has created two mental health caseloads, one in the Temple office and the other in the Killeen office. Both mental health officers are veterans themselves. Since so many of the probationers on the department's mental health caseloads are veterans, these officers are ideal for supervising this offender population. One goal of the department is to establish a veteran caseload. With the assistance of the Texas Veterans Commission and TDCJ, it is hopeful that community supervision and corrections departments in the State will be able to apply for funding during the next biennium to establish veteran caseloads. In addition the Bell County CSCD has budgeted to hire a social worker with a master's degree in the next fiscal year. This newly created position will work with veterans under the department's supervision, assist the mental health officers, and will also be assigned to the specialty courts and specialty dockets working with veterans.

Several years ago Bell County received a grant from the State of Texas to establish a model to improve legal representation for indigent defendants. This grant also included a mental health component. As part of this endeavor Bell County Court at Law No. 3 established a mental health docket that meets every Thursday to address indigent defendants who have been accused of a crime and suffer from a mental illness. Along with prosecutors and defense counsel, the county jail Mental Health/Medical deputy, social work interns from area colleges who are working toward obtaining their MSW, representatives from Bell County Pre-Trial Service and Indigent Health, persons with MHMR, and a Veteran Justice Outreach Specialist with the local VA hospital, the CSCD's two community supervision mental health officers also regularly attend this mental health docket.

Since veterans with mental health issues tend to be different from civilians with mental health issues, the mental health docket is divided into a civilian docket and then a veterans/active duty military personnel docket. While civilians involved in the criminal justice system tend to suffer from bi-polar disorders, paranoia and schizophrenia, veterans tend to suffer from PTSD or TBI, have marked episodes of depression, have prob-

lems controlling impulsive behavior, or have anger issues. By working closely with prosecutors, defense counsel, and the various interested parties assigned to the mental health docket, once a veteran has been placed on community supervision, the person can immediately be “handed off” to the community supervision mental health officers present in court and treatment can therefore be continuous and seamless.

It is essential in addressing the needs of veterans to create a working relationship with a local or regional VA hospital and especially the VA's Veteran Justice Outreach Program (and Specialist). The purpose of this program is to try to prevent the criminalization of mentally ill veterans by identifying and assisting veterans involved in the criminal justice system. The Veteran Justice Outreach Specialist goes into jails every day to determine whether a person recently arrested may be a veteran and if so, whether that person is eligible for VA benefits. Surprisingly there are many persons who have been in the military who are unaware that they are eligible for VA benefits. The outreach specialist will assist these individuals to access benefits they are entitled to. The outreach specialist will even assist persons who had previously been denied benefits to request a review of their eligibility and attempt to upgrade the discharge status of persons “chaptered” from the military so that they can be entitled to VA benefits.

The second essential relationship in assisting veterans on community supervision is with the VA's Vet Centers. These centers provide counseling services to anyone who has served in the military and were exposed to combat within the last five years, regardless of their discharge status. The counselors at the centers are veterans themselves and assist veterans in dealing with a number of problems arising from transitioning from the military to the civilian world. The Vet Center also makes referrals for treatment for veterans with more serious problems. The Bell County CSCD has established a written protocol with the Vet Center located in Harker Heights and has an identified point of contact. We cannot emphasize enough the benefits the Vet Center has provided to veterans the department is supervising.

In 2010 the Bell County CSCD assisted in the creation of a state-accredited Batterer's Intervention and Prevention (BIP) program on Fort Hood, the first of its kind on any military installation in the United States. The BIP program is administered through the Department of Social Work for the Army. It is free of charge to any military person or dependent involved in an act of violence against an intimate partner. In addition this program is open to veterans receiving Tri-Care who have been involved in a domestic violence offense. TDCJ-Community Justice Assistance Division reviewed and approved the BIP curriculum at Fort Hood which includes a component recognizing the effect of deployment in the dynamics of domestic violence.

Recently the CSCD established a partnership with Bring Everyone in the Zone, Inc., to provide veteran peer to peer support for probationers who are veterans. This veteran peer to peer support program provides contact services to veterans and their families on a 24/7 basis. These services may be educational, supportive, referral, escort or informational. Moreover this program provides group interaction for those veterans dealing with combat-related issues and also provides mentoring using veterans who have had many if not the same experiences as veterans that the CSCD is supervising. In addition to this program

being utilized for any veteran on community supervision who is experiencing difficulties due to his or her deployment(s), this program is being utilized by the drug court program in both Bell and Lampasas Counties and in the CSCD's PTSD/Substance Abuse treatment program.

Other areas where community supervision officers focus on the needs of veterans is in the preparation of presentence investigation (PSIs) reports and in training. The PSI section of the Bell County CSCD inquires as to the veteran status of each defendant and, if the defendant has indicated that s/he served in the military and was deployment to a combat zone, then the staff preparing the PSI report will administer a screening instrument for possible TBI and PTSD. The staff will also request a copy of the defendant's DD-214 (discharge papers) and medical records. The Veterans Justice Outreach Specialist is extremely helpful in acquiring these documents. While the veteran must voluntarily consent to the access of these documents, the veteran can acquire these documents on-line.

Training is essential for interacting with veterans on community supervision. Suicide is one of the prevailing concerns in dealing with veterans on community supervision. In early 2013, a representative with the local VA hospital provided staff training on suicide awareness in the military and veteran population. The department continues to stress suicide awareness in supervising this offender population.

In addition, the CSCD has sought training opportunities to better understand this offender population. In October 2013, the Central Texas Family Violence Task Force, of which the department is a part, sponsored a day and a half conference on family violence. The CSCD partially funded an expert in the field of PTSD and TBI, Dr. Charles Hoge (U. S. Army, COL, Retired) to travel from Maryland to speak at the conference. The department is also interested in providing training to staff on understanding military culture. This training is available through the Military Veteran Peer Network.

Finally, the department has received funding from the TD-CJ-Community Justice Assistance Division to conduct a research project studying TBI in the veteran population being supervised by the Bell County CSCD. The research project is being conducted by the Baylor College of Medicine in Houston. The research project has already administered tests on 11 veterans being supervised by the department and will conduct tests on another 29 individuals. It is hoped that as a result of this study, the department will better know the prevalence of TBI in the veteran population under supervision, can determine whether there is a connection between the injury and the occurrence of the crime, and be able to identify treatment and supervision strategies to address this offender population. The department continues in its efforts to seek out and adopt new ways to better serve the veterans under supervision.

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## REPORT OF THE ASIA VOLUNTEER PROBATION OFFICERS MEETING

by

Akiko Tashiro

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### Introduction

On July 9-10, 2014, the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) and the Japan Rehabilitation Aid Association co-hosted the Asia Volunteer Probation Officers Meeting in Tokyo, which was the very first international meeting for volunteer probation officers (hereinafter “VPOs”).

Through its training courses, seminars and other activities, UNAFEI has been introducing the activities of the Japanese volunteer probation officers system as a strength of the Japanese criminal justice system. Japanese VPOs have their origins in late nineteenth century and were legislated by law in 1950, which has the longest history in the Asian region. It is well known that VPOs play a crucial role in the rehabilitation and re-integration of offenders in Japanese communities, and it is often said that their work contributes to the low crime rate of Japanese society.

Currently, many countries, mainly in the Asian region, such as South Korea, the Philippines, Singapore, and Thailand, implement VPO systems or similar systems. UNAFEI’s training courses and seminars have had a large influence on the dissemination of the concept of VPOs and on the implementation of this scheme in the Asian region.

Based on these previous contributions in the region, UNAFEI hosted the very first “Asia Volunteer Probation Officers Meeting” to take another step forward toward enhancing the international networking of Asian VPOs and further developing VPO systems in the Asia.

### Overview of the Meeting

The theme of the meeting was *Development of Volunteer Probation Officers Systems and Prospects for Future International Networking*. In addition to providing a forum for networking among volunteer probation officers in Asia, the meeting recognized the 100th anniversary of the Japan Rehabilitation Aid Association. This was the very first international meeting for VPOs.

From overseas, the VPOs and the officials responsible for community corrections of Korea, the Philippines, Singapore, and Thailand – all of which have implemented VPO systems or similar systems in Asia – as well as observers from Kenya and China, attended the meeting. Japanese participants – mainly VPOs – also joined the meeting, which numbered 130 participants in total.

