

National Association of Probation Executives EXECUTIVE EXCHANGE

ISSN 1075-2234

FALL 2016

PRESIDENT'S MESSAGE

"Leadership is not a spectator sport."

~ Warren Bennis

I would like to congratulate our award recipients recognized at the NAPE reception in Cleveland. These leaders have done outstanding work in their localities and have been instrumental in transforming our profession in producing our desired outcomes of safer communities, fewer victims, and reducing recidivism. I also would like to congratulate all those who graduated from APPA Leadership Academy. This academy is training the future leaders of our profession and I was honored to be a faculty member and the keynote speaker for their graduation. I would like to thank APPA President Susan Burke for her leadership and making this academy a success.

As we move towards the end of 2016 and the beginning of 2017 I would ask you to consider two things and I challenge you to work on improving both. First, this job/career is a marathon not a sprint. This means that we need to sustain ourselves and staff for the long haul. During this year I had two co-workers pass away, one unexpectedly. We talk about balance and wellness but as leaders do we model this desired behavior? Both of these individuals – Rita Peters, Superintendent of the Chesterfield Women's Detention and Diversion Center, and Elisabeth Thornton, Corrections Operations Administrator – were very hard workers, and were dedicated to the mission of the Virginia Department of Corrections. However, their deaths reminded me of how precious life is, and as leaders it is important that we model work-life balance and wellness. Therefore, I challenge all



of us to dialogue with our staff on how we can develop better strategies for work-life balance and wellness. Also, if your agency has outstanding wellness programs please share. We will place these strategies on our NAPE Listserv or publish them in *Executive Exchange*.

Secondly, consider employee engagement. On July 7, 2016, GALLUP wrote an article that stated "Unhappy State, Local Government Workers Cost U. S. Billions." According to the article, 71% of state and local government workers are not engaged at work; in other words, only 29% of state and local government workers are engaged in work.

Now these numbers change slightly depending on your locality; however, most of our employees are not engaged. How can we improve outcomes of safer communities, fewer victims, and reducing recidivism when less than half of our employees are engaged? As leaders we need to ensure that our staff have the tools they need to do the job; we need to support/coach them, and include/empower them to make decisions. With four generations in today's workforce, it is very important that leaders ensure that all are engaged as through engagement we can continue to be a force for positive change and improve our outcomes. Therefore, let's be bold in our strategies that focus on improving employee engagement and please share your ideas as collaboratively we can improve these numbers.

I hope all have a wonderful fall and let's continue to take care of ourselves and our staff. Thanks for all that you do!

Marcus M. Hodges
President

CONTENTS

President's Message, <i>Marcus M. Hodges</i>	1
Message from the Departing Editor, <i>Dan Richard Beto</i>	2
Association Activities	3
An International Exchange: The Sharing of Information and Experiences in Poland, <i>Dan Richard Beto, Arnold Patrick, Donald G. Evans, Leighton Iles, and Jurg Gerber, Ph.D.</i>	6
Assisted Desistance: Crossroads Day Reporting Centre's Role in Re-entry, <i>Donald G. Evans</i>	13
Public Safety and Probation: A View from the United States, <i>Jurg Gerber, Ph.D.</i>	17
Implementing Swift, Certain, and Fair Responses to Probation Violations and Specialized Technology for Community Supervision Monitoring, <i>Leighton G. Iles</i>	20
Evidenced Based Practices: Difficulties in Application, <i>Arnold Patrick</i>	23
Handling Criticism, <i>Randy Garner, Ph.D.</i>	26
A Beacon of Hope – Sunny Ways: Life Sentenced Offenders, <i>R. E. "Bob" Brown</i>	29
From the Bookshelf	39
News from the Field	41

MESSAGE FROM THE DEPARTING EDITOR

As many of you may know, I have served as the Editor of *Executive Exchange*, the journal of the National Association of Probation Executives, since 1994. It has been a labor of love with many rewards, and I have enjoyed serving you in this capacity.

In December 2015 I notified the membership that I was stepping down as Editor because I came to the realization that church, civic, charitable, and international activities were consuming a growing amount of my time and that I wouldn't be able to do justice in producing meaningful issues of *Executive Exchange*. Further, it was time to pass on these duties to someone more actively involved in the community corrections profession.

Subsequent to sending out that message, I was contacted by NAPE President Marcus Hodges, who persuaded me to stay on through August. That time has arrived, and with this issue my more than two decades as Editor has come to an end.

For the many contributors to *Executive Exchange*, I am grateful and deeply indebted for your assistance in the production of this journal. Special thanks go to Donald G. Evans and Christie Davidson, who have served as Contributing



Editors for many years, and to Harriet McHale at Sam Houston State University's College of Criminal Justice, whose efforts in composition created a consistently professional publication.

I am so pleased to report that during the NAPE events in Cleveland, Ohio, Brian Mirasolo of the Massachusetts Probation Service volunteered to assume the responsibilities of Editor of *Executive Exchange*.

By way of background, Brian, who began his probation career in July 2004, is Field Services Administrator in the Office of the Commissioner of Probation in Boston, Massachusetts. Brian earned a Bachelor of Arts degree in legal studies at the University of Massachusetts at Amherst, where he was inducted into the membership of Phi Beta Kappa, and he went on to earn a Master of Public Administration degree from Suffolk University.

Brian brings to *Executive Exchange* a strong knowledge base, fresh ideas, high energy, and a willingness to serve. I know I am leaving the future of *Executive Exchange* in exceptionally capable hands.

Dan Richard Beto

INFORMATION ABOUT EXECUTIVE EXCHANGE

Executive Exchange, the journal of the National Association of Probation Executives (NAPE), publishes articles, reports, book and periodical reviews, commentaries, and news items of interest to community corrections administrators. The contents of the articles or other materials contained in *Executive Exchange* do not reflect the endorsements, official attitudes, or positions of the Association, the Correctional Management Institute of Texas, or the George J. Beto Criminal Justice Center at Sam Houston State University unless so stated.

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Submissions for publication consideration should be formatted for letter size paper, double-spaced, with at least one inch margins. Persons submitting articles, commentaries, or book reviews should enclose a brief biographical sketch or resume and a photograph for possible inclusion. Submissions may be sent electronically to Brian Mirasolo, Editor of *Executive Exchange*, at bmirasolo@gmail.com

Specific questions concerning *Executive Exchange* may be directed to Brian Mirasolo at (617) 909-3102 or to Christie Davidson at (936) 294-3757.

The Correctional Management Institute of Texas at Sam Houston State University serves as the secretariat for the National Association of Probation Executives.

ASSOCIATION ACTIVITIES

MEMBERS RECOGNIZED IN CLEVELAND

On August 27, 2016, at the Annual Members Reception held in Cleveland, Ohio, three members of the National Association of Probation Executives were recognized for their distinguished service to the probation profession.

Sam Houston State University Probation Executive of the Year Award

Leighton G. Iles, Director of the Tarrant County Community Supervision and Corrections Department (CSCD) in Fort Worth, Texas, was recognized as the recipient of the *Sam Houston State University Probation Executive of the Year Award*, the association's oldest and most prestigious honor. In his current position Mr. Iles, who has over 26 years experience in adult probation, oversees a staff of 360, 21,000 offenders, and an annual budget exceeding \$25 million for a department in the third most populous county in Texas.



Pictured, from left to right: Marcus Hodges, Leighton Iles, and Ronald Schweer

Prior to moving to Tarrant County in August 2009, he served as Director of the Fort Bend County CSCD where he was employed for twelve years. Mr. Iles previously worked for the Community Justice Assistance Division of the Texas Department of Criminal Justice (CJAD-TDCJ) in substance abuse programming. He began his career in Austin, Texas, as a probation officer for the Travis County Adult Probation Department.

Mr. Iles holds a bachelor's degree in criminal justice and a Master of Public Administration degree, both from Texas State University at San Marcos. He is Past President of the Texas Corrections Association, serves as a Regional Representative to the American Probation and Parole Association Board of Directors, and is a member of the Texas Probation Association's Legislative Committee.

In October 2007, the presiding judge of the Texas Court of Criminal Appeals appointed him a member of the Judicial Advisory Council to the Texas Department of Criminal Justice, and he continues to serve in this capacity.

Mr. Iles has been aggressive in seeking out grants to better serve the offender population and he has been an innovator in employing emerging technologies in the management of his department. In addition, he has actively supported specialty courts. He works closely with universities and is a strong proponent of evidenced-based practices. Mr. Iles is viewed as a leader in probation in the Lone Star State and nationally.

Presenting this award was **Marcus M. Hodges**, President of the National Association of Probation Executives.

Prior recipient of this award are **Barry Nidorf** (California), **Don R. Stiles** (Texas), **Donald Cochran** (Massachusetts), **Cecil Steppe** (California), **Don Hogner** (California), **T. Vince 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), **Cheryln 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), **Todd Jermstad** (Texas), **Linda Brady** (Indiana), and **Phillip L. Messer** (Kansas).

George M. Keiser Award for Exceptional Leadership

In 2001 NAPE created the *George M. Keiser Award for Exceptional Leadership*. This award – given in honor of **George M. Keiser**, who served for several decades as Chief of the Community Corrections Division of the National Institute of Corrections, and who had a significant impact on the probation and parole professions – is presented to corrections professionals who have demonstrated outstanding leadership qualities. This year's recipient was **Francine Perretta**, who has served as Deputy Commissioner of the Westchester County Probation Department in White Plains, New York, since 2010.

Ms. Perretta, who earned a bachelor's degree in social work from Plattsburgh State University and a Master of Science degree in counseling and education from St. Lawrence University, joined the St. Lawrence County Department of Probation in Canton, New York, in 1979 as a probation officer; in 1981 she was promoted to Supervisor, a position she held until 1987 when she was named Director of the department.

Other work experience includes serving as Acting Director of St. Lawrence Public Health Department, Coordinator of Criminal Justice at Mater Dei College, and as a caseworker at the St. Lawrence County Department of Social Services.

Ms. Perretta has held a number of organizational leadership positions; they include: former President and Board Member of the Association of Women Executives in Corrections (AWEC); Affiliate Representative to the Executive Committee of the American Probation and Parole Association (APPA); Chair of

Executive Exchange

the APPA Committee on Justice Involved Women; past President of the New York State Council of Probation Administrators (COPA); Chair of the Planning and Research Committee of COPA; Treasurer of the National Association of Probation Executives; Standing Member of the Public Safety Committee of the New York State Association of Counties; and as a member of several Westchester County boards. In addition, she has served as a trainer and mentor.



Pictured, left to right: Marcus Hodges, Francine Perretta, and Rocco A. Pozzi

According to NAPE Board member **Patricia Buechel**, who submitted the nomination, “Ms. Perretta is the epitome of leadership and all that the word defines.”

This award was presented by **Rocco A. Pozzi**, Commissioner of the Westchester County Probation Department and a former President of NAPE.

Former 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), **Yvette Klepin** (California), **Javed Syed** (Texas), and **Lynne Rivas** (Texas).

Dan Richard Beto Award

The *Dan Richard Beto Award*, first presented in 2005, is given in recognition of distinguished and sustained service to the probation profession. It is named after **Dan Richard Beto**, who served the Association as Secretary, Vice President, President, and Executive Director. The recipient of the award this year was **Carl Wicklund**, who has devoted his life to the criminal justice system.

At the end of July 2015 – after close to two decades of providing outstanding organizational leadership – Mr. Wicklund stepped down as Executive Director of the American Probation and Parole Association (APPA). Mr. Wicklund, a graduate of

Gustavus Adolphus College with a degree in psychology, came to APPA in November 1996 after serving as Court Services Director for Dodge, Fillmore, and Olmsted Counties in Minnesota for six years. He also managed several community-based, private sector programs for offenders and at-risk youth in Minnesota.