At the meeting, the Honourable Sadakazu Tanigaki, Minister of Justice of Japan, Mr. Hiroshi Okuda, President of the Japan Rehabilitation Aid Association and Mr. Yuhiko Saito, Director General of the Rehabilitation Bureau of the Japanese Ministry of Justice, delivered opening addresses to the meeting, and Ms. Tomoko Akane, Director of UNAFEI, delivered the keynote address. The meeting was chaired by Mr. Shoji Imafuku, Counsellor of the Rehabilitation Bureau of the Ministry of Justice of Japan. All the participating countries, including the observing countries, presented their respective countries’ systems and practices of community corrections, focusing on the VPO sys-

tem. The following sections outline the participating countries’ VPO systems based on their country presentations.

### The Volunteer Probation Officer System in Japan

**Community-based Treatment of Offenders.** In Japan, the community-based treatment of offenders is under the jurisdiction of the Rehabilitation Bureau of the Ministry of Justice. The Offenders Rehabilitation Act (2007) is the legal basis of the whole service. The main agencies under the jurisdiction of the Rehabilitation Bureau are the Regional Parole Boards (8 boards nationwide) and probation offices (50 offices nationwide). The probation offices are in charge of supervision and treatment of four types of offenders as follows:

- i) Adult Probationers – Adults placed on probation by the criminal court upon the pronouncement of suspended execution of sentence of imprisonment or fine. The term of the probationary supervision ranges from 1 to 5 years and is imposed by the court (19,730 persons as of December 31, 2013).
- ii) Adult Parolees – Adults released from prison on parole by the decision of the Regional Parole Board. The term of supervision is the remaining term of the sentence (4,645 persons as of December 31, 2013).
- iii) Juvenile Probationers – Juveniles (under 20 years of age) who are placed on probation by the family court based on the juvenile law. The term of probationary supervision is two years or up to their twentieth birthday, whichever is longer (18,663 persons as of December 31, 2013).
- iv) Juvenile Parolees – Juveniles conditionally released from a juvenile training school. They are sent to the juvenile training school by the decision of the family court based on the juvenile law, and they are conditionally released from the school by the decision of the Regional Parole Board. The term of their parole supervision is any term fixed by the family court or up to their twentieth birthday (4,645 persons as of December 31, 2013).

In addition to the supervision of the above-mentioned offenders, the probation offices in Japan are also involved in aftercare services of discharged offenders, coordination of social circumstances (or pre-release coordination), crime prevention activities and so on.

**Volunteer Probation Officers.** The Japanese community-based treatment of offenders is mainly administered through the joint efforts of approximately 1,000 professional probation officers (or PPOs) and approximately 48,000 VPOs. VPOs are private citizens commissioned by the Minister of Justice to support the probation officers. Although they are private citizens, they are officially appointed as part-time government officials. This status is one characteristic that differentiates VPOs from community volunteers utilized to rehabilitate offenders in other

parts of the world. As the number of PPOs is relatively limited, VPOs play a vital role in rehabilitating offenders and assisting their reintegration into the community. Their duties mainly include supervising offenders in the community, engaging in crime prevention activities and liaising with social resources to assist offenders.

Based on the Japanese Volunteer Probation Officers Act, VPOs must be:

- i) highly evaluated in terms of character and conduct in the community;
- ii) enthusiastic and have sufficient time available to dedicate to their duties;
- iii) financially stable; and
- iv) healthy and active.

Though they are not paid salaries, they are partially compensated for expenses for transportation, communications, etc.

The VPOs interview their assigned offenders twice or three times a month. The minimum frequency of contact is guided by the PPOs according to the offenders' risk and needs. The VPOs usually meet their assigned offenders at the VPOs' own homes. Recent challenges facing the VPO system include the decreasing number of VPOs and the difficulty interviewing offenders in the VPOs' own homes.

### The Volunteer Probation Officer Systems of the Participating Countries

**Korea.** Korea's 13,923 volunteers are called members of the Crime Prevention Volunteer Committee. Established by the Ministry of Justice, the Committee operates through 57 local branch organizations, which allows Committee members to engage more actively in the community. The members engage in activities of rehabilitation and reintegration of ex-offenders and guiding juvenile delinquents. In addition, a special crime prevention member, who is appointed by the chief of probation (branch) office, provides offenders customized services such as counselling and mentoring in school.

**The Philippines.** Community-based rehabilitation of Filipino offenders is handled by the Parole and Probation Administration of the Department of Justice. The Filipino Volunteer Probation Aides (or VPAs) System was introduced in 1978. Currently, there are 13,507 VPAs nationwide. In addition to providing support for probation officers in supervising individual offenders, VPAs contribute to the group activities conducted in the probation offices such as therapeutic community programmes and restorative justice programmes.

**Singapore.** In Singapore, 229 VPOs play an important role in rehabilitation by serving as befrienders and as liaisons with schools in order to supervise the academic and social progress of, on average, 2,000 probationers. They also conduct curfew checks and facilitate group community service projects. One of the advantages of the Singaporean system is systematic and sufficient training, including e-learning and on-the-job training. VPO performance is reviewed annually; VPOs are recognized annually at an awards ceremony and a volunteer appreciation event.

**Thailand.** Thailand's VPO programme was established in 1985 and currently has 13,774 VPOs appointed by the Minister of Justice. The programme utilizes trained community members to assist the Department of Probation with the rehabilitation and

supervision of offenders. These services include casework, community affairs, aftercare services, and tasks in probation offices. Outstanding VPOs are publicly recognized with royal decorations and other awards. The VPO Association was established by the Ministry of Justice as an organization to support VPOs' activities, to share knowledge and experiences of VPOs and to assist offenders. Thailand utilizes VPO Coordinating Centers to facilitate VPOs' activities.

**Kenya.** Kenya's VPO programme began in 2004 and was borrowed from Japan, mainly through JICA and UNAFET's technical assistance. Currently, there are over 200 active VPOs, and their roles primarily include verifying information and supervising offenders in the community. By providing offenders with direct, community-based contact, VPOs play a critical role in helping the probation system overcome geographical challenges and in supporting the probation officers when supervising offenders from different cultural backgrounds. VPOs have been offered incentives to facilitate their work, such as mobile phones, bicycles or stationary.

**China.** Community corrections in China began through a pilot project in 2003 and recent legislation has codified the practice. Over 36,000 social workers and over 632,000 volunteers play key roles in providing education, counselling and rehabilitation to offenders in the community.

### The Tokyo Declaration of the Asia Volunteer Probation Officers Meeting

Through two days' presentations and discussions, it was recognized that VPOs play key roles in their communities in the prevention of crime and rehabilitation of offenders in all the participating countries; moreover, VPOs are dedicated to public service in their communities. On the other hand, it was also recognized that the participating countries face challenges in their VPO systems such as: recruitment of appropriate VPOs; training and development of VPOs; securing VPOs' safety when carrying out their duties; reducing VPOs' psychological and financial burdens; enhancing public recognition, and so on.

Upon the conclusion of the plenary discussion, the "Tokyo Declaration of the Asia Volunteer Probation Officers Meeting" was adopted, which resolves to share each country's experiences and to further create an international network among Asian VPOs. At the closing of this historic event, the Declaration was read aloud, in turn, by representatives of the country delegations led by the President of the Japan VPO Association, Mr. Daizo Nozawa (former Ministry of Justice).

The Tokyo Declaration is as follows:

#### *Tokyo Declaration of the Asia Volunteer Probation Officers Meeting (extract)<sup>1</sup>*

##### *(Preamble extracted)*

The participants of the meeting shared practices and challenges of their countries' volunteer probation officer programmes and recognized the importance of the role of volunteer probation officers in rehabilitation of offenders in the community. In order to further develop community-based treatment, especially volunteer probation officer programmes in their respective countries, the participants of the meeting further recognized the importance of the following principles.



*Reading of the Declaration by the Representatives of the VPOs of each country (From right to left: Korea, Singapore, Japan, Thailand, Singapore)*

1. Volunteer probation officers must be fair and honest and must continually strive for the enhancement of their character, insight and knowledge. In addition, they should dedicate themselves to the rehabilitation of offenders in the community so that offenders will be reintegrated in the community and they will contribute to the creation of a peaceful and orderly community in the future.

2. Crucial factors for the rehabilitation of offenders in the community are guidance and supervision; providing support for housing, employment, welfare and education, and providing consultation; and understanding and cooperation of the community. In order to implement the above-mentioned, volunteer probation officers should closely cooperate with the government's efforts, and collaborate with other organizations, such as NGOs, halfway houses, entrepreneurs, employers, schools and community residents.

3. Volunteer probation officers should be carefully screened and recruited in accordance with their individual aptitude and interests; and sufficient numbers to meet the demands of each country should be ensured. The relevant authorities supervising volunteer probation officers should provide appropriate training, support and advice. The welfare and safety of the volunteer probation officers should also be ensured to allow them to carry out their volunteer duties efficiently and effectively. Measures to be considered include reducing financial and psychological burdens on volunteer probation officers, establishing centres for volunteer probation officers' activities, and introducing a compensation scheme for damages incurred when engaged in official duties. Furthermore, public recognition of volunteer probation officers should be enhanced for the services they render for the well-being of the community. Government efforts are strongly encouraged to address these issues.

Therefore, we, the participants of the Asia Volunteer Probation Officers Meeting, hereby declare that we aspire to these principles and resolve to continuously collaborate and create an international network in the Asian Region by implementing events such as joint seminars, holding international meetings or conferences, conducting mutual visits, sharing information, and so on.

### Building an International Network

The first Asia Volunteer Probation Officers Meeting concluded with great success. Throughout the meeting, the discussions were very active, and the questions were very practical, such as addressing measures to be taken when VPOs suffer injury or incur other damages when acting within the scope of their official duties; reimbursement for the activities of VPOs; measures for recruitment and dismissal of VPOs; and so on. The active discussions reflected the VPOs' passion to enhance their own programmes both in their own countries and within Asia. By attending the Meeting, I was very much impressed to realize that although the countries, communities or the legal systems differ, the VPOs have a common dignified mission: to rehabilitate and reintegrate offenders and to realize a safe and orderly community by dedicating themselves to public service.

This meeting was only a small step forward toward the realization of the international networking of VPOs. As stated in the Tokyo Declaration, we must make further efforts to develop and strengthen international cooperation and networking.

### Endnotes

- i. UNAFEI is a United Nations regional institute, established in 1962 by agreement between the United Nations and the Government of Japan, with the aim of promoting the sound development of criminal justice systems and mutual cooperation in Asia and the Pacific Region. UNAFEI's main activities are to hold international training courses and seminars for criminal justice personnel from around the world and to conduct studies and research in the field of crime prevention and offender treatment. For over 50 years, almost 5,000 participants from 135 countries have participated in UNAFEI's training courses and seminars. For more information, please see: <http://www.unafei.or.jp/english/index.htm>.
- ii. The Japan Rehabilitation Aid Association (JRAA) is the leading non-profit organization for the promotion and support of offender rehabilitation services in Japan. The JRAA provides financial support to offender rehabilitation service organizations and facilities, conducts research and training, and promotes offender rehabilitation services. The origin of the association dates back to the establishment of Hosei-kai in 1914, which was the first nation-wide organization for offender rehabilitation services in Japan.
- iii. The full text is available on UNAFEI's website.

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# PERCEPTION OF FAMILY AND COMMUNITY SUPPORT AMONG RELEASED FELONS IN THE STATE OF TEXAS

by

Jurg Gerber, Ph.D.

and

Gaylene S. Armstrong, Ph.D.

There are about 1.6 million people incarcerated in U.S. prisons. Of the currently incarcerated prisoners, more than 700,000 individuals are annually released. The probability that they will subsequently return to prison is around 50 percent. For the State of Texas, the figures are 154,656 inmates in the Texas Department of Criminal Justice (TDCJ), 42,069 were released during Fiscal Year 2008, and about 50 percent will be re-incarcerated (TDCJ, 2009a, 2009b). We examine one of the factors that reduce the probability that released inmates recidivate: the level of support they expect to receive from family and their community upon their release.

Numerous studies have been conducted on the issue of reentry into society. In a comprehensive study of recidivism among released prisoners, Beck and Shipley (1989: 1) found that "recidivism rates were higher among men, blacks, Hispanics, and persons who had not completed high school than among women, whites, non-Hispanics, and high school graduates." Furthermore, prisoners who were young when they were released and had extensive criminal records were more likely to recidivate.

However, relatively little research exists on the topic of family support. We plan to conduct several studies on this general topic. In this first stage, we limited ourselves to male felons. Research has shown that male and female inmates face different obstacles to successful reintegration into society and the same holds true for long term inmates (i.e., felons) and jail or state jail inmates. For instance, the lack of family relationships poses a greater problem for females, while the longer duration of incarceration leads to greater difficulties for felons to maintain supportive family relationships.

## Literature Review Relevant to Study Topic

One of the recurring problems of returning prisoners is that they have become "embedded" in criminality while in prison, with their bonds to conventional society becoming increasingly weaker. Once they do return, they are not necessarily welcomed with open arms:

Recycling parolees in and out of families and communities has a number of adverse effects. It is detrimental to community cohesion, employment prospects and economic well being, participation in the democratic process, family stability and childhood development, and mental and physical health and can exacerbate such problems as homelessness (Petersilia 2000: 1).

There is a considerable body of research that shows that family and community support are important predictors of recidivism (Bales and Mears, 2008; Petersilia, 2003; Visser et al., 2004). Most inmates return to the very same people and communities that they had lived in before they were arrested. While they are likely to find the same pressures and illegal opportunities that led them to committing the crimes that led to

their previous incarceration, it is also these communities that are most likely to provide them with the necessary emotional and material support to succeed on the outside. In general, men who are able to maintain strong family ties are more likely to experience post-release success and so do those who assume family roles upon release (Petersilia 2003).

With respect to community support, the literature is equally clear: pro-social networks are an important source of social capital ("the features of social organization such as networks, norms and social trust that facilitate coordination for mutual benefit" [Putnam, 1995: 67]), and the greater the social capital of released inmates, the greater the likelihood that they will succeed on the outside. Unfortunately, released inmates are unlikely to have much social capital (Hagan and Coleman, 2001; Braman, 2004; and Clear et al. 2001).

Furthermore, researchers have preconceived notions of what *family* and *community support* are, but what researchers and inmates perceive them to be may not be identical. We report on a qualitative assessment of *what inmates think family support is and how much support they think they will receive*. Furthermore, we examine the idea that *perceptions* of support may be more important than *actual* support.

## Research Design and Methodology

Two researchers attempted to interview 100 inmates within 24 hours before their release. We were able to conduct 89 interviews, with 74 usable transcripts, that lasted between 20 and 75 minutes in length. Interviewees were mostly white and African-Americans, aged 20s to 60s, who had served time for offenses ranging from homicide to parole violations, and with current incarcerations ranging from a few weeks to 30 years in length.

The interviews focused on their perceptions of family and community support and were open-ended: the interviewers had checklists of topics to cover, but the interviewees were free to cover topics as they saw fit.

## Findings

With respect to *family support*, inmates seemed to distinguish between biological and non-biological families and then subdivided them into nuclear and extended vs. "pseudo families" (friends, community members, churches, etc.). In particular, they expected to receive support from them in the following areas:

**Emotional Support.** "I have a friend. I mentioned this friend before. He's an ex-felon too, he was in here, he got out and is living his life good, got his wife back, and his family's back. He is kinda my moral support too, we kinda help each other. He asks me questions about his family, he is like family to me. He is like a brother, you know." (Respondent #2).

**Discipline.** “Oh man, she’s [his wife] like my parole officer. It’s hard without your man being there, and she scared I’m going to go back to the same old things. She don’t want me hanging around old friends, going to old places, or even the old job I used to have because I used to work night shifts. And when you work night shifts, you can do whatever you want. So I would go to work, and there is no superiors telling you anything, so I would do that and get [drunk].” (Respondent #27).

**Employment.** “My mom’s brother in law is the superintendent out there, and he told me as soon as I get out to call him and he’s gonna put me to work.” (Respondent #4).

**Material Support.** “I’m gonna need help getting my life back in order, buying clothes, stuff like that. I own a motorcycle but I obviously cannot take my 2 1/2-year-old son on a motorcycle, so I need better transportation. My family’s gonna have to help me adapt back into society. I’ve been arrested a lot, she’s just disappointed I know I’ve disappointed my mother a lot. I’m lucky they haven’t given up on me. They’re still willing to help me.” (Respondent #103).

**Housing.** “I’m being paroled to a friend’s house, this lady. She’s older Christian lady that I stayed with before.” (Respondent #23).

**Substance Abuse.** “I’m going to go to AA and NA when I get out. My mother’s going to go with me. I don’t know what other conditions I’m going to have this first parole but my mom is going to be supportive. She said she’ll go with me. She’ll support me.” (Respondent #106).