Pictured, left to right: Dan Richard Beto, Carl Wicklund, and Ronald P. Corbett, Jr.

As APPA's Executive Director, Mr. Wicklund provided leadership to a staff of dedicated professionals, delivered meaningful conferences and training institutes, administered over 100 federally funded grants or cooperative agreements, kept the organization fiscally sound in challenging times, and was recognized as the voice of community corrections in North America.

Because of his commitment to the field of community corrections and his wealth of knowledge, in addition to serving on various APPA committees, Mr. Wicklund has held a number of leadership positions in professional organizations, policy task forces, and community organizations. Some of his impressive organizational involvement includes: Minnesota Corrections Association, where he served as President, Chair of the Education and Training Committee, and as a member of the Board of Directors; Minnesota Association of Child and Youth Care Workers; Minnesota Coalition for Homeless Youth; Minnesota Association of Women in Criminal Justice; U. S. Department of Justice Global Justice Information Sharing Initiative Advisory Committee, where he served as Vice Chair; National Governors Association Intergovernmental Justice Working Group; Corrections Operations Subcommittee for the National Law Enforcement and Corrections Technology Advisory Committee, where he was Vice Chair; FBI Criminal Justice Information System's Advisory Policy Board; National Association of Probation Executives; National Partnership on Alcohol Misuse and Crime, where he serves as Vice Chair; and the Law Enforcement and Criminal Justice Advisory Council of the Brennan Center for Justice.

During a distinguished career that exceeds four decades, Mr. Wicklund has received a number of recognitions, including: the first annual *Gisela Knopka Award for Humane Treatment of Juveniles* from the Minnesota Citizens Council on Crime

in 1984; the Florida Association of Community Corrections *Lifetime Achievement Award* in 2001; the first annual *Allied Professional Award* by the U. S. Congressional Crime Victim's Rights Caucus in 2006; the *Justice Leadership Award* from Family Justice in 2007; and the U. S. Department of Justice *Leadership Award* in 2015.

Presenting this award to Mr. Wicklund were two NAPE former Presidents – **Ronald P. Corbett, Jr.**, and **Dan Richard Beto**.

Past 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), **H. Ted Rubin** (Colorado), **Christopher T. Lowenkamp** (Ohio), and **Carmen Rodriguez** (Illinois).

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AN INTERNATIONAL EXCHANGE: THE SHARING OF INFORMATION AND EXPERIENCES IN POLAND

by

Dan Richard Beto, Arnold Patrick, Donald G. Evans,
Leighton Iles, and Jurg Gerber, Ph.D.
Members, North American Delegation to Poland

From May 29 to June 5, 2016, a delegation comprised of criminal justice professionals from Texas and Canada visited Poland at the invitation of the Probation Officers Academy of Poland (Centrum Szkolenia Kuratorów Sądowych, also referred to as CSKS), a division of Business Communication Group. The primary purpose of this invitation was for members of the delegation to participate in and present papers at the Fifth International Probation Seminar in Kazimierz Dolny, a community on the Vistula River southeast of Warsaw. Previous seminars have been held in the historic Polish cities of Bytów, Toruń, Wrocław, and Gniezno.

Delegation Organization and Members

The delegation of five was organized by the National Association of Probation Executives (NAPE) and the Correctional Management Institute of Texas at Sam Houston State University, and had as its members:

Dan Richard Beto, Chair of the International Committee of the National Association of Probation Executives; a former Supervising U. S. Probation Officer, he served as Chief Probation Officer in two Texas jurisdictions and was the founding Executive Director of the Correctional Management Institute of Texas. He is a past President of the Texas Probation Association and the National Association of Probation Executives. He currently serves on the Editorial Boards of *Federal Probation* and *Executive Exchange*. Beto, who attended the previous four Polish probation seminars and who is a frequent visitor to Poland, was responsible for leading the delegation.

Arnold Patrick, Director of the Hidalgo County Community Supervision and Corrections Department (CSCD) in Edinburg, Texas, serves as Chair of the Probation Advisory Committee of the Community Justice Assistance Division of the Texas Department of Criminal Justice (CJAD-TDCJ); he is a former member of the Board of Directors of the Texas Probation Association, and current member of the Board of Directors of the Texas Corrections Association. During his career, Patrick has held the positions of Director of Research, Planning, and Development with the Tarrant County CSCD, Assistant Director of the Concho Valley CSCD, and he was the statewide Treatment Alternative to Incarceration Program Administrator for CJAD-TDCJ.

Leighton Iles, Director of the Tarrant County Community Supervision and Corrections Department in Fort Worth, Texas, is a past President of the Texas Corrections Association; he is a Regional Representative on the American Probation and Parole Association (APPA) Board of Directors, and is active in the Texas

Probation Association. Iles is a member of the Judicial Advisory Council to the Texas Department of Criminal Justice. Prior to moving to Tarrant County, he served as Director of the Fort Bend County CSCD; he previously worked for the CJAD-TDCJ in substance abuse programming, and began his career in Travis County as an adult probation officer.

Donald G. Evans, Senior Fellow with the Canadian Training Institute in Toronto, Ontario, is a Past President of the Ontario Probation Officers Association, the American Probation and Parole Association, and the International Community Corrections Association (ICCA); he serves as the ICCA Liaison to the Confederation of European Probation and on the International Committee of the National Association of Probation Executives. He is widely published in criminal justice publications and serves as Executive Editor of the *Journal of Community Corrections* and is a Contributing Editor for *Executive Exchange*. This was Evans' second time to attend one of these Polish seminars.

Jurg Gerber, Ph.D., is a Professor in the College of Criminal Justice at Sam Houston State University and Director of the College's International Initiatives; his areas of expertise include criminology, white collar crime, drug policy, and comparative criminology. He has co-edited two books on drug policy and has published on white collar crime, comparative criminology, criminal justice education, and police-probation partnerships. Gerber has held international visiting professorships in Switzerland as well as a Fulbright grant in Kaliningrad, Russia. He has delivered a number of invited lectures in Poland, Germany, Korea, and Japan. This was Gerber's third probation seminar to attend in Poland.

During our stay in Poland, we had as our escorts and hosts: Piotr Burczyk, Director of the Probation Officers Academy of Poland and a former President of the Probation Officers Association of Wielkopolska; Adam Burczyk, President of the Board of Business Communications Group; and Romuald Burczyk, President of the Board of Fundacja Większe Mniejsze and the Polish-American Development Council. They were also responsible for crafting our program while in Poland.

By way of background, Piotr Burczyk visited Texas in May 2005 as part of a justice delegation invited by the Correctional Management Institute of Texas and the National Association of Probation Executives, during which members of the delegation visited Texas prisons and Sam Houston State University, attended a conference conducted by the National Resource Center for Police-Corrections Partnerships, and were hosted by the Tarrant County Community Supervision and Corrections Department and the Courts of Tarrant County. In addition, they experienced

Texas culture and geography, visiting Panna Maria, the oldest Polish settlement in the United States, and historic San Antonio.



Pictured, from left to right: Dan Richard Beto, Donald G. Evans, Leighton Iles, Arnold Patrick, and Jurg Gerber

And in October 2015 Adam and Romuald Burczyk, Piotr's sons, led a delegation of probation professionals to Texas at the invitation of the Correctional Management Institute of Texas, during which they visited Sam Houston State University, Texas prisons, the Brazos County Community Supervision and Corrections Department and the Galveston County Community Supervision and Corrections Department, and participated in the annual Chief Probation Officers Conference in Galveston. They also experienced various aspects of Texas culture, including college football and tailgating.

The Delegation in Poland

During our time in Poland, in addition to criminal justice related activities, our hosts made certain that we experienced Polish history and culture. The following chronology provides a summary of our experiences.

Monday, May 30, 2016: We were driven from Warsaw Chopin Airport to Ciechanów, the site of an old castle once occupied by Mazovian dukes dating back to the 14th century. During our time in Ciechanów we met with the President (mayor) of the city, Krzysztof Kosiński, and members of his staff. We had a fruitful conversation about correctional policies and practices.

Our next stop was Ostrołęka, a city that dates back to the 11th century, where we met with city officials. Outside of the city we were shown the remains of a fortification build by the Tsar and used during World War I and World War II; we also visited the museum that is part of the fortification, where we were provided a briefing about the fortification and an informative tour of the museum's exhibits. In addition, we were introduced to two elderly gentlemen – both in their 90s – who fought against the Germans and then the Russians and were known as members of the “Army of the Homeland.” During dinner the two veterans provided us with their stories about fighting for Polish freedom. Their service, during which they experienced countless hardships, was remarkable.

Tuesday, May 31, 2016: In the morning, still in Ostrołęka, we met a number of prison officials, including Regional Director Mirosław Dudar and Tomasz Dąbrowski, the Director of the Przytułach Starych Prison. We were provided a tour of the prison, shown a demonstration of how troublesome prisoners are contained, and received a full briefing by the executive staff about the prison's programs. This is a maximum security and semi-open prison where mostly reoffenders are held.

We were taken to the old prison – in operation from 1903 to 2012 – which is being converted into a prison museum, to be opened in 2018. We were told we were only the second group of people given the opportunity to see this prison museum prior to its opening. With its rich history, this facility has considerable potential as a prison museum. We were also provided tours of a training school and an elementary school where prison inmates work.

During the day media was prevalent, and Gerber represented the delegation on Warsaw television.

In the afternoon we attended a criminal justice conference in the civic auditorium, with approximately 100 people in attendance. During the conference, sponsored by the Polish-American Development Foundation, the Polish Prison Service, Ministry of Justice, and the City of Ostrołęka, presentations were heard from the Director of the Penitentiary Bureau of the Polish Prison Service Andrzej Leńczuk and Mirosław Rosak, the Vice Mayor of Ostrołęka. In addition, Beto, Gerber, and Evans made presentations. Beto's topic was “Offender Reentry Issues: Identifying Challenges and Developing Possible Solutions”; Gerber spoke on “Reintegrating Offenders into Society vs. Excluding Offenders from Society: How to Reduce Recidivism Rates”; and Evans covered “The Reentry Process and Services in Canada.”

Following dinner with the conference participants, we were driven to Kazimierz Dolny, the site of the Fifth International Probation Seminar.

Wednesday, June 1, 2016: In the morning our hosts drove us to Puławy, a city first mentioned in documents in the 15th century. Puławy is home to Poland's first permanent museum, and it also is a Vistula river port. We were shown an old palace – Pałac Czartoryskich – and its beautiful grounds. In addition to serving as a museum, the palace is the seat of the National Research Institute.

Following our tour of the grounds and additional buildings, we returned to Kazimierz Dolny, where we were provided a tour of the town via an open air tourist vehicle. We stopped at the impressive Jewish graveyard and memorial and a large ravine, the result of erosion and the passage of time, known as Loess Gorges.

In the afternoon, members of the delegation broke up due to varied interests. Gerber, Iles, Patrick, and the Burczyk brothers went to the castle ruins above the town; the Senior Burczyk returned to the hotel; and Evans and Beto visited St. John the Baptist and St. Bartholomew the Apostle Parish Church, which dates back to 1586.

That evening we attended the seminar's opening dinner, during which introductions were made and Beto and Gerber got reacquainted with the professional interpreter from last year, Paulina Dzwonnik.

Thursday, June 2, 2016: The seminar commenced, with a total of 32 people participating. Romuald Burczyk began the seminar with some introductory remarks; he was followed by

his father, who discussed the scope of the seminar. Beto followed with a brief presentation about the relationship between the Probation Officer Academy of Poland, the National Association of Probation Executives, and the Correctional Management Institute of Texas at Sam Houston State University; he also introduced the members of the North American Delegation and provided information about their respective criminal justice backgrounds.