**Negative Influences.** Inmates expressed considerable concern over some family members being negative influences in their reintegration. In other words, they were concerned more about family *conflict*, rather than family *support*:

- “No, they didn’t come to visit me, so I didn’t see them. So, I don’t really know how the transition back to them would be, to even have...what kind of relationship we would have. And, plus, you now, family members...they do certain things I don’t want to be involved with maybe, I’m not sure, you know, I’m not sure what all they’re doing out there and I don’t want nothing to end my freedom. If it takes staying away from them, I’m staying away.” (Respondent #2).
- “Yeah my little brother. With his drinking. It’s okay if he drinks, but while I’m on parole I don’t want him to end up over there drunk, with beer, and all of a sudden the parole drives by or cops go by and I get in trouble. I need to talk to them. I need to talk to them about that. He’s one of those brothers that you have to knock him upside the head to get him to listen.” (Respondent #25).

With respect to *community support*, the findings were very similar. Inmates expected emotional, financial, material, and religious support from their communities. Religious institutions were frequently mentioned by inmates as sources of support. Of particular interest to us was the fact that inmates looked at religious groups for material and emotional support in addition to spiritual guidance.

Also, inmates are very concerned about the fact that their old communities could be a threat to their freedom:

- I just think I need to know their intentions, know what they want, then I’m just gonna have to stay away from them. (Inmate #20).
- I’ll just avoid them, just say no. (Inmate #31).
- Just not associating with them. (Inmate #45).
- I’m going to try and avoid contact all costs...I’m going to avoid all the old people I knew. (Inmate #103).

### Implications

There are several important conclusions that can be drawn as a result of this research:

- *Family* has many meanings to ex-mates (Biological Families vs. Non-biological Families);
- *Community* can at times be almost indistinguishable from *family*;
- Church and religious community can become *surrogate families*; and
- The family as a social institution plays an important role in the expectations of ex-mates.

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## OFFENDER REENTRY ISSUES: IDENTIFYING CHALLENGES AND DEVELOPING POSSIBLE SOLUTIONS

by

Dan Richard Beto

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### Introduction

Last year when I was in Poland and attended the International Probation Seminar in *Toruń*, I provided an overview of probation in the United States and discussed what I believed were significant management challenges facing the community corrections profession. In keeping with the theme of this current seminar – a focus on issues related to releasing inmates from prisons in Poland and the United States – I will talk about issues in reentry and will attempt to identify challenges and possible solutions.

The issue of prisoner reentry is an important topic that has been on the minds of correctional practitioners, academicians, and prominent social commentators for a number of years. Unfortunately, this topic never seemed to attract the serious attention of the American politicians who were responsible for crafting public policy and who appropriated the necessary funding. It was much easier to build more prisons than to create innovative programs – programs that would take time and resources before tangible results could be shown – to address crime and recidivism.

More recently, though, because of the vast financial commitment required to operate one of the largest criminal justice systems in the world, coupled with court intervention in some states, our elected representatives have come to realize the folly of past correctional policies and are now seriously seeking alternatives to incarceration. And that's a good thing.

Now before I get too far into my topic, I want to provide some current data to give you a better appreciation of the size of American criminal justice system.

### Adult Criminal Justice Population

According to the latest figures of the Bureau of Justice Statistics (BJS), a branch of the U. S. Department of Justice, at year end 2012 there were approximately 6,937,600 adults under some form of correctional supervision in the United States, down 51,000 offenders or 0.7 percent from the previous year (Glaze & Herbermann). Of this figure,

- 3,942,800 (56%) were on probation,
- 851,200 (12%) were on parole,
- 744,500 (11%) were in county jails, and
- 1,483,900 (21%) were in prisons.

Based on these figures, it is obvious that probation remains the most commonly used correctional sanction used.

But despite the fact that probation is widely used in the United States, with 5% of the world's population, we have 25% of the world's prisoners. And many of these prisoners – close to half – are “nonviolent offenders imprisoned because of draconian sentencing laws that led the prison population to triple since 1980” (Carson & Golinelli, 2013; Chettiar & Austin-Hillery, 2014). That is not good public policy.

### The Reentry of Prisoners to Society

According to available data, each year between 600,000 and 650,000 offenders are released from American prisons and return to society (Keller, 2014). Unfortunately, that is not the end of the story.

A report issued in April of this year by the Bureau of Justice Statistics (Durose, Cooper, & Snyder, 2014) on a study of the recidivism of prisoners released in 30 states in 2005 revealed some disturbing facts:

- About two-thirds (67.8%) of released prisoners were arrested for a new crime within 3 years, and three-quarters (76.6%) were arrested within 5 years.
- Within 5 years of release, 82.1% of property offenders were arrested for a new crime, compared to 76.9% of drug offenders, 73.6% of public order offenders, and 71.3% of violent offenders.
- More than a third (36.8%) of all prisoners who were arrested within 5 years of release were arrested within the first 6 months after release, with more than half (56.7%) arrested by the end of the first year.
- A sixth (16.1%) of released prisoners were responsible for almost half (48.4%) of the nearly 1.2 million arrests that occurred in the 5 year follow-up period.
- Within 5 years of release, 84.1% of inmates who were age 24 or younger at release were arrested, compared to 78.6% of inmates ages 25-39, and 69.2% of those age 40 or older.

These figures beg the question – What can we do to ease the transition from prison to community and reduce recidivism?

### Challenges and Possible Solutions

When the subject of offender reentry is discussed, it is not uncommon that most of the conversation deals with post-confinement strategies. And while there is so much to be done after imprisonment to assist offenders, it is my sense we could eliminate a number of these problems at the very beginning of the criminal justice process.

**Sentencing Policy.** One area that can positively impact offender reentry is a thorough review of the current sentencing schemes found in our 50 states and in the federal system. We need to abolish mandatory minimum sentences for drug offenders and the punitive life sentences for persons with three felony convictions. Restoring common sense to sentencing by reducing the frequency and length of custodial sentences is the obvious first step in downsizing prisons.

I am pleased to note that under the leadership of Attorney General Eric Holder the federal government has started to address these highly destructive inequities, and a number of states are following this shift in sentencing policy.

**Courts.** The courts present another component of the criminal justice system that can influence reentry.

Throughout the United States many jurisdictions are using specialty courts. Following the creation and implementation of drug courts – most of which have proven quite successful – we have witnessed a growth in other specialty courts that are designed to address specific crimes and behaviors. In addition to drug courts, we now have alcohol or driving while intoxicated courts, rapid response and intermediate sanctions courts, domestic violence courts, veterans courts, mental health courts, mental health high risk violent offender courts, prostitution courts, public order courts, and reentry courts.

These courts typically have a judge who possesses imagination and the willingness to invest additional time necessary to operate a non-traditional court and who is committed to the process of rehabilitation, probation officers and prosecutors who embrace the judge's vision, and the involvement of treatment providers and social service agencies to consult on treatment planning and to deliver needed services.

The primary goal of these courts is to address problems immediately and intelligently in an effort to keep offenders from going to prison.

All courts trying criminal cases can and should be the first line of defense in addressing obstacles to reentry by reducing the number of offenders sent to prison.

**Prisons.** Now we come to prisons. While I think most of our prison administrators are attempting to manage their institutions so that they are “lawful, safe, industrious, and hopeful,” it is difficult to do so with overcrowded conditions, a lack of adequate funding, inadequate human resources, and insufficient programs that better prepare the offenders for release. And let's face it – no matter how well managed a prison may be – it still represents one of the most unnatural societies known to mankind, and most persons spending lengthy periods of confinement require an intensive resocialization process prior to release to be successful. Unfortunately, based on the numbers of those returning to prison, we need to devote more time and resources on the resocialization process.

**Reentry.** As for the reentry process, some of the programs and practices we have found beneficial to easing the offender back into society include:

- probation and parole officers assigned to prisons to conduct assessments on all persons to be released, identifying areas of need, involving family members, and developing a comprehensive release plan;
- prerelease centers and halfway houses, where offenders receive training, services, information, and jobs to better equip them to deal with the complexities of urban life;
- the development of community partnerships to assist the offender upon release, including probation and parole agencies, law enforcement, transportation department, mental health professionals, housing authority, and a host of social service agencies – there needs to be a collaborative effort with a common objective for these partnerships to be successful;
- the elimination of barriers to housing, services, and employment that prevent ex-offenders from securing certain licenses; and
- requiring all persons released from prison to be under supervision for a period of time to assist in the transition.

I hasten to add that the probation or parole officer is the primary point of contact and who takes the lead in the supervision of the offender and the implementation of the release plan.

Because we are dealing with individuals who represent significant risks and possess high needs, it is imperative that we attempt everything in our power so that the “released felon will have options besides unemployment, homelessness, and a return to crime” (Keller, 2014; NACDL Task Force, 2014).