Following the introductory remarks, Piotr Burczyk spoke on the topic of public safety and public order, public policy, and the need for supervision and treatment in the reintegration of offenders. He was followed by Gerber, whose presentation was entitled “Public Safety and Probation: A View from the United States.” Evans then provided remarks on desistance and the work of the Crossroads Day Reporting Center in Toronto in assisting reentry efforts.

Iles covered two topics during the time allotted to him: implementing swift, certain, and fair responses to probation violations and the employment of technology in the supervision of probationers. “Evidence Based Practices: Difficulties in Application,” was the subject of Patrick’s remarks. Judge Jacek Wojciechowski talked about the role of the institutional probation officer and the importance of cooperation between prison administration and probation officers.

Following Judge Wojciechowski’s presentation, we broke for lunch. After lunch, the seminar continued with a presentation by Magdalena Niewiadomska-Krawczyk with the University of Łódź, who discussed probation’s role in the furtherance of public safety. After her presentation there was a period of questions and answers before breaking for the day. At this point we said goodbye to our exceptional interpreter, who was returning home. We were sorry to see her leave; through her excellent and well-prepared interpretation of our presentations, she made us sound smarter than we actually were.

In the evening we had the formal gala dinner, during which discussion about probation practices continued, with Iles and Patrick fielding most of the questions.

Friday, June 3, 2016: In the concluding day of the seminar we heard a very favorable presentation about last year’s Polish delegation to Texas from four members of the delegation who participated. Training certificates were handed out and some lapel pins from criminal justice organizations were distributed as well – National Association of Probation Executives by Beto, Correctional Management Institute of Texas by Iles, Texas Probation Association by Patrick, and the College of Criminal Justice at Sam Houston State University by Gerber. Then Piotr Burczyk and Beto made some concluding remarks, and on behalf of Doug Dretke and Christie Davidson, Beto issued an invitation for another delegation to come to Texas in the spring of 2017.

Following the seminar’s conclusion, our hosts drove us to Kozłówka, where we stopped to visit Zamoyksi Palace, a large Rococo and Neoclassical palace complex. We were provided a tour of the interior of this magnificent building, which is decorated with large paintings and beautiful furniture. We also visited the chapel and the grounds of this palace.

From Kozłówka we drove to Lublin, which dates back to the 12th century and is the ninth largest city in Poland. We visited the Lublin Royal Castle, a medieval castle situated adjacent to the Old Town district and close to the city center. It is one of the oldest preserved royal residences in Poland. Under the rule

of the Jagiellon dynasty the castle enjoyed royal favor and frequent stays by members of the royal family. In the 16th century it was rebuilt on a grandiose scale, under the direction of Italian masters brought from Kraków. For 128 years the castle served as a prison: as a Tsarist prison from 1831 to 1915, in independent Poland from 1918 to 1939, and most infamously during the Nazi occupation of the city from 1939 to 1944, when between 40,000 and 80,000 inmates, many of them Polish resistance fighters and Jews, passed through the prison. In 1954 the castle prison was finally closed. Following reconstruction and refurbishment, it has been the main site of the Lublin Museum since 1957.

Saturday, June 4, 2016: In the morning the group walked around the old town of Lublin, visited a couple of beautiful churches – St. Stanislaus Basilica, which dates back to the 1250s, and the Metropolitan Cathedral of St. John the Baptist and John the Evangelist, a former Jesuit church that dates back to the 16th century – and witnessed a well-managed marathon with good police presence.

We were subsequently driven to the State Museum at Majdanek, a memorial museum and education center founded in the fall of 1944 on the grounds of the Majdanek Nazi death camp located adjacent to Lublin. It was the first museum of its kind in the world, devoted entirely to the memory of atrocities committed in the network of Nazi slave-labor camps and sub-camps of Lublin during World War II. The museum performs several tasks, including scholarly research into the Holocaust in Poland. It houses a permanent collection of rare artifacts, archival photographs, and testimony. We spent quite a bit of time in this Nazi extermination camp, which more than adequately demonstrated “man’s inhumanity to man.”

Our next stop was Zamość, a city founded in 1580 and a perfect example of a Renaissance town of the late 16th century. It retains its original street layout, fortifications, and a large number of original buildings blending Italian and central European architectural traditions.

After lunch in Zamość, we were driven to Warsaw, arriving at our hotel shortly after 8:00 PM. We subsequently met in the hotel restaurant for our final dinner with our hosts where all would be present. Beto presented certificates to our hosts designating them “Honorary Texans,” and Patrick presented them with Hidalgo County tie clasps.

Sunday, June 5, 2016: The delegation and our Polish hosts met for breakfast, with the exception of Gerber, who had left early in morning for his return flight. Shortly before 9:30 AM we said our goodbyes and parted company, with our hosts driving to Poznań, Iles, Patrick, and Evans to the airport and flights home, and Beto to downtown Warsaw to meet with Col. Rafał Wasiak and officials with the Central Forensic Laboratory for the Police, a division of the Polish National Police. Beto did not return to Texas until Tuesday.

Observations by the Delegates

Arnold Patrick: When I was first invited by the Correctional Management Institute of Texas to participate in a trip to Poland as a member of a delegation from Texas and Canada, I was equally honored and concerned. Honored as someone thought I might have something useful to add to an ongoing international

conference on probation and criminal justice and concerned at the thought that I would be out of my depth in such a meeting. As the time for the trip approached I did some research on previous delegations and the Polish system of probation and found, at least from what I could determine in research, that the system in Poland was different from our own but conceptually the same. This knowledge that my experience in the criminal justice system in Texas shared enough similarities in purpose and practice allowed me to look for ways I could share what I have learned with those traveling the same road. I put together a presentation on things we have done both in Texas and in my own jurisdiction of Hidalgo County to move towards the implementation of evidenced based and best practices. I did not focus on trying to instruct my colleagues in Poland on the subject matter as I truly feel there are far better experts available to do such, some of whom were traveling with me. What I tried to focus on was the difficulties we had faced in moving towards implementation of those concepts, the problems and hurdles we faced in training, attitudes, structure, and change. This left me free to learn from Poland's criminal justice system and the people that work in it.

I am certain I was the winner in the contest of who gained more knowledge from whom. From the moment I stepped off the plane in Warsaw until I was on the plane back to the United States I was awash with new information. We spent a good deal of time driving from one place to another, on a tight schedule that our hosts were excellent at maintaining. Their planning and attention to details made the process of managing such a delegation look easy. I feel comfortable saying our hosts managed to fit more comfortably into each day than I ever could.

One of the first things I noticed was how every piece of land seemed to be utilized. Due to the fact that we were attending events in many different places we spent time being driven from one place to another and it gave us time to visit with our hosts and see the country. Poland is a beautiful country, over 60% of it covered in forest and maybe that is the reason they have made such excellent use of their land. If the land was not covered in trees, it was actively being used for agriculture or housing. Every home had a garden or gardens. Villages and towns were extremely frequent and the beauty of the countryside has to be seen to be truly appreciated. It is not crowded or cramped, but the use of every available inch of space and proximity of the Polish people to their neighbors plays into a theory I have developed in regards to the Polish probation system.

Poland's probation system is unique in the way they manage the supervision of offenders. There are official probation officers assigned to the courts. These probation officers act in the capacity of court officer, assessment officer, and what I would call, unit supervisors. Each probation officer supervises a number of "volunteer probation officers," anywhere from 6 to 14 according to those probation officers I had the pleasure of talking with. These volunteers take the brunt of the day to day supervision of offenders in or around their community. The volunteers are not paid a salary but they are given a stipend to cover their expenses and travel costs. This concept was hard to comprehend as I realized each and every probation officer I was speaking to had at least the same responsibility of a senior supervisor in the Texas department I am familiar with.

It was not until I put this system in the bigger picture of the culture and country I was starting to learn about that I wondered if they had not taken the old adage of "it takes a village to raise

a child" to a new level. Each community provided supervising officers, volunteers that had a vested interest in the success and rehabilitation of each offender back into their community.

Donald G. Evans: It was my privilege to join another successful delegation organized by Dan Beto on behalf of the National Association of Probation Executives to participate in a prison conference on re-entry and then to participate in a probation seminar organized by the Probation Officers Academy of Poland. I was able to travel direct from Toronto to Warsaw on LOT Airlines and this was a blessing because of some of the other members of the delegation had problems regarding connections and had their arrivals delayed. We were met by our gracious hosts – Peter, Romuald, and Adam Burczyk – who from the start to the end of the visit were superb as they took care to make our visit as comfortable and as meaningful an experience. Their knowledge of Poland's history and of the area we travelled through greatly increased our knowledge and awareness of Poland's history and current place in Europe. Upon leaving the airport we travel in a Mercedes coach to our hotel for the night and for a very nice dinner. In fact, the social activities and the visits to a number of towns on this trip were very well planned and we saw a variety of landscapes and architecture that provided rewarding moments of photographic pleasure. There is no doubt that a big thank you is due to our hosts for planning these activities. In terms of our reasons for coming to Poland I think this could be examined by looking at three particular events: the prison visit and work release program, the prison conference, and the probation seminar.

Prison visit and work release program. Poland has a population of approximately 38 million and the rate of incarceration is 224 per 100,000 inhabitants, and on previous visits I had noted that the prisons were crowded and some of the facilities were old and insufficient for the task. However, there has been a vast improvement both in changes to infrastructure and to the training and upgrading of staff. Also, efforts at delivering appropriate programs in the prison and in cooperation with the local community were also evident. The visit to the prison, which opened in 2012, we saw first-hand a modern, well equipped facility with a knowledgeable management team and well trained correctional officers. This facility was not crowded and had two components' within its fences. The first was the medium facility that housed offenders that would be going out to work release type programs and the second was a walled facility that housed serious offenders and some remand detainees. To demonstrate the staff capabilities in handling hostile or aggressive inmates the emergency response team put on a demonstration of their ability to suppress disorder in the prison exercise yard. This was a well coordinated team and with the latest in equipment. Turning from the maximum prison atmosphere to the area of rehabilitative programming we were introduced to a remarkable cooperative effort involving the prison and the local authorities. This was a work release program that involved the renovation of a former riding academy for training military personnel that is now being used as an elementary school. We witnessed sections of the finished work and the work still under renovation. This is a fine example of a correctional and community collaboration that provides major cost savings to the local authorities and provides a means for the offender to maintain his skills that will enhance his chances of post-prison employment.

Prison conference on re-entry. Our next event was to participate in the prison conference that was set-up to provide in-

formation from the United States and Canada on current re-entry efforts. The majority of the audience was composed of staff from the prison system. After an introduction of what the prison authorities were currently doing, and that included the successful work release effort, our delegation provided information on re-entry in the jurisdictions represented. It appears that this conference was successful if we gauge the interest and questions with various participants at the dinner provided that evening. Working in environments in which exchanges have to be made through translators or between the unilingual visitor and the host who is doing their best to work in a second language is difficult but the patience and kindness of our hosts went a long way to making the exchanges reasonably useful.

Probation seminar. The seminar, held in Kazimierz Dolny, was the fifth organized by CSKS. These seminars bring together probation leadership and staff with delegates from the United States – and on two occasions from Canada – organized by NAPE. The purposes of these seminars are to exchange ideas and information that would assist all participants in the pursuit of excellence in the delivery of probation services. These seminars are also used as an impetus for exchange visits to the United States to observe and learn about American probation. In addition to introductory and concluding remarks, the seminar involved eight presentations, four from Poland and four from the North American delegation. It is my understanding about the probation service in Poland that it is a government agency closely connected to the courts of ordinary jurisdiction, and subordinated to the Ministry of Justice. Staffing for probation includes approximately 5,000 professionals, 30,000 volunteers, and 300 administrative staff. In terms of the scope of their work, they are responsible for various supervisory roles related to the pre-trial, trial, and enforcement, and post release phases of an individual's involvement with the criminal justice system. The seminar structure and excellent translation services made this a very productive event. There was considerable interest on the part of the participants in a number of topics that are familiar to probation in other settings such as: emphasis on public safety, importance of the probation officer's work, need for more cooperative involvement with other agencies, and a clear focus on social reintegration. There was interest shown in terms of probation officer safety and the status of the probation officer within the criminal justice system. Not surprising, given the dual nature of the probation task, an interest in control, enforcement, and compliance issues encountered in their work, the participants asked the delegation considerable questions about these matters that extended beyond the seminar and became a focus at the closing dinner. This seminar produced a very useful exchange of views and ideas about probation work.

At the end of the seminar we climbed back into the coach and headed for Lublin for dinner and a night's rest before heading for Warsaw and home. On the last day in Poland we visited the concentration camp Majdanek on the outskirts of Lublin. This was an impactful way to end how discussions about prison and probation work and a stark reminder of the importance of humanness and respect for humanity in those we supervise is terribly important for when it is absent the horrors of the "death camps" are possible. There are some memories that we need to recollect and some history lessons we should give heed to if we are to make an effort at a better place for us all. This exchange was well worth the effort put into making it happen and there is

so much we all can learn from such exchanges and NAPE needs to keep this international focus long after the current leaders of it have moved on.

Leighton G. Iles: I was recently honored to join a North American delegation to Poland. Our hosts, Piotr, Adam, and Romuald Burczyk, provided an exceptional opportunity to learn about the history, culture, and specifically the criminal justice system of Poland during our stay. As we planned to attend and participate in two conferences during our visit, I naturally assumed our mission was to provide as much information concerning our probation system and provide a learning opportunity for our host country. During my stay, I quickly found myself being the student of the Polish criminal justice system. Several observations from this experience include:

Community. Generally speaking, Poland is more densely populated than the United States. During our 2,000 kilometer journey, we passed through many cities, towns, and villages during the week. I realized a true sense of community within the country when visiting with our Polish counterparts, gaining an understanding of how community norms and values provide a sense of direction among the citizens. Given the country is predominantly of Polish heritage and of one religion, this commonality among citizens bonds them together. Although less than 30 years has passed since the Poles' independence from Russia, a clear sense of pride and independence is evident among the people.

Unique opportunities. The strong sense of community provides an opportunity and role for "volunteer" probation officers within their system. Most probation officers have a caseload of probation cases, but also account for the number of volunteers they supervise or direct in the community. It was very common for one probation officer to supervise 10-12 volunteers in the community who aid in the supervision and rehabilitation process. The Polish probation officers viewed the volunteers' role as integral to the overall system and mission of probation services. Understandably, this unique position presented challenges concerning role clarification, duties, and responsibilities; however, the judges and probation staff openly discussed these challenges and appropriate steps to ensure effectiveness. While I could not envision such a system in the States, I learned and appreciated how such a system worked within their community and culture.

Issues in common. Similar to criminal justice problems in the United States, substance abuse issues tend to drive many social ills. The legal age to purchase and consume alcohol is 15; therefore, not surprisingly, alcohol abuse is the primary substance abuse driver. Street drugs such as cocaine, methamphetamine, heroin, and other illegal substances tend to play less of a significant role compared to the United States. Fortunately for Poland, they also seem to generally escape much of the violence and related crimes associated with "street" drug use and dealing. However, synthetic drugs have become readily available, inexpensive and users are more difficult to treat given the unknown substances which are ingested. This trend is noteworthy and I wonder if we are likely to see a future shift such as this in our country.

Most of all, it was a chance of a lifetime to discover a foreign country's criminal justice system and to truly reflect on the challenges we face both here and abroad in changing behavior while keeping our communities safe. Poland has established a well-developed corrections system which should be admired in many

ways. I enjoyed my “student” role for the week and will forever cherish the “lessons learned.”

Jurg Gerber, Ph.D.: As an academic I always worry that what I study and teach is more ivory tower than what is good for me, the field, and indeed academe. Whereas, I am firmly convinced there is a role for pure, and sometimes abstract, social science, there is also social science that is too pure and abstract. As a professor I am measured by metrics that are meaningful to fellow academic “eggheads,” but not to probation executives and officers. Citation counts and impact factors of journals get (some) academics excited, but they are of very little use to probation executives who are confronted with problems that are simultaneously both more mundane and much more profound (e.g., how to deal with excessive caseloads in an era of tight budgets).

For the last three years I have had the good fortune to attend a series of international seminars by the Probation Officers Academy of Poland on “Probation in Poland and the USA” that have focused on issues of reentry and safety. Although there have been other academics in attendance, we have been a distinct minority. Most attendees have been probation professionals with a good sprinkling of other criminal justice officials (e.g., judges and prosecutors). Attendance at these seminars has been good for me as an academic in at least two ways. First, it has convinced me that my academic interest in probation-police partnerships is of relevance to practitioners. I can continue this line of research and make a contribution to the practice of probation (and parole). Such partnerships have the potential to make probation more efficient and effective, and therefore make society a safer and better place. Second, at the same time, I have been reminded to be vigilant not to engage in academic jargon for its own sake. The distinctions I make between several types of partnerships are of academic interest, but not necessarily that of practitioners. This realization keeps me relevant, humble, and, I hope, “real.”

The fact that the seminars have been held in Poland is important in two ways. On one hand, there is a tendency among Americans, both among academics and the general public, to believe that we cannot learn from others. A superficial examination of crime and incarceration rates comparing the United States with a number of other countries suffices to disabuse Americans of this notion. We can indeed learn a lot from others; at least we ought to do so. On the other hand, American criminal justice professionals and academics can be of assistance to their counterparts in other countries. While we sometimes get things wrong (even these instances can be educational), on the whole we have a much better track record than some other societies that might assist countries such as Poland in further developing their criminal justice system. We have an obligation to do so, even if that involves having to answer some uncomfortable questions involving some aspects of the American criminal justice system and crime (e.g., homicide rates, guns, incarceration rate, extensive use of solitary confinement, and so on).

These seminars have been held in spectacular cities such as Wrocław, Gniezno, and Kazimierz Dolny and have been organized by the Probation Officers Academy of Poland under the leadership of Peter, Romuald, and Adam Burczyk. As is the case with other conferences and seminars I attend, the Burczyks combine both work and pleasure. However, they are much better hosts than I would be under comparable circumstances. I thoroughly enjoy these conferences and I would be lying if I stated

that it is only because of the work that I have attended the last three years. To put it plainly: these seminars are fun! However, they have confirmed the relevance of my academic interest and have had a rejuvenating effect. I look forward to continuing the work and, hopefully, attendance at future seminars.

Dan Richard Beto: This most recent trip to Poland was the twelfth official visit I have made to this beautiful and historically significant country, and the fifth time I have been invited by the Probation Officers Academy of Poland. Earlier trips were made at the invitation of the Polish National Police, the Polish Prison Service, the Ministry of Justice, and Adam Mickiewicz University. I enjoy visiting this country, not only because it is beautiful, possesses a rich history, and the Polish people are genuinely friendly, but because one of my paternal ancestors emigrated from the town of Bytów, located in the Pomeranian Region of Poland (Bytów = Beto), and eventually settled in northern Illinois in the 1800s.

During the previous four years, our gracious hosts – Peter, Romuald, and Adam Burczyk – made every effort to expose members of the North American delegations to different parts of Poland, a country that dates back to the late 10th and early 11th centuries, for which we are grateful. We have traveled a lot of kilometers and seen some beautiful geography, visited countless historic sites, engaged in cultural and educational activities, met a number of delightful people, and participated in relevant seminars related to probation and the criminal justice system. And this latest trip was no exception, during which we visited a prison and related work release sites, a prison museum in development, several historic palaces, a World War II Nazi extermination camp that is now a museum and memorial, and a number of beautiful churches. In addition, we met with a number of municipal and governmental officials and, as reflected earlier in this article, participated in a prison conference and the Fifth International Probation Seminar.

We Texans take great pride in our “Texas hospitality,” but we certainly could learn from our Polish hosts. The kindnesses they extended to us and their generous hospitality were second to none. As in previous visits, the time we spend in Poland was a truly rewarding, enjoyable, and enlightening experience.

The relationship that has developed between the National Association of Probation Executives, the Correctional Management Institute of Texas, and the Probation Officers Academy of Poland has proved to be mutually beneficial. These three organizations share several common objectives. They desire to improve the field of probation through the delivery of meaningful training. In addition, they see the value of international exchanges. And they all see the importance of employing developing technology in exchanging information. Finally, these organizations realize the vitally important task of developing the future leaders of probation.

As we witness a globalization of crime and justice issues, we have a real opportunity to reach out to other countries to exchange information and to create meaningful coalitions. The relationships that the National Association of Probation Executives and the Correctional Management Institute of Texas have developed with the Probation Officers Academy of Poland and representatives of the Polish criminal justice system, as well as several other countries, represent excellent examples of what can be done and what should be done.



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ASSISTED DESISTANCE: CROSSROADS DAY REPORTING CENTRE'S ROLE IN RE-ENTRY

by

Donald G. Evans

This paper is based on a presentation delivered at the Fifth International Probation Seminar held in Kazimierz Dolny, Poland, on June 1-3, 2016.

Introduction

Over the past several years I have attached myself as an observer to the Crossroad Day Reporting Centre in Toronto, Canada, and this paper will reflect what I have learned about this particular approach to re-entry and preparing pathways for offenders to desist from crime.

Before addressing the substance of this paper, let me provide some context to assist your understanding of corrections in Canada. Canada is a large, expansive country with vast open spaces and only a few people, the majority of whom live in a few large urban areas. For example, there are approximately 36 million inhabitants in Canada, and in Ontario, the province where I live, has a population of about 14 million; the city where my agency is situated has a population of 2.7 million.

Canada has a unified criminal code that applies to every jurisdiction in the country, but from that point on it gets complex and sometimes complicated. The criminal justice sanction regime responsibilities are divided between the Federal Government and the Provincial and Territorial Governments. The shortest way to explain this is to note that responsibility for the administration of the sanction is based on the length of the sanction; for example, for every offender sentenced to a term of imprisonment of two years or more becomes the responsibility of the Federal Government represented by the Correctional Services of Canada (CSC), and all other terms of imprisonment less than two years are the responsibility of the ten Provincial and three Territorial Governments.

There is another Federal Act that governs correctional services at the Federal level – the Corrections and Conditional Release Act; this legislation provides for the Parole Board of Canada, responsible for the conditional release of federally sentenced offenders. Detention prior to and during the trial is a Provincial and Territorial responsibility. All other sanctions levied by the Courts, such as probation, fines, and bail orders are administered by the Provincial and Territorial authorities. Currently there are over 14,000 offenders serving sentences of two years to life in federal prisons and another 8,000 being supervised in the community.

From these brief contextual remarks let me outline for you what I intend to cover in this paper. I will explore five themes that relate to working with released offenders. These themes are: 1) the pains of re-entry; 2) the process of desistance; 3) the day reporting centre's role; 4) the importance of community stabilization; and 5) the value of the therapeutic alliance. I will close by discussing briefly some of the challenges in providing an assist to an offender's effort to desist from crime.

The Pains of Re-Entry

Released offenders are often faced with a number of obstacles and challenges that can only be described as pains to overcome if they are to reach the objective of desisting from crime. The pains to be overcome usually include some of the following issues:

- Dealing with the prospect of being homeless;
- Finding appropriate housing that is drug-free and safe;
- Finding and maintaining adequate and appropriate employment;
- Participating in job readiness programs;
- Managing the fact that criminal record exclusion policies affect employment and housing opportunities;
- Learning to live with the impacts of registration and community notification policies;
- Securing and updating personal identification documents;
- Accessing health care in the community including mental health services; and
- Finding treatment for substance abuse.