**Research.** Now a word about research. In his presidential address at the annual meeting of the American Correctional Association in 1970, my father, then Director of the Texas Department of Corrections, made this observation:

We engage in many allegedly rehabilitative practices, but we have little evidence to show that they are successful in achieving the objectives which we have set for ourselves; namely, redirecting and restructuring the life of the offender. Many of our programs may be good, they may be effective, but they are based on an unvalidated assumption; we have no assurance – without the measurement found in research – that these programs are effective and successful (Beto, 1971).

While the importance of research – and particularly research that informs policy – has not been fully embraced by criminal justice practitioners, it is gratifying to note that in many jurisdictions we are witnessing an increased emphasis on finding out “what works,” measuring program effectiveness, and adopting “evidence based practices.” And with some funding sources now requiring indicators of success, research will continue to play an increasing role in the delivery of correctional services.

### Conclusion

In his 2004 State of the Union Address, then President George W. Bush said:

This year some 600,000 inmates will be released from prison back into society. We know from long experience that if they can't find work, or a home, or help, they are much more likely to commit crime and return to prison...America is the land of the second chance, and when the gates of the prison open, the path ahead should lead to a better life.

While we have yet to realize President Bush's vision of a decade ago, we are making some progress, thanks to a renewed and thoughtful interest by the leaders in corrections, academia, business, and politics.

I hope these remarks have provided you with an appreciation of the challenges the criminal justice system in the United States is encountering.

I also hope that these brief remarks will serve as a foundation for further discussion later in this seminar. Thank you for your attention.

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## FROM THE BOOKSHELF

*Executive Exchange* welcomes reviews of books and periodicals dealing with community corrections, the criminal justice system, research and evaluations of correctional programs, and management and leadership issues. The book review found in this issue has been contributed by Donald G. Evans, a past President of the American Probation and Parole Association and a contributing editor to *Executive Exchange*.

## MILITARIZED POLICING AND THE RULE OF LAW

A review of *The Force of Law*, by Mariana Valverde. Toronto: Groundwood Books, 2010, 144 pp.

The recent events in Ferguson, Missouri, serve to remind us that there is a growing dissatisfaction with current modes of policing. Questions about strategies and tactics in efforts to provide order at events such as the G-20 summits, or other public protests, and the approaches to “manhunts,” gun sweeps, pre-dawn raids, and dealing with the erratic behavior of unarmed civilians has lead to an increasingly vocal critique of what has become known as “militarized” policing. Every time a specific incident occurs from the deployment of these strategies or tactics there is the inevitable call for accountability, resulting in investigations, inquests, and inquiries. In fact, the number of oversight bodies that have some legislative responsibility for holding law enforcement accountable is remarkable, but the results generally not satisfying to the public. The causes have often been explored but no satisfying solution has been found. There is a vast literature on the subject of police accountability and civilian oversight, but a relatively small and well written book by Mariana Valverde, professor of criminology and social legal studies at the Centre for Criminology and Social Legal Studies at the University of Toronto, provides excellent background for anyone attempting to grapple with current policing issues. The book explores its topic from a global perspective on law and law enforcement and aims to dispel the notion that law is one thing and violence another.

There are seven succinctly written chapters examining policing today and arguing for a more democratic form of policing. In the first chapter Professor Valverde explores the question “what is the law?” She discusses what is meant by the rule of law and concludes that “accountability, fairness and the principle that nobody is above the law since the law applies to all equally make up the core of the rule of law.” In the rest of the chapter she discusses the idea that violence is “integral to law” and that “many of the legal problems and issues that concern ordinary citizens have to do not with what the law says or with the niceties of definitions of law, but with how laws are enforced, against whom and with what effects.” For the author “law is too important to be left to lawyers and law enforcement is too important to be left to the police.” We all need to be knowledgeable about our laws and how they are enforced.

In chapters two and three Professor Valverde develops the themes expressed in the first chapter and, beginning with a discussion of Kafka’s *The Trial*, demonstrates some of the uncertainties embedded in our notions of law. She notes that Kafka shows us the impossibility of proving that the law is on our side. These chapters discuss constitutional, statute, and common law as well as examining law and culture, customs and justice. The author notes that: “Given the profound disagreements about

general philosophical issues and practical tactical questions concerning justice, it is safe to say that the relation between justice and law will always be under discussion and negotiation.

Professor Valverde, in chapters four and five, turns her attention to two basic questions: who are the police and what do the police do? In discussing the first question, the rise of private security is addressed and its impact on public policing. She comments that “the face of policing has been transformed by private capital is not just a matter of employment numbers, then, but also a question of who hires whom, who draws up the contracts, and who pays.” In the next chapter, after a brief review of current police research, the author examines more closely the core functions of policing: crime fighting, maintaining order, and keeping the government secure. One of the interesting results of recent police scholarship has been the depiction of the police as knowledge workers, generating data about people, incidents, events, and uses of public space. This information is widely shared among other agencies and in some cases other jurisdictions and fits well with growing surveillance activities of the modern state.

An examination of “law’s harms” is presented in the sixth chapter and the author notes that some laws and their enforcement have led to unintended consequences that have severely impacted certain groups by creating new harms. The two main laws she discusses relate to prostitution and drug laws – two topics that are currently being discussed and negotiated in a number of jurisdictions in the Western World. When legislators pass laws they should be mindful not to cause more harm than good and to be careful about the use of law.

In the closing chapter Professor Valverde discusses the “politics of policing in democratic societies.” This chapter explores issues related to police governance and citizen oversight, community policing, and the main question here is whether this form of policing empowers the community or empowers the police. Both these issues are important to the issue with which I started this review, namely, the problem of a militarized policing of our communities. In closing this chapter Professor Valverde pessimistically states that “neither politicians nor police chiefs have any interest in involving citizens in the everyday governance of security, which in most of the developed world means basically the governance of police work.”

This readable book provides an excellent introduction for anyone interested in how we are governed and policed. The general sense that the police exist to serve and to protect is emblazoned on most police vehicles, but if we wish to ensure that the issues currently being debated about militarized policing strategies and tactics being used to maintain order and to catch “criminals,” we need to, in Professor Valverde’s words, “care about democracy, accountability and justice” and “to become knowledgeable about law enforcement issues.” Only then will we be assured that our laws and our enforcement of them truly serve and protect rather than a means to terrify and to occupy!

Donald G. Evans

## NEWS FROM THE FIELD

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### NORTHUMBERLAND COUNTY APPOINTS NEW CHIEF

On April 28, 2014, **Jimmy Cortelyou** of Herndon, Pennsylvania, was appointed by President Judge **William H. Wiest** to serve as Chief Probation Officer in Northumberland County, reports the *News Item* of Shamokin, Pennsylvania.

Cortelyou served the past six years as a probation officer in Dauphin County, where he supervised sex offenders, defendants in mental health and drug cases, and defendants serving house arrest.

Wiest said Cortelyou, a graduate of Lycoming College, also has trained other probation officers during his career in Dauphin County.

He succeeds **Michael Barvitskie**, who recently accepted a position with the Pennsylvania Board of Probation and Parole in Williamsport.

Wiest said, "I'm excited to have him aboard and I believe he will work well with the existing staff."

### TILLERY RETIRES IN GREGG COUNTY

At the end of May 2014, after 33 years of dedicated service, **Quin Tillery** retired as Director of the Gregg County Community Supervision and Corrections in Longview, Texas.

"Quin has been a loyal and faithful public servant to Gregg County for 33 years," Senior District Judge **David Brabham** said. "He has guided the probation department through significant changes in the law as it relates to the conditions of probation and all the treatment options available to offenders addicted to drugs and alcohol."

Appointed director of the department by the Board of Judges in 1987, Tillery has watched the numbers grow but the job remain the same. "The basic nature of it is the same," he said, noting there now were 40 employees supervising 1,971 people.

Tillery and his wife, Linda, raised two sons during his tenure at Gregg County. He has no specific plans for retirement, but his wife might. "I've got a list of projects to work on," he said. "I do a little fishing, a little hunting. And I spend a lot of time outdoors."

"It's been rewarding," Tillery said. "I'm leaving with many fond memories. We've got a good group of employees. They are the best, they work as a team to solve problems."

The Gregg County Board of Judges, which oversees the department, has selected Deputy Director **Melinda Wilson** to succeed her boss, reports the *Longview News-Journal*.