There is a need to recognize the futility of supervision that tackles the form, but not the substance, of the released offender's real problems. The correctional system should not release offenders without a support plan in place and expect anything other than high re-offending rates. The provision of supervision to released offenders should be made on the basis of the offender's needs and the risk to re-offend. We can do more for public safety through assisting offenders in their desistance journey by focusing on their needs rather than concentrating on risk factors in isolation from how the offender lives in the community.

The Process of Desistance

A general working definition of desistance is that it is a process by which offenders cease their criminal activity and endeavor to remake their lives as law-abiding members of society. Currently, there is no agreement among researchers as to a conclusive definition of the process. Some view the process as a permanent cessation from crime and others accept that relapses will occur on the path to desistance. This situation has led to informative debates about how to measure desistance outcomes and how to effectively use the research findings in practice. What has come from the research to date is a set of principles that can be used as a guide for practitioners. The following version of these principles can be found in a report written by McNeill and Weaver (2010.p.6):

- Be realistic: It takes time to change entrenched behaviors and the problems that underlie them, so lapses and relapses should be expected and effectively managed.
- Favor informal processes: Labeling and stigmatizing children and young people as “offenders” runs serious risk of establishing criminal identities rather than diminishing them, so it should be avoided as much as possible by favoring informal processes.
- Use prisons sparingly: Stopping offending is aided by strong and positive social ties, by seeing beyond “offenders” and by reducing or avoiding contacts with other “offenders.” Prison makes all of these things much more difficult.
- Build positive relationships: Like everyone else, offenders are most influenced to change (and not to change) by those whose advice they respect and whose support they value. Personal and professional relationships are key to change.
- Respect individuality: Since giving up crime is different for each person, criminal justice responses need to be properly individualized. The “one-size-fits-all” approaches run the risk of fitting no-one.
- Recognize the significance of social contexts: Trying only to “fix” the offender can’t help and won’t fix re-offending. Giving up crime requires new networks of support and opportunity in local communities and a new attitude towards the reintegration of ex-offenders.
- Mind our language: If the language that we use in policy and practice causes both individuals and communities to give up on offenders, it confirms and cements the negative perceptions of people who have offended as risky, dangerous, feckless, hopeless or helpless. And it will be harder for those people to give up crime.
- Promote “redemption”: Criminal justice policy and practice has to recognize and reward efforts to give up crime, so as to encourage and confirm positive change. For ex-offenders, there has to be an ending to their punishment and some means of signaling their redemption and re-inclusion within their communities.

This concept of redemption can be explored further in the work of Shadd Maruna (2001), where he discusses “redemption scripts” and the process of “making good.” The process permits the offender to rewrite his or her past into a necessary prelude to a productive and worthy life. This self-reconstruction is not a denial of the past but a reinvention of one’s self in the creation of a new identity.

Moving forward, there will need to be more research undertaken that seeks to understand what is involved in desistance and how that knowledge can be effectively used to assist offenders to live positive, law-abiding lives. This research will involve autobiographical and ethnographical studies that allow offenders and ex-offenders to have their stories told in their own voices (cf. Weaver and Weaver. 2013). The question for practitioners is: “What can they learn from and why should they be interested in following the advances being made in desistance research?” In the following section of this paper I will be discussing a program that is trying to assist released prisoners to desist from crime and to apply some of the results from desistance research. The lessons to date are related to specific factors that seem to be help-

ful in a person moving away from criminal activity. These factors include: stable relationships, stable employment, moving away from same age and gender peers, feelings of responsibility, hope, self-efficacy and an increase in concern for others.

The Crossroads Day Reporting Centre

Effective community correctional programming, for obvious reasons related to who we are as a society, has become an increasingly important issue for public safety, policy makers, practitioners, and researchers. Since the “What Works” literature emerged in the late 1980s, the field of community corrections – scholars and practitioners alike – has a framework by which they can better study and understand criminal behavior and recidivism and the effectiveness of community based correctional programs.

Since the fall of 2008 the John Howard Society of Toronto has been operating one such effective community based program – The Crossroads Day Reporting Centre (CDRC). Grounded in the principles of the Risk-Need-Responsivity model (RNR), the program was designed to contribute to enhanced community safety, decreased victimization, and, by extension, reduced recidivism by assisting high risk/high need offenders in their efforts directed toward successful transition and reintegration into the community from prison, all designed to assist the released prisoner in beginning his desistance journey. The CDRC helps to mitigate the challenges faced by the community as well as those faced by the returning offender by assisting in the supervision of high risk high need offenders, utilizing up to date evidence-based practices and instruments, and developing and implementing individualized case management plans that targets services and community resources to the specific needs of the individually assessed offender.

In reference to the RNR model, the risk principle asserts that the intensity of the intervention should match the risk level of the offender (i.e., high-risk individuals should receive more intense treatment than low risk offenders). The need principle states that effective intervention models should target the dynamic risk factors or criminogenic needs deemed to be associated with the offending behavior. Finally, responsivity refers to the styles and modes of service incorporated into the intervention program which should be matched to the learning style of the participating offenders. Responsivity can also address significant internal or external factors that influence an offender’s capacity to participate in, and benefit from, the applied intervention. Such internal factors include cognitive ability, learning style, strengths, personality, gender, culture, and readiness to change. External factors, on the other hand, tend to integrate treatment staff and setting characteristics. This all inclusive definition of responsivity is believed to be particularly important in creating an environment favorable to rehabilitation. Indeed, research has demonstrated that programs incorporating responsivity – e.g., cognitive behavioral strategies such as those informed by social learning theory as well as internal and external factors – as well as risk and need principles are associated with the strongest decreases in recidivism with an average reduction of 26% to 30% (Andrews and Bonta 2010). The CDRC strategy, and its grounding in the RNR model, incorporates the following practices:

- Use of the Level of Service Inventory Revised (LSI-R) to assess the risk and need factors affecting offender's involvement in criminal behavior and community stabilization;
- Development of a case management plan that is responsive to the assessed risk level and needs identified in the assessment process – which includes LSI-R, criminal history, offender self reports and parole generated reports – and addresses goals and objectives that are specific to the offender's circumstances (fusion of risk and need);
- Referral to the appropriate array of intervention, educational vocational and other services to assist the offender in developing new skills to adaptively cope with the demands of community stabilization and to address identified needs to prevent reengagement in criminal behavior; and
- Use of CDRC sessions/meetings to assist the offender in identifying triggers (i.e., people, places situations and corresponding cognitive processes that impact adaptive coping behaviors).

Timely reviews with the offender of the progress he/she is making as the case management is implemented are conducted regularly and goals' objectives are assessed and modified based on a review of progress.

As mentioned at the outset of this section, the CDRC has been in operation since the fall of 2008. An area that reflects its growth as well as being critical to the process involved in program participation is the relationships the CDRC has established with community based resources. It is obvious that no one social service agency can meet all the complex needs of released offenders, and close cooperative and collaborative relationships with other community resources are crucial to success. Beth Weaver (2012) has commented: "Just as the process of desistance itself extends beyond the criminal justice system so approaches to supporting resettlement and desistance require collaborative responses that extend beyond practices and proclivities of the justice system."

The case management model utilized by the CRDC staff is a combination of direct service delivery and brokerage models. Many of the individuals referred to the CDRC have issues and needs related to an inability to stabilize their community functioning upon release, longstanding mental health issues, extensive substance abuse difficulties and the problem of relapse, and other addictive related issues, such as problem gambling. Absence of resolution of any of these potential problems in a timely fashion can seriously impact the offender's attitude and behavior related to ongoing effort to turn his or her life around.

Community Stabilization

When individuals are released from prison they generally find themselves facing some specific challenges that, if not overcome, can have a destabilizing effect on their capacity to successful completion of their sentence/supervisory period. This initial process of stabilization includes providing assistance in:

- Securing identification documents such as birth certificates, drivers license, health cards, etc.;
- Finding appropriate and affordable accommodation;
- Navigating parole conditions, especially any that might interfere with finding a job;
- Managing the stigma of having a criminal record;
- Securing employment or upgrading educational/vocational certificates; and
- Assistance with navigating technology (basic computer skills).

When prisoners are released from institutions they lack a number of assets that would be useful in re-engaging with the community; this lack of positive social connections to assist them is a major barrier to their reintegration. This poverty of social capital requires the supervising agencies to provide the assistance that might be found in families and friends. These offenders do not have a strong positive social network that can be mobilized on their behalf and this task falls to community and government agencies involved in the supervision of the released offender.

The difficulty in the current economic climate emerges when the agencies responsible for reintegration services are underfunded and understaffed and finds that they are under resourced to meaningfully undertake these support activities. Efforts on the part of these agencies to attempt to meet these important needs of the released offender have led to some interesting and helpful strategies that involve the pooling of resources and creating networks with other service providers outside of the criminal justice system. These emerging innovative partnerships include reintegration hubs or reporting centers such as the CRDC and involve collaborative approaches that bring a number of services together to manage these early re-entry challenges. There is, however, a limit to how far the staff and services of these agencies can be stretched while the demand keeps growing.

There are two key elements that are important to assisting offenders to become stabilized in the community, and they relate to finding affordable housing and a job; if the offender doesn't have a place to stay, it is difficult to find employment or even participate in employment readiness or training programs. It is also difficult to maintain the offender in the community and to work with him/her on other issues, such as substance abuse and anger management, if they are concerned with where they will sleep or how they will pay for rent, food, and transportation. Housing and employment are two important aspects of the CDRC'S efforts to assist the offender to desist from criminal activity.

Housing. A crucial aspect of community stabilization is to find stable housing for the released offender that is affordable and adequate to his/her needs.

When an offender is released conditionally from prison, he/she may face a problem with housing and have to resort, in order to avoid homelessness, to living in temporary shelters, with friends or relatives, and sometimes with families, and these arrangements do not always meet the conditions of the individual's release and other arrangements have to be sought. For example, living with friends or families sometimes runs counter to non-association conditions. Staff at the CRDC assists the offender in finding suitable accommodation as a first step in assisting the person's stabilization in the community.

Employment. Research indicates that the value and benefits that can be realized from employment include:

- Contributing toward an increased likelihood of successfully completing the supervisory period;

- Maintaining the offender for a longer time in the community;
- Generally decreasing the possibility of a return to prison for a technical violation or even a new offense; and
- Signaling stability and progress toward desisting from a criminal pathway.

Notwithstanding the established value of employment in promoting reintegration and eventually desistance from crime there are a number of barriers that inhibit access to meaningful work: having a criminal record, access to suitable work clothes and equipment, dealing with employer perceptions and expectations.

CRDC staff work with the offender in the preparation of a resume, assist in computer job searches, and involve the offender in mock job interview. When necessary they assist in finding clothes for the interview or for the work environment, equipment, and discuss how to handle gaps in the employment history and issues related to questions about involvement with the law or having a criminal record.

Once the person is employed attention can now turn to other issues that might require addressing, such as substance abuse, family reunification, career development, or educational upgrading. The approach is to address the criminogenic needs identified in the assessment and to move from this initial aspect of community stabilization to preparing the individual for when the period of supervision is over. The purpose is to assist the individual in furthering their desire to desist from criminal activity and to live as a responsible law abiding citizen.

Therapeutic Alliance

Another aspect of lessons we can glean from the desistance literature relates to the current revisiting of how offender supervision works and a renewed interest in core correctional practices such as befriending, advising, and assisting individuals in practical ways. There is value in developing a relationship with the client that provides an opportunity for engagement, trust building, provision of practical help, discussion of issues, and creating compliance in the long term because problems are solved more effectively. This manner of working with clients has a history in psychotherapy and is generally referred to as the therapeutic alliance. This relationship assists the offender by having someone who believes he can change and inspires hope that a change is possible. The practitioner demonstrates genuine interest in the successful completion of the offender's sentence and reintegration into the community. The general qualities that should be exhibited by the practitioner would include being reassuring, adaptable, confidential, open-minded, appropriate boundaries, and receptive. There is developing literature on the importance of developing a therapeutic alliance with offenders as a contributing factor in their successful re-entry back into the community. This approach also makes a strong statement about the role and value of line staff in their work with offenders.

The staff of the CRDC has found that developing a good relationship with the offender is advanced by the provision of concrete assistance, such as finding accommodation and employment. It allows for the development of a means to work toward completion of the goals in the case plan, and when there are relapses or difficult periods, the worker is able to maintain a contact that sometimes proves useful after any legal issues are cleared up. It is not always possible to establish this relationship

because of resistance, lack of time, or other external matters, such as associations and affiliations maintained by the offender, but in these cases the time at the CRDC is brief. But where a relationship is developed and the offender is able to change behavior and attitude, completion of the supervisory period is more likely. The CRDC staff has also experienced a number of former clients who have returned when they have needed some assistance or help rather than returning to old habits or associates.

There is much more we need to learn about the therapeutic alliance in correctional settings, and with the re-emphasis on core correctional practices and other models of intervention that are being practiced, we should begin to see supportive research and evaluation literature very soon.

Conclusion

I have tried to recount the experiences of the Toronto CRDC with the intention of encouraging community practitioners to explore both evidence-based practices and a desistance focus as a means to improve outcomes of our work with offenders. The major lessons that I have gleaned from my observations at the CRDC and from the recent desistance literature involve developing approaches that expand attention to the need and responsiveness principles in the RNR model and begin to assist offenders in their attempts to "make good" by working with them in developing new identities that move beyond the "ex-offender" label. This assisted desistance approach at this stage of the offender's re-entry into the community involves the provision of concrete, practical services, and assisting them in personal development that builds confidence and new social networks.

References

- Andrews, Donald A., and James Bonta (2010). *The Psychology of Criminal Conduct*. Cincinnati, Ohio: Anderson Publishing.
- Maruna, Shadd (2001). *Making Good: How Convicts Reform and Build Their Lives*. Washington, D.C.: American Psychological Association.
- McNeill, Fergus, and Beth Weaver (2010). *Changing Lives: Desistance Research and Offender Management. SCCJR Project Report No. 03/2010*. Glasgow, Scotland, UK: The Scottish Centre for Crime & Justice Research, June.
- Weaver, Beth, and Dave Nicholson (2012). "Co-producing Change: Resettlement as a Mutual Enterprise," *Prison Service Journal*, 204, 9-16, November.
- Weaver, Allan, and Beth Weaver (2013). "Autobiographical Empirical Research and Critical Theory in Desistance: A View from the Inside Out," *Probation Journal*, 60(2), 259-277, September.

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PUBLIC SAFETY AND PROBATION: A VIEW FROM THE UNITED STATES

by

Jurg Gerber, Ph.D.

This paper was presented during the Fifth International Probation Conference held in Kazimierz Dolny, Poland, on June 1-3, 2016. It represents an extension of work presented at previous probation conference in Poland.

The theme for this conference concerns the relationship between public safety and probation. Whereas the concept of probation is fairly obvious to participants at this seminar, the idea of public safety may or may not be. Most conventional definitions of the word public include phrases such as “relating to or involving people in general, rather than being limited to a particular group of people” (dictionary.cambridge.org). However, an additional accepted meaning of the term is much narrower:

Your public is the people involved with you or your organization, esp. in a business relationship: The newspapers publish the stories they know their public wants to read (dictionary.cambridge.org).

If one uses this much narrower definition of the term, any public issue may contain several publics. With respect to “public safety and probation,” I identify at least four publics: 1) probation officers; 2) the general population of a community; 3) offenders and their families; and 4) the nation (and the international community).

In this paper I will explore the relationship between probation and the publics that interact with probation. In particular, I will explore how probation can contribute to the safety of the various publics by engaging in partnerships with police and community organizations. A final consideration will be changes in these relationships as a result of changes in policing with a new emphasis of homeland security.

Police-Community Corrections Partnerships in East and West

Working with several colleagues, we explored the nature and extent of police-community corrections partnerships in the context of community justice (Kim, et al. 2012, 2013). Such partnerships make sense because these agencies have some common concerns that underlie their responsibilities and duties:

The monitoring of offenders provides one example. After an offender has been placed under some form of community supervision he or she may be monitored by an appropriate community corrections officer as well as law enforcement officers. In theory, this requires collaboration and cooperation between community corrections and police agencies. The more the representatives of the two types of agencies are familiar with each other's work, the more efficient and effective they are likely to be in their own. For instance, community corrections officers may assist police officers in their effort to investigate crimes. Parole officers may have intelligence about community activities that police may not have – one

parolee may inform a parole officer about the criminal activities of one of his friends, but may be unwilling to share this information with a police officer Similarly, a police officer who arrests a probationer may assist the probationer and the probation officer with a simple telephone call. Instead of proceeding with the usual criminal justice processes, a collaborative effort between the police and the probation department may lead to more efficient, and better, efforts to protect the community and reintegrating an offender who has transgressed again, albeit in a minor fashion (Kim, et al. 2012, p. 2).

Such partnerships have existed for some time in the West. They have been fairly successful in practice, but the problem has frequently been their transitory nature. They have been in existence as a result of the interest of individual officers and have not, as a rule, been institutionalized formally. When the interested officers retired, were promoted, or moved to different agencies, the partnerships have frequently ceased to exist.

Partnerships between Criminal Justice Agencies and Community Organizations. Courts cannot do their work in isolation from society. Not only do they not have enough money to provide all necessary services, they also lack the resources, expertise and contacts. Community organizations, both official and non-governmental organizations (NGOs) can provide their resources. They can provide leads for employment, substance abuse counseling, assistance with securing housing, child care, family counseling, and so on. In the United States, some of these organizations are church affiliated, but many are not. In either case, they serve a vital role. For instance, community organizations such as the YMCA work with parole officers to provide returning prisoners with material support.

Partnerships between Police and Probation and Parole Agencies. Probation and parole agencies (and their officers) play several roles: they serve the functions of social work and law enforcement. Built into the position of probation or parole officer is a certain tension and even conflict: Probation officers have to supervise parolees and probationers and have to serve as law enforcement officers in this capacity, while simultaneously assist them in reentry as serving as social workers. In the first instance, probationers are potential criminals, in the second they are clients. In a society that emphasizes stigmatization, probation officers are part of law enforcement. In a society that emphasizes reintegrative shaming, probation officers are primarily social workers.

Conversely, in the United States it is customary to use the terms police officer and law enforcement officer more or less interchangeably. However, there is an important difference: while the latter term implies that an officer simply performs law enforcement duties, the former, police, implies that there are duties

other than law enforcement, with order maintenance and service being two obvious ones. Furthermore, it is fairly standard to distinguish between roles individual police officers play. Following Wilson (1968), there are at least three styles police officers, and departments, can adopt: watchman, legalistic, and service. The second one, legalistic, is the one associated with the law enforcement function, whereas the other two are more akin to a broader policing role. While most police officers do not like the terminology, there is a social work component implied in these other two styles.

I would argue that a good police officer, as opposed to a law enforcement officer, SHOULD be a part-time social worker. Good and effective police work mandates that officers have good relationships with community organizations and other criminal justice agencies. Officers are much more likely to cultivate good relationships when they work with the others, rather than just enforce laws.

Four Publics and Safety

Probation Officers. A first public that needs to be considered are the probation and parole officers themselves. By the very nature of their occupations they deal with a dangerous clientele. In the United States, it is estimated that one of five probation and parole officers are assaulted at least once in their career:

Our vocation is ripe with inherent risks. It is the nature of the job that we do. If we've done nothing to prepare for that potential attack, taken no actions to reduce those risks, and simply hope the empty validations become self-fulfilling prophecies, the very fabric of our future wellbeing is determined daily by nothing more than the luck of a coin toss. Let me put it in perspective. We all hope that our homes are never taken or destroyed by fire, but we all have insurance to help replace it if it were. We don't cancel our auto insurance simply because we "haven't been involved in an accident in over thirty years" (www.appa-net.org).

In other studies, Bigger (1993) found that more than 1,800 assaults of federal probation officers occurred during the period of 1980 and 1993, and 38 probation officers have been killed nationwide since 1981 (for an excellent discussion of these issues, see Schweer and Thornton, 2016).

Most probation officers in the United States do not carry guns for protection but some of the parolees and probationers do, although they are not generally allowed to do so, creating an imbalanced power relationship. Partnerships between police and probation/parole agencies can provide for increased safety for probation officers. Our surveys of both police officers and probation officers show that this is an important consideration for them in general, and probation officers in particular.

The General Population. This is the public that is meant in the most general use of the term "the public." Probation and parole officers play an important role in protecting the public by lowering recidivism rates with effective community supervision and providing reintegration of offenders into community life (Gerber 2015; Gerber and Armstrong 2014).

Offenders and Their Families. Whereas most lay persons distinguish between criminals, victims, and the general

public, criminologists know that criminals and victims tend to come from the same segments of society. The average street criminal tends to be male, young, socially disadvantaged, a member of ethnic and racial minorities, relatively uneducated and so on. It is the very same people who are also disproportionately overrepresented among the victims. Furthermore, we also know that offenders and victims of violent crime tend to be family members and acquaintances. Probation officers therefore play an important role in protecting offenders and their families. This is particularly relevant in the case of offenders who return to the families after periods of incarceration. Offenders who return to the family after having been incarcerated often have difficulties finding their place in the family structure when the lives of the family members moved on in their absence. Tensions may then be elevated as a result of not finding employment, combined perhaps with unresolved alcohol and drug dependencies. All these factors combine for dangers for the families of offenders, and perhaps the offenders themselves.

The Nation (and the International Community). In addition to the local community, the safety of the nation, and to some extent the international community, must be considered. Although most ordinary street crimes are primarily local in nature, there is an increasing national and international component. While transnational money laundering, transnational drug dealing, and human smuggling have existed for a long time, some formerly local crimes have become increasingly national and even transnational: prostitution, auto theft, and intellectual property right violations are just three examples. Auto theft provides a case in point. In the past cars were stolen and sold in the same area. Today they may be stolen in one nation, transported through a second, and sold in a third. The criminal justice systems of several nations must work together to prevent and solve these crimes. Police-probation partnerships can make an important contribution. Probation officers can serve as a resource for police. In combination, probation and police can contribute to the safety of the nation and the international community.

Homeland Security

It is fairly conventional in the United States to distinguish three eras of policing: 1) the political, prior to the early 1900s, with the police under the control of the politically powerful; 2) the period of the professional, military-like administration of policing (about 1920 to 1980); and 3) the era of community policing (post 1980). At least theoretically, probation and police officers can work together in all three stages to ensure the collective safety of the four publics. However, it is during the third stage, that of community policing that they could do so most explicitly.

However, in the wake of the attacks of 9/11, the focus of policing specifically, and the broader criminal justice system more generally, has changed. Instead of continuing to emphasize a community focus, homeland security and protection have moved to the center of efforts. Ironically, the increased emphasis on homeland security will likely take away attention from other focuses, including security of the four publics.

References

- Bigger, P. J. (1993). *Officers in Danger*. Washington, D. C.: Federal Probation and Pretrial Officers Association.