### PLUMAS COUNTY NAMES NEW PROBATION CHIEF

According to an article appearing in the *Plumas County News*, **Daniel Prince** has been named the county's new chief probation officer.

On July 15, 2014, the Board of Supervisors voted unanimously to offer him the position based on the recommendation of the interview committee, consisting of Judge **Janet Hilde**,

retired Chief Probation Officer **Terry Lee**, and Human Resources Director **Gayla Trumbo**.

Prince, formerly a superintendent for the Nevada County Juvenile Hall, has served as the acting chief probation officer in Plumas County in Quincy, California, since the end of January.

Prince succeeded **Doug Carver**, who had served in the position since June 2013. Carver, a retired chief probation officer, couldn't remain with Plumas County because his public service retirement limited the hours he could work.

### SHIELDS HONORED IN NEW YORK

In May 2014 retired Chautauqua County Probation Director **Linda Shields** was honored with the *Sarah Tuller Fasoldt Leadership Award*, reports the *Buffalo News*.

Shields, who recently retired following a three decade career with the department, accepted the award at a reception held in the legislative chambers in Mayville, New York.

County Executive **Vince Horrigan** said she was instrumental in establishing the alternatives to incarceration program. She also was successful in establishing another grant called "Ready, Set, Work."

New York State Probation Deputy Commissioner **Robert M. Maccarone** presented the award. "Each year we give an award to a director," he said. The award is named for former commissioner **Sarah Tuller Fasoldt**. He said that Shields was "on the cutting edge" of programming in probation departments throughout the state.

"Chautauqua County probation is putting people back to work," noted Maccarone. He said Shields was an outstanding leader and example of community service in Chautauqua County.

In accepting the award, Shields said, "Success is insured by the outstanding support system in the probation office."

### NAPE PARTICIPATES IN THIRD ANNUAL INTERNATIONAL PROBATION SEMINAR HELD IN POLAND

At the invitation of the Probation Officers Academy of Poland (CSKS), **Dan Richard Beto**, Chair of the NAPE International Committee, participated in the III Annual International Probation Seminar in Wroclaw, Poland, on June 18-20, 2014. By way of background, CSKS is a division of Business Communication Group (BCG), a privately operated training and technical assistance company. CSKS is an affiliate member of NAPE.

This year the seminar dealt with the topic of prisoner reentry in the United States and Poland. In addition to Beto, **Jurg Gerber, Ph.D.**, Professor of Criminal Justice at Sam Houston State University and Director of International Initiatives for the College of Criminal Justice, who has conducted research on this topic, participated in this seminar.

Prior seminars have been held in the historic Polish cities of Bytów and Toruń. In 2012 at the Bytów seminar, Beto and Canadian **Donald G. Evans**, a former President of the International Community Corrections Association and the American Probation and Parole Association and a member of the

NAPE International Committee, participated; this seminar dealt with general probation issues facing North America and Poland. And in 2013 at the Toruń seminar, the focus of which was on probation management issues, participating with Beto was **Mark Atkinson**, Executive Director of the Texas Center for the Judiciary, and also a member of the NAPE International Committee.

On the morning of June 19, 2014, the seminar was opened with welcoming remarks given by **Romuald Burczyk**, Vice President of the BCG Board. He was followed by **Piotr Burczyk**, CSKS Director, who discussed the scope of this seminar. Beto was then asked to say a few words as Chair of the NAPE International Committee, and he subsequently introduced Gerber, who spoke briefly on behalf of the College of Criminal Justice at Sam Houston State University.

The first formal presentation was delivered by Piotr Burczyk, a former probation administrator, who spoke on the system of releasing convicts from penal institutions in Poland, in terms of legal and social rehabilitation. He was followed by Gerber, whose presentation was titled “reentry of male felons in the State of Texas: the role of expectations of community and family support.” Following Gerber was Beto, who spoke on “issues in reentry: identifying challenges and developing possible solutions.”

**Magdalena Niewiadomska-Krawczyk, Ph.D.**, with the University of Łódź spoke on “positive forecast in criminology as a material prerequisite of conditional early release of a sentence of imprisonment.” She was followed by **Tomasz Kalisz, Ph.D.**, from University of Wrocław, whose presentation dealt with “conditional release: normative model and political and criminal tasks.” Next to speak was **Adam Kwieciński, Ph.D.**, also with the University of Wrocław, who discussed “the role of a probation officer in enforcement proceedings concerning means of protection, current state, and prospects for change.” The last presenter of the day was **Jacek Zieliński**, Judge and Chairman of the Department of Penitentiary for the Regional Court in Gdansk, whose topic was “conditional release with long-term punishments.”

Following a late lunch, participants reconvened for the discussion portion of the seminar, which was thoughtful and at times quite lively. It was shortly after 5:00 PM that the day’s deliberations concluded.

On the morning of June 20, 2014, a summary discussion of the seminar was held, at which time future topics and sites were entertained for the IV International Seminar. Beto made a few observations and indicated his strong desire to further develop the relationship between NAPE and CSKS; in addition, Gerber spoke briefly about the College of Criminal Justice’s strong international presence.

In addition to producing an interesting seminar in a beautiful setting, the Polish hosts made certain that the delegates from North America were exposed to the history and culture of Poland during their time there.

## PARCHMAN HONORED IN BRAZOS COUNTY

On July 22, 2014, the Brazos County Community Supervision and Corrections Department in Bryan, Texas, paid tribute to its former director – **Arlene Parchman** – by naming the training room in her honor. Participating in the ceremony

were **John McGuire**, who succeeded her as director and who served as master of ceremonies, and **Dan Richard Beto**, who hired Parchman in 1985, and who delivered the keynote address. Parchman served as director from 1991 to 2010, when she retired. In commenting on her service, Beto said:

During her administration of the department, the caseload grew from approximately 3,100 to 3,900 probationers, with the most significant increase in felony cases. Too, the department witnessed a substantial increase in drug cases, younger offenders, and female probationers.

In response to the changing demographics, the department enhanced substance abuse and dependency counseling programs and caseloads, added other specialized caseloads that were offense or offender characteristic specific, women’s programs, and programs that targeted behaviors that would facilitate desistance to crime.

In addition, under her stewardship, the department entered into cooperative relationships with law enforcement and social service agencies to provide specialized supervision and services not covered by in-house programs, including the treatment of high risk mentally impaired offenders.

The Brazos County Drug Court was also created due to her leadership and commitment.

It is fitting that this room – which is used in part for training – is named for Arlene Parchman, because during her tenure as head of the department she placed a strong emphasis on employee training – and not just any training, but relevant training – training that enhanced probation officer expertise and that positively impacted the delivery of probation services.

As a result of this emphasis, officers with the department were well known for their competence and professionalism and were frequently called upon to share their expertise – as resource training officers, guest trainers, presenters at conferences, providers of technical assistance, peer reviewers and auditors, through service on statewide committees, and by holding office in professional organizations.

The Brazos County Community Supervision and Corrections Department always received extremely positive audits from the Community Justice Assistance Division of the Texas Department of Criminal Justice, which also speaks to her leadership.

In addition to her tireless work within the department, Arlene’s expertise was frequently sought outside the confines of Brazos County.

She served as a member of the Board of Directors, as Secretary, and later as Vice President of the Texas Probation Association, a professional organization that presented her with the *Brian J. Kelly Adult Administrator of the Year Award* in 1995, and with the *Charles W. Hawkes Lifetime Achievement Award*, its highest honor, in 2007.

She also served on the Board of Directors of the National Association of Probation Executives and on the Advisory Board and later as Chair of the Texas Probation Training Academy at Sam Houston State Uni-



versity, where she was presented with the Academy's *Distinguished Service Award* in 2005.

Arlene was a participant in the Drugs and Criminal Justice Research Project of the United Nations International Drug Control Program, and she served as a member of a focus group of the National Institute for Victim Services to identify training needs for adult and juvenile probation professionals.

She was a member of several significant statewide undertakings: the Texas Reinventing Probation Strategy Group; the Advisory Board convened by Dr. Rolando del Carmen to produce the book *Community Supervision: Law and Practice in Texas*; a focus group tasked with crafting an Executive Development Program for newly appointed probation executives; and the faculty of the inaugural Mid-Management Leadership Program of the Correctional Management Institute of Texas.

And over the years the Texas Adult Probation Commission and its successor – the Community Justice Assistance Division – saw fit to call on Arlene for service on countless committees, including the Code of Ethics Committee, HIV Standards Committee, Statewide Computer Information Committee, Peer Review Committee for Community Justice Plans, Technical Violations Committee, Mental Impairment Caseloads Committee, Sex Offender Supervision Standards Committee, and the Statewide Strategic Planning Committee, where she served as co-chair.