Dictionary.Cambridge.org.

Gerber, J. (2015). "Reintegrating Offenders vs. Excluding Offenders from Society: How to Reduce Recidivism Rates." *National Association of Probation Executives: Executive Exchange* (Fall), pp. 8-9.

Gerber, J. and G. Armstrong. (2014). "Perception of Family and Community Support among Released Felons in the State of Texas." *National Association of Probation Executives: Executive Exchange* (Spring), pp. 21-23.

Kim, B., A. K. Matz, J. Gerber, D. R. Beto, and E. Lambert (2013). "Facilitating police-probation/parole partnerships: An examination of police chiefs' and sheriffs' perceptions." *Policing: An International Journal of Police Strategies & Management* 36: 752-767.

Kim, B., J. Gerber, and D. R. Beto (2012). "An Empirical Assessment of Police-Community Corrections Partnerships in Texas: A Model for Asian Societies." *Asia Pacific Journal of Police & Criminal Justice* 9 (1): 1-16.

Schweer, R. G., and R. L. Thornton (2016). "Is Safety Taking a Backseat to Everything Else?" *National Association of Probation Executives: Executive Exchange* (Spring), pp. 2-3.

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IMPLEMENTING SWIFT, CERTAIN, AND FAIR RESPONSES TO PROBATION VIOLATIONS AND SPECIALIZED TECHNOLOGY FOR COMMUNITY SUPERVISION MONITORING

by

Leighton G. Iles

This paper is the result of a presentation made by at the Fifth International Probation Seminar held in Kazimierz Dolny, Poland, on June 1-3, 2016.

Introduction

Good afternoon, my name is Leighton Iles. I am the Director for Tarrant County Adult Community Supervision and Corrections Department in Fort Worth, Texas. For the past 27 years, I have worked in the Texas probation system in various capacities as a probation officer, program administrator, and administrator in three probation departments. I have two separate topics to discuss today: first, a program we have implemented to immediately respond to probation violations which has received national attention; and secondly, I would like to share with you some of the various technologies we use to aide in monitoring offenders.

SWIFT Court – Supervision with Immediate Enforcement

Throughout the United States, traditional probation supervision has not been effective in addressing chronic probation violators. In many cases, offenders accumulate multiple violations prior to imposing a sanction, instead of each and every one of those violations being addressed with an appropriate sanction or intervention immediately. For example, offenders may accumulate several violations, such as positive drug tests, before officers implement a sanction or intervention at their level. Failure to immediately respond to violations may encourage the defendant to continue to violate additional conditions. By the time the offender is brought before the court, he/she has numerous violations which may lead to revocation. Often, it appears as though the offender is not performing well over an extended period of time. A more effective approach would be to address these violations swiftly as they occur, one violation at a time and without severe consequences, in an effort to deter the individual from future violations.

In 2004 in Hawaii, an island state of the United States, Judge Steven Alm noticed this problem, mainly with drug offenders in his jurisdiction. This judge developed a specialty court called Hawaii Opportunity with Probation Enforcement, also known as HOPE. Once admitted into the program, swift and certain sanctions for every violation were issued by the judge. Although sanctions were issued, not all offenders with positive drug tests were mandated into treatment initially. Treatment services were always available if the offender volunteered to attend, but only mandated after the third positive drug test. The thought was that many could stop using drugs on their own.

The HOPE program is generally structured as follows:

- Offenders assessed moderate and high risk of reoffending are referred to the program;
- The judge reads a “warning hearing” to the offender informing him of immediate consequences or sanctions for any new probation violations;
- Sanctions or violation responses are typically short term incarceration of 1-2 days, imposed within a day after the violation;
- Offenders may have multiple violations and remain in the program, but each is met with an immediate sanction rather than proceeding to revoke their probation sentence;
- New law violations or absconding from supervision are the most common program violations which lead to revocation; and
- Positive drug tests are the most common violation, and after the third positive test, treatment is mandatory. Treatment services are always available prior to the third positive drug test if the offender volunteers.

In 2009, researchers evaluated the program using a randomized control trial study, with a comparison group of offenders. One group was placed in the HOPE probation program and the control group received probation as usual. Results showed that positive drug tests, missed probation appointments and revocations were significantly lower for the offenders in HOPE compared to the other group. Additional evaluations of the HOPE program over the last seven years have also shown promising results for reducing violations, as this model was implemented in other jurisdictions across the country, including Tarrant County.

While Judge Alm was implementing HOPE in Hawaii, Judge Bradley Smith and my department in Fort Bend County, Texas, worked on a similar model in 2005. This program reduced probation revocations for “technical” violations by 50%. Technical violations are all cases where a new offense has **not** been committed. The program continues in operation today and Fort Bend County continues to experience a lower revocation rate.

In 2011, with support from the local criminal justice community, the Honorable Judge Mollee Westfall of the 371st District Court in Fort Worth, Texas, launched the SWIFT Court program. The SWIFT Court is generally modeled after HOPE with offenders provided a warning hearing, and immediate sanctions imposed for violations. SWIFT Court team members meet with the Judge to discuss offender cases with violations and violation hearings are held every day of the week. Judge Westfall uses motivational interviewing techniques when inter-

acting with offenders to help them evaluate their behavior and the choices they made which led to commission of probation violations, including what they could have done differently. She also gives offenders numerous chances to be successful. This is an especially difficult population, which includes a substantial number of gang offenders. The program is very organic in that the judge has flexibility to adapt the program to fit the needs of participants, as well as to adapt the program based on research and outcome evaluation results of the program.

Since the program was implemented in 2011, four evaluations have been conducted of the program spearheaded by the probation department's research unit, who partnered with University professors to complete two of the studies – including a baseline study in 2012 on the pilot phase, a study in 2014 on the first full year of the program, an evaluation of gang offenders in the SWIFT Court completed in late 2015, and a second outcome evaluation just completed in April, 2016.

Results of the pilot phase evaluation showed promising results, with the 60 pilot offenders experiencing an average -19.37% decrease in technical violations while in the program. The second study included the evaluation of secondary data using a pre and post-test design, as well as surveying participants. Results showed the program had an 83% retention rate, with only 17% of offenders being discharged unsuccessfully and 59% of offenders reduced their technical violations to some degree. Over 80% of participants surveyed (n=169 out of N=473) said the program made them stop violating probation because they know they will go to jail and made them think before they acted. The third study examined gang offenders in the SWIFT Court with two matched comparison groups and found that gang offenders NOT in the program were three times more likely to have their probation revoked (controlling for all else). Short-term jail sanctions had the desired deterrent effect on SWIFT gang offenders.

A few months after launching the SWIFT Court, Tarrant County also implemented the HOPE model as one of the demonstration field experiment sites funded by the federal government. The study is designed to determine whether the results from the Hawaii HOPE model can be replicated in other jurisdictions throughout the United States. The research results on this study are currently pending.

Technology in Community Corrections

The next topic I want to discuss is the increasing use of technology in supervising offenders. It has, no doubt, extended the scope and nature of community corrections in Texas. At any given time, approximately 3,300 or more than 20% of the 16,000 offenders under supervision in Tarrant County are under some form of electronic monitoring which includes Global Positioning Satellite (GPS) tracking, Secure Continuous Remote Alcohol Monitoring (SCRAM), Ignition Interlock, or portable breathalyzers. I would like to share with you the various technologies and their application in aiding probation staff in supervision.

Radio frequency electronic monitoring (ELM) was the first technology device implemented in community corrections. Referred to as "house arrest," it was generally used to enforce curfews by detecting a range of 50-150 feet around a residence. In 2000, Global Positioning Satellite (GPS) tracking replaced

radio frequency as the industry standard for offender monitoring. GPS monitoring is widely used for monitoring the most serious probation cases, including sex offenders and violent offenders. In our jurisdiction, we also use GPS for monitoring the most serious offenders in the community who are awaiting trial and sentencing, including murder, rape and robbery charges.

GPS allows authorities to track an offender at all times and the data is reported immediately via cellular unit contained within the GPS bracelet. This technology is typically used for sex offenders, violent offenders, and cases involving a victim. Exclusion zones can be programmed, for example, around a victim's home, place of work, parks, and other child safety zones. If the offender enters the exclusion zone, probation officials are notified of such breaches and can alert law enforcement in real time of the offender's whereabouts.

There are a variety of technologies used to supervise offenders with an alcohol or drug problem. The most popular device is the Ignition Interlock device installed on an offender's vehicle that prevents the person from starting the vehicle if alcohol is detected on their breath. You are likely familiar with this device since it is widely used in Europe. Most ignition interlock companies have added cameras as an industry standard.

Secure Continuous Remote Alcohol Monitoring (SCRAM) is the most intensive alcohol monitoring device. The SCRAM unit is an ankle bracelet transdermal alcohol testing device that detects alcohol in a person's perspiration 48 times per day. This device is not only used for offenders with an alcohol-related charge, but also for offenders with a drinking problem that the court does not want consuming any alcohol. The SCRAM, as well as other devices, uploads data to a modem that transfers the data to computers maintained by the vendor. The company will notify probation officials of any violations as well as issue standard reports.

The In-HOM device is a breath-test unit that monitors alcohol use and identifies the person providing the test via video images or voice-recognition, and the data is transmitted over a telephone line. This device may be used for a house-arrest situation, for offenders claiming to not own or operate a motor vehicle, or as an intermediate sanction for offenders with a serious alcohol abuse problem. This unit, however, cannot provide such information when the offenders are at work or away from home. Another portable breath test device, SoberLink, provides more intensive monitoring for alcohol use. Approximately the size of a cell phone, the SoberLink device is designed to be carried with the person and alcohol testing is required numerous times throughout the day.

Forensic drug testing is a significant program used in Tarrant County. We utilize urine, saliva, and hair testing. In addition to administering 100,000 urine drug screens last year, the department tested over 2,500 hair samples. Traces of drugs remain in the hair for 90 days after use compared to urine testing windows of a few days. Because the detection window is substantially longer than urine testing, we detect drug use in approximately 25% of our hair samples, many of which had previously tested negative on urine screens. The cost for a hair test is approximately \$40 USD compared to a urine test of \$15 USD.

EtG/EtS are direct metabolites of alcohol and may be present in urine for up to 80 hours after alcohol ingestion. Within the last year, the Department has increased its use of EtG/EtS

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testing because it is a better tool for detecting alcohol use. We can now test for and conduct two ETG/ETS urine tests per week to determine whether the offender has consumed alcohol for the entire week.

Conclusion

I hope you have enjoyed the presentation and I am honored to have been invited to share some of our supervision practices

with you. It is always a great learning experience to meet people from around the world and to learn about their methods of supervision in the field of community corrections. Thank you!

Leighton G. Iles is Director of the Tarrant County Community Supervision and Corrections Department in Fort Worth, Texas.

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EVIDENCED BASED PRACTICES: DIFFICULTIES IN APPLICATION

by

Arnold Patrick

This paper is the result of a presentation made at the Fifth International Probation Seminar held in Kazimierz Dolny, Poland, on June 1-3, 2016.

In 1997 I was introduced to the evidenced based practices movement in Texas. I had the benefit of being part of the Texas Department of Criminal Justice movement to evaluate what we were doing in probation and looking for ways to improve outcomes. I was a program director for a substance abuse assessment and treatment initiative at the time and had no part in any decisions made, but I was fortunate enough to be included in the educational piece.

By 2000, having listened to Ed Latessa's "What Works" presentation many times, I was certain I knew everything that I needed to make my next department the best practitioners of evidence based practices there were in the State of Texas. I knew we needed an assessment that identified the criminogenic needs as well as separating high from low risk individuals. I had heard of the positive results of targeting higher risk offenders and the negative effect of too much programming for lower risk offenders. I knew my programs had to be run with fidelity and had to be evaluated. I believed I was as close an expert on the subject as anyone else in Texas.