In summary, and I don't wish to belabor the point, Arlene's tenure in Brazos County – from 1985 to 2010 – may be characterized as a career of unselfish and dedicated public service, and one that will be difficult to replicate or exceed.

Following the ceremony, tours were given of the department, which Parchman was instrumental in designing prior to retiring.

### NAPE VICE PRESIDENT RECOGNIZED IN NEW ORLEANS

On August 3, 2014, during the APPA Annual Institute in New Orleans, Louisiana, NAPE Vice President **Ronald G. Schweer** was presented with the *Walter Dunbar Memorial Award*, APPA's oldest and highest honor. It is presented in memory of the late **Walter Dunbar**, who served as Director of the California Department of Corrections, Chairman of the U. S. Parole Commission, and Director of the New York State Division of Probation. The award is presented for significant contributions by a practicing professional or a retired practitioner in the field of probation and/or parole.

Ron Schweer, who earned a Bachelor of Arts degree in criminal justice from Washburn University and a Master of Public Administration degree from the University of Kansas, has recorded over three and a half decades of experience in criminal justice, corrections, and law enforcement.

Schweer began his criminal justice career in 1977 in Paola, Kansas, as a deputy sheriff for the Miami County Sheriff's Department. From 1980 to 1981 he was a supervisor at the Youth Center at Topeka. In 1981 he went to work for the Kansas Su-

preme Court as a Court Services Officer in the 3rd Judicial District, a position he held until 1987, when he served as a fiscal analyst for the Kansas Legislative Research Department. In 1987 he was named Chief Court Services Officer for the 7th Judicial District of Kansas, a position he held until 1989, when he was named Court Services Specialist in the Office of Judicial Administration of the Kansas Supreme Court, where he was responsible for the coordination of all juvenile and adult probation services in Kansas.

In 1990 Schweer was appointed a U. S. Probation Officer for the District of Kansas and rose to the position of Supervising U. S. Probation Officer. He was named Deputy Chief U. S. Probation Officer for the Eastern District of Missouri in 2000, a position he held until 2008, when he was named Chief U. S. Probation Officer for the District of Kansas.

He has served in a number of positions during his federal career, including administration of a field supervision unit, District Training Coordinator, Search and Surveillance Team member, Contract Specialist for drug aftercare and mental health treatment services, Home Confinement Coordinator, and WITSEC (Witness Protection) Officer. Schweer has also served as faculty to the Federal Judicial Center in the Executive Team Leadership, New Supervisors Training Program, Circuit Supervisors Program, and two separate Officer Safety Training Programs.

In 1993, Schweer was selected as a Safety Trainer for the Federal Judicial Center and has presented safety programs to numerous districts throughout the United States. He has also served as a consultant to the Federal Judicial Center in the Applied Officer Safety Program since 1996. The National Institute of Corrections has sponsored a Safety Academy (Train-the-Trainer) Program since 1997 and Schweer currently serves as a NIC consultant and faculty member in this program. As a result of this participation, he has been involved in the training of safety trainers from virtually every state in the nation, including the territories of Guam and the Northern Mariana Islands.

He is also a safety consultant for APPA and has provided safety training through his affiliation with the Community Corrections Institute and the Sam Houston State University's Center for Project Spotlight, an innovative program involving police-probation partnerships. Schweer has served as a firearms instructor, assistant firearms instructor, OC spray instructor, and chairman of the Staff Safety Committee. Schweer is a member of the Anti-Terrorism Advisory Council and the Search Enforcement Team. He was also the Co-Chair of the Safety and Information Reporting System (SIRS) Working Group at the Administrative Office of the U. S. Courts from 2004 to 2009. Schweer was a contributing author in the National Institute of Corrections monographs titled *Staff Safety: New Approaches to Staff Safety, Second Edition* (2003) and *Guns, Safety and Proactive Supervision: Involving Probation and Parole in Project Safe Neighborhoods* (2008).

Schweer has served as a member of the Board of Directors of the National Association of Probation Executives and currently serves as Vice President. He is an innovative and visionary leader and a dedicated professional who has positively impacted the probation profession. In 2012 NAPE, meeting in Indianapolis, Indiana, presented Schweer with the *Sam Houston State University Probation Executive of the Year Award*.

## NOYES RESIGNS IN DALLAS COUNTY, TEXAS

On August 7, 2014, **Michael Noyes**, Director of the Dallas County Community Supervision and Corrections Department in Dallas, Texas, resigned.

Noyes, who has a doctorate in criminology from Indiana University of Pennsylvania, has been director of the department since May 2006. Prior to moving to Dallas County, he served as Director of Community Corrections in Butler County, Pennsylvania.

He is a member of the National Association of Probation Executives, American Probation and Parole Association, American Correctional Association, and the National Juvenile Court Services Association, where he served as President.

**Jeff Arnold**, Manager of Court Services, will assume responsibility for the probation department on an interim basis, State District Judge **Rick Magnis** said. A search committee will be created to find a permanent replacement, and Arnold will be eligible to apply for the position.

## NEW CHIEF IN YAVAPAI COUNTY, ARIZONA

According to several Arizona newspapers, in August 2014 the Yavapai County Superior Court named **John Morris** as its new Chief Adult Probation Officer for the vacancy created by the retirement of **Billie Grobe** in June of this year. Morris, who obtained a bachelor's degree in religion from Mercer University in Macon, Georgia, and a Master of Divinity degree with emphasis in the psychology of religion, pastoral care, and counseling from the Southern Baptist Theological Seminary in Louisville, Kentucky.

His professional experience includes 17 years with the Yavapai County Adult Probation Department. Morris began his career as a probation officer and has held various positions with increasing responsibilities; his most recent position was supervisor, which he has held since 2011.

During his tenure with the department, his focus has been on helping those with addictions to recover and become productive members of society. Morris was drug court coordinator and served as a treatment coordinator for the department.

Presiding Judge **David L. Mackey** selected Morris after interviewing qualified candidates that were forwarded to him by a selection committee. When announcing his decision, Judge Mackey stated, "John brings to the Chief's position a wealth of experience in helping people and building community relationships. I am confident that the Yavapai County Adult Probation Department will benefit from that experience as John moves forward with his new duties."

## U. S. PROBATION OFFICE IN CHICAGO PILOTS LEAN, OPEN DESIGN TO SHRINK SPACE, RENT BILLS

In the federal probation office in Chicago, Illinois, there's one certain sign of a busy workplace: empty hallways and unoccupied desks, reports an August 2014 story from the Administrative Office of the U. S. Courts.

Aided by rapidly changing mobile technology, probation officers increasingly work in the community, visiting homes and workplaces of convicted offenders who are reentering society

under supervision. Reporting in via cellphones and tablets, the officers can spend long hours, even days, outside the office.

This mobility protects the public, through closer supervision of potentially dangerous offenders. But for federal courts, it also represents an intriguing opportunity to shrink rent costs. The Chicago probation office is the first pilot project of an initiative to reimagine, and downsize, the traditional office workplace.

The program is called the Integrated Workplace Initiative (IWI), which employs technology to literally break down the walls in court and probation offices. Instead, IWI calls for a visually open, space-efficient network, where employees shift among workspaces and are not tethered to assigned desks.

The Chicago project shows IWI's dramatic potential for cutting space, and rent costs. When the probation officers relocate in 2015, they will move from 53,000 feet of leased commercial space to about 20,000 square feet in the John C. Kluczynski Federal Building, located downtown near the Everett M. Dirksen U.S. Courthouse. That represents a space reduction of 55 percent, and projected annual rent savings of more than \$1.4 million.

Such savings are increasingly essential for the Judiciary, which doesn't own property and must pay \$1 billion in annual rent to the General Services Administration (GSA) for courthouses and other space. Containing rent costs has been identified as the federal courts' single greatest cost-saving initiative.

"Our rent bill is huge, and unfortunately some of this rent is paid on empty or inefficient space," said Judge **D. Brooks Smith**, chair of the Space and Facilities Committee of the Judicial Conference of the United States. "Each dollar that we save in rent can be used to help retain court staff. Given the staffing reductions we have suffered in the past few years, this has to be a priority."

**Jeanne Walsh**, Chief U.S. Probation Officer in the Northern District of Illinois, said her predecessor asked for guidance on whether to renew the Chicago office's expiring lease. With staffing down and officers increasingly in the community, the office seemed oversized.

The Judiciary began working in partnership with the GSA, whose Total Workplace initiative is advancing similar projects in Executive Branch agencies. GSA is funding the planning and design phases in Chicago, as well as a special IT study to provide strategies supporting a mobile workplace.

Project designers have met extensively with probation staff to hear their needs and concerns. Updated project layouts incorporating IWI concepts are made available for staff to review.

"We tell people at the outset that we don't know where this will end up," said **Charles G. Hardy**, director of GSA's Total Workplace Management Office. "The probation office in Chicago is not necessarily like the probation office in, for example, New York, Detroit or Los Angeles."

The key to the Integrated Workplace Initiative is mobility, inside and outside the office.

Using a cellphone and a laptop or tablet as a kind of mobile "desk," employees can take their work throughout an IWI office. Workers might temporarily reserve a glass-enclosed "huddle room" for a small meeting, or a private phone room to join a conference call or do work that requires quiet concentration. They can sit in an open work lounge to catch up on emails, or

use a “touchdown” work station to park their computer and write a report.

This drop-in model greatly shrinks the workplace footprint in two ways. By factoring in the number of workers on any given day who are teleworking, or otherwise outside the office, IWI offices require fewer square feet. The use of unassigned workspaces also eliminates most private offices and cubicles, which consume space even when they are unoccupied.

Beyond space reduction, IWI’s open layout can offer other benefits, including more chance meetings and collaboration among staff, and a better lit, more visually inviting environment.

Walsh said design discussions with her staff have brought many positives. A secure interview area, for instance, will mean that offenders will be kept separate from the probation officers’ workspaces.

Mostly, though, Walsh said a leaner office that supports quick stop-ins serves her mobile probation force better than a traditional office. Moving from two floors to one, and having an open layout, will make it easier for her to interact with staff informally, and for her officers to collaborate on cases.

“I’m excited about it,” Walsh said. “It’s perfect timing and reflects where the field is going. With post-conviction supervision, the push is for more community supervision. Officers are meeting with offenders, employers and treatment providers more and more in the community, not so much in our office space.”

Much of the Integrated Workplace Initiative’s early focus has been on probation offices, where the widespread mobility of probation staff creates a natural fit.

Conceptual IWI design work has begun at probation offices in Puerto Rico and Phoenix. But Judiciary officials believe other office types also will be suitable.

**Melanie Gilbert**, the Administrative Office’s Chief of the Facilities and Security Office, calls the Chicago probation redesign a “flagship,” and believes early projects will help Judiciary officials around the country see how IWI’s flexible, lean design approach can work in their courts.

“It’s still growing,” Gilbert said. “Our job is to educate, office by office, city by city, building by building.”

### TJJD BOARD SELECTS DAVID REILLY TO LEAD AGENCY

On August 22, 2014, the Board of the Texas Juvenile Justice Department (TJJD) voted unanimously to appoint **David Reilly** as the agency’s new Executive Director. Reilly has served as the agency’s Interim Director since May 12, 2014. He assumed his permanent position on October 1, 2014.

Prior to joining TJJD as interim director, Reilly served as the Chief Juvenile Probation Officer for Bexar County in San Antonio, where he directed Bexar County’s juvenile probation services for close to 17 years. The Bexar County department has 680 employees and operates three secure juvenile facilities, serving both pre-adjudication and post-adjudication youth.

TJJD Board Chairman **Scott Fisher** said the board enthusiastically voted to retain Reilly, noting his commitment to youth, professionalism and knowledge of the juvenile justice system both in San Antonio and while serving as the TJJD Interim Director.

“David is an innovator and widely respected in the juvenile justice field,” Fisher said. “His outstanding record of service while leading the Bexar County Juvenile Probation Department and the leadership he provided to our agency while serving as our interim director all point to his continued success. We are fortunate to have a person with his vision and dedication to public service to lead us in the coming years.”

Reilly has a combined total of 47 years’ experience in the delivery of children and youth services in Texas. Before joining Bexar County in 1997, Reilly served 23 years with the state, with the last five years as the Director of Field Operations for TDPRS from 1992-97. Prior to that, Reilly had served as Regional Director for Child Protective Services for ten years in the San Antonio region and three years as Regional Director in the Austin region.

He began his career as a juvenile probation officer shortly after graduating from St. Mary’s University in San Antonio with a bachelor’s degree in psychology. After two years as a juvenile probation officer, Reilly returned to graduate school at Our Lady of the Lake University (OLLU) and received his Master of Social Work degree in 1970. Reilly, a Licensed Clinical Social Worker, was selected as an Outstanding Alumni of OLLU in 1996.

### LEARNING FROM ERRORS TO IMPROVE JUSTICE OUTCOMES

Every error that occurs in our criminal justice system inflicts specific harm – an individual is wrongfully convicted, a criminal goes free, a victim is deprived of justice, a community is ill-served – and the agencies of justice emerge more tarnished and less trusted than before. Addressing the specific harm alone is not enough. Errors must be recognized as potential “sentinel events” that can signal more complex flaws that might threaten the integrity of the system as a whole.

Drawing on lessons from medicine and aviation, the latest report from the National Institute of Justice (NIJ) – *Mending Justice: Sentinel Event Reviews* – explores the feasibility of using a learning-from-error model in criminal justice. In the primary essay, **James Doyle**, a former NIJ Visiting Fellow, writes that a sentinel event is rarely the fault of a single individual. Rather, multiple small errors combine and are exacerbated by underlying system weaknesses, and then a major error occurs. Based on this “organizational accident” principle, a sentinel event review would bring all stakeholders together to examine the error in a nonblaming and forward-looking way.

With a message from Attorney General **Eric Holder** and 17 commentaries from nationally recognized criminal justice professionals, *Mending Justice* offers perspectives on an innovative approach that uses nonblaming reviews involving all stakeholders in the improvement of the criminal justice system and its outcomes.

This publication is available at: <https://ncjrs.gov/pdffiles1/nij/247141.pdf>.



# NATIONAL ASSOCIATION OF PROBATION EXECUTIVES

## Who We Are

Founded in 1981, the National Association of Probation Executives is a professional organization representing the chief executive officers of local, county and state probation agencies. NAPE is dedicated to enhancing the professionalism and effectiveness in the field of probation by creating a national network for probation executives, bringing about positive change in the field, and making available a pool of experts in probation management, program development, training and research.

## What We Do

- Assist in and conduct training sessions, conferences and workshops on timely subjects unique to the needs of probation executives.
- Provide technical assistance to national, state and local governments, as well as private institutions, that are committed to improving probation practices.
- Analyze relevant research relating to probation programs nationwide and publish position papers on our findings.
- Assist in the development of standards, training and accreditation procedures for probation agencies.
- Educate the general public on problems in the field of probation and their potential solutions.

## Why Join

The National Association of Probation Executives offers you the chance to help build a national voice and power base for the field of probation and serves as your link with other probation leaders. Join with us and make your voice heard.

## Types of Membership

**Regular:** Regular members must be employed full-time in an executive capacity by a probation agency or association. They must have at least two levels of professional staff under their supervision or be defined as executives by the director or chief probation officer of the agency.

**Organizational:** Organizational memberships are for probation and community corrections agencies. Any member organization may designate up to five administrative employees to receive the benefits of membership.

**Corporate:** Corporate memberships are for corporations doing business with probation and community corrections agencies or for individual sponsors.

**Honorary:** Honorary memberships are conferred by a two-thirds vote of the NAPE Board of Directors in recognition of an outstanding contribution to the field of probation or for special or long-term meritorious service to NAPE.

**Subscriber:** Subscribers are individuals whose work is related to the practice of probation.

## Membership Application

NAME \_\_\_\_\_ TITLE \_\_\_\_\_

AGENCY \_\_\_\_\_

ADDRESS \_\_\_\_\_

\_\_\_\_\_

TELEPHONE # \_\_\_\_\_ FAX # \_\_\_\_\_ E-MAIL \_\_\_\_\_

DATE OF APPLICATION \_\_\_\_\_

### CHECK

Regular

Membership

Desired

☐ \$ 50 / 1 year

☐ \$ 95 / 2 years

☐ \$ 140 / 3 years

Organizational

Corporate

☐ \$ 250 / 1 year

☐ \$ 500 / 1 year

Please make check payable to **THE NATIONAL ASSOCIATION OF PROBATION EXECUTIVES** and mail to:  
NAPE Secretariat, ATTN: Christie Davidson, Correctional Management Institute of Texas, George J. Beto Criminal Justice Center,  
Sam Houston State University, Huntsville, Texas 77341-2296  
(936) 294-3757



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