Sixteen years later I find that I still struggle to make these concepts transition into practice. These ideas made so much sense when I heard them originally, and they still do. They aren't very difficult to understand, yet what no one told us is how very difficult they are to put into practice. Studies have shown that despite proven reduction in recidivism rates by using evidenced based practices, less than a third of correctional agencies put them into use (Friedmann, Taxman, & Henderson, 2007; Young, Dembo & Henderson, 2007; Henderson, Taxman & Young, 2008; (NCJTP). This is largely due to the difficulty in implementing these practices and the effort it takes to maintain the level of skills and fidelity necessary to keep a program at its most effective.

Learning the pieces needed to create a program or set of programs that meet these practices is not the challenge, it is the actual implementation that takes the effort. So after nineteen years, I can definitely say with confidence, two separate things: 1) I am no expert; and 2) "what works" or evidence based practice takes a lot of constant work; it isn't something that is done, it is something you do.

I realize many of you are probably familiar with *The Principles of Effective Intervention* or the "what works" eight key components. I will briefly mention them as they play a large part in what is to be covered:

- 1) Assess Risk/Needs
- 2) Enhance Intrinsic Motivation
- 3) Target Interventions
- 4) Still Train with Direct Practice
- 5) Increase Positive Reinforcement
- 6) Engage On-going Support in Communities

- 7) Measure Outcomes
- 8) Feedback/Provide Quality Assurance

As far as the first item is concerned, Texas was very lucky that our state agency that oversees criminal justice undertook the task of developing a validated risk and needs assessment tool. Texas worked with the University of Cincinnati to develop and validate the new assessment system over the course of several years. The instrument allows us to target the criminogenic needs that offenders possess as well as identifying the risk of reoffending each offender represents. It is impossible to implement an evidenced based system to probation without a good assessment. True experts will tell you that while some assessments are better than others it is more important that you operate your assessment with fidelity. I knew that without an assessment that allowed us to sort clients by risk and identified needs all other attempts to follow the 8 principals would be wasted.

We have utilized the new assessment since January 2015 and I have included some results to show that it is accurate in predicting risk to recidivate.

What I want to spend my remaining time on, is discussing how we have tried to address the second through the fifth components of the principles. Those components are the most difficult to address, in my opinion. We needed a way to allow officers to help motivate offenders to make changes. Research is pretty clear that you can't punish people to change behaviors. They have to be active participants.

Texas is a decentralized system, where each department answers to judges in that jurisdiction, receiving funding and basic expectations from the state agency. Overall, the state has over 240,000 people on probation, 150,000 people in prison, and 75,000 people on parole. There are 122 different probation departments in Texas, each with its own director, staff, judges, budget, and unique set of issues. I represent the sixth largest probation department in the state of Texas; we have 230 staff, of which 145 are certified probation officers. We supervise right around 13,000 offenders with two-thirds of them having committed the more serious grade of offenses. Yet, I represent less than 5% of the overall probation population as a whole. So when the state decided to hold a summit for all probation departments to learn more about our new assessment instrument and plan the next stages of development, you can imagine it was a huge undertaking. This was an attempt to allow each department to get a basic understanding of the concepts and make decisions on how they wanted to proceed. My vision as a director was to impact the lives of those individuals we supervised by using the best available research to guide decision making and this was the perfect opportunity.

All 122 departments sent Directors, Assistant Directors, and staff to this summit to determine where each of us was in the

process. I took four individuals to the summit and we learned many things, but the biggest thing we came away with was the fact that most of my employees did not have even a basic grasp of what we were trying to do, or why we were trying to do it. My passion was fueled by the time we spent with those at the summit as well as the information we were given, and we left the summit with a plan to find an educational program that would give all of us a common language in which to speak. Concepts are easier to discuss and work on if you all have the same vocabulary. There isn't much out there that fits that goal, as I said many feel that they understand all there is to understand about "what works." We did not find much in the way of educational assistance for our department on this topic. So when we stumbled upon the Center for Advancing Correctional Excellence at George Mason University's search for pilot sites for their newly developed program that would do what we wanted and more, we leaped at the opportunity. As with most things that you really want, the first hurdle is convincing someone else to give it to you. We were not selected at first, as there were many other larger agencies and states also applying. However, we were persistent and eventually we were granted a slot in the pilot.

The program – Skills for Offenders Assessment and Responsibility in New Goals (SOARING2) – created web-based tools that facilitate the sustainability of evidence based practices in judicial and correctional agencies. What it did was provide us a method for teaching each officer common language in identifying offenders strengths, weaknesses, support, and hindrances. It did not stop there; it also taught us how to speak to our offenders, helped us learn to guide rather than try and force them, and taught us how to put the offenders in control of their rehabilitation. We still supervise offenders, court orders still have to be followed and sanctions have to be imposed, however, a deeper understanding of the relationship between the officer and the offender was realized. You cannot force someone to change. Everyone understood the concepts of what the purpose of each intervention was. More importantly, they understood the change in the attitude and direction the department was heading. They also understood the importance of the offender's participation in the process of behavior change. Most understood that only the offenders could choose to begin that process of change. Now do not misunderstand me, just because they took the courses and passed the tests does not mean they all embraced the changes to what we were trying to do.

Ambivalence, or having conflicting feelings about something, is a key concept of what we learned about working with offenders. My staff was also ambivalent towards the whole concept of changing the way we worked with offenders. There were some staff that thought that they could just wait us out and eventually we would forget and things would go back to the way they had been. We had to stay consistent and work on our staff's ambivalence as well as those that were just uninterested in what we were trying to do.

Two supervisors and an Assistant Director were the core group of coaches for the first class having been trained by the staff at George Mason University. George Mason continued to work closely with us, providing constant feedback and guidance as we began the process. We started by asking for volunteers to go thru the course. This way we started with people that wanted to be there and we recognized their extra work every chance we had to do so. These individuals were given time to go thru each

module after an introduction group explained the basic concepts of that module. We gave them each a single day of no offenders to get thru the module. We started a new module every week, giving people that needed more time the whole week to complete the course and also giving them enough time to absorb what they learned. There are five modules broken up as a basic, intermediate and advanced component. Each component concludes with a competency test that has to be passed in order to proceed. I can tell you that I thought I would breeze thru the tests after each component with just a cursory glance at the eLearning information. I actually managed to pass the basic and intermediate tests but after taking the advanced test, I sat down, humbled, and took it seriously. The five modules covered:

- 1) Risk and Needs Assessment – emphasizing the core concepts of risks, needs, stabilizers, destabilizers, and responsivity;
- 2) Motivation and Client Engagement – teaching motivational communication skills including exploring and resolving offender's ambivalence;
- 3) Case Planning – learning how to set goals and target offender behaviors to improve outcomes, identify problems, internal and external controls, offender triggers and behavioral contracting;
- 4) Problem Solving – educating on helping offenders identify options and alternatives to triggers, identifying prosocial alternatives and developing action plans; and
- 5) Client Change and Crime Desistance – exploring internal and external factors that result in involvement in or staying away from criminal justice system.

These were not all new concepts, but the application and information was presented in such a way that you need to pay attention. By testing our comprehension, the system forced us to pay attention to what we were learning and the result gave us common vocabulary as well as methods in how we could better address our interventions. Once we had taught the concepts and skills needed to affect change in offenders, we began coaching our staff in effective use of these skills through observations and feedback. It was not enough to teach the skills, we needed to practice. Our Supervisors were all trained as coaches, to observe, give feedback, and score officers. We scheduled all of our officers to go thru SOARING2 and followed the same methods we had used in the volunteer group. In order to make sure that the supervisors were all giving similar feedback, we began a program of practicing coaching by having all supervisors get together and scoring a video of a recent office contact. This way we could practice the skills of our supervisors while skill training those that needed extra help. We began to look for these things in our audits of case work and informed officers that observation scores would be gradually included in evaluations over the following two years. This made certain that officers knew the skills were going to be graded by supervisors with plenty of time for them to work on them.

We banked the low risk cases in a program staffed in with experienced officers to allow them to monitor compliance. This would lower the case load of the other officers, allowing them more time to spend with higher risk offenders. This also helped to insure we were not referring low risk offenders to program-

ming designed for moderate to high risk. This required the trust in our assessment team and the instrument.

Now we had a good assessment on which we could verify inter rater reliability; we had a low risk program to bank those cases not needing many services; we had an eLearning system that taught the concepts of criminogenic behavior intervention with direct skill practicing; we had coaches trained to observe the interactions and give direct feedback to the officers; and we were evaluating the officers on the skills we had taught them.

We also have established or found programming to meet the criminogenic needs of the defendants once we have assessed them as requiring it.

We evaluated and graded our programs with a tool that gave us the areas we were doing well in but also identified the areas each program needed to improve on. In May, we started the process of re-evaluating these programs to see where we have improved and where we still need to focus.

Here are some recommendations I would give to anyone starting down this path:

- 1) Plan for four to five years on implementing and constant yearly evaluation afterwards. This is a long term commitment and pieces will need to be adjusted to get the most out of them. This means you should not start out this project the year you want to retire or at least make sure the team that you are leaving is committed to the project as you are.
- 2) Start planning on how you will gather and maintain your data. Find a source that will help guide you on how to gather the necessary data you will need. Data will be necessary to make informed decisions from the very beginning and provide feedback at all levels. Use the data to drive your decision making.
- 3) Make certain you have a good assessment, one that identifies risk level as well as criminogenic needs. There are good assessments that do not cost money to use. They will, however, cost to implement and ensure reliability.
- 4) Plan this out. Figure what you need to put in place to cover the areas you need to cover and plan the order you want to implement. For example implementing a fantastic program to address antisocial attitudes does not work well if your assessment is unable to identify antisocial attitudes, or implementing both your new assessment and your fantastic program on antisocial attitudes at the same point leaves your teams focus split as well as no consistent referrals to your programs.
- 5) Do not try to put all the pieces in place at the same time; plan them out and give your unit enough time to get acclimated to each new piece before beginning the next one.
- 6) Make sure your managers and supervisors are on board. They do not have to be experts, but they do need to be enthusiasts.
- 7) Start with volunteers. They want to be there and will give your project the enthusiasm it needs.

Lastly, I want to share some observations I feel would have been very helpful. First of all, what you put energy into gets done. Investing in the eLearning and coaching paid dividends in staff competency and enthusiasm. However, we quickly learned that while skills improved in one area, attention to procedures and skills in other areas suffered from reduced attention. So, evenly distribute attention on new skills and maintaining core competencies and make sure what you are focusing on are the things you want to improve on.

Secondly, we learned that just because you train everyone in the same way, enthusiasm for the project differs and that enthusiasm makes the difference between an adequate program and something great. So start all big projects with volunteers. It creates a better outcome and builds its own enthusiasm.

Next we learned that just because someone is a competent supervisor does not mean they know how to be a coach. Good coaches take practice and that isn't something that they get initially. So practice coaching just like every other skill. There are some departments that utilize non-supervisory staff as coaches and it works for their system. Regardless of how you want to implement a coaching system, recognize that coaching skills are outside of what we tend to look for in traditional personnel.

Finally, what upper management understands and wants for department is not always apparent to those doing the day to day work. So talk to the staff and keep talking. Explain your goals, listen to the issues, and work together to make it happen.

References

- Friedmann, Peter D., Faye S. Taxman, and Craig E. Henderson, (2007). "Evidenced-Based Treatment Practices for Drug-Involved Adults in the Criminal Justice System," *Journal of Substance Abuse Treatment*, April: 32(3), 267-277 (published online on March 9, 2007).
- Young, Douglas W. Richard Dembo, and Craig E. Henderson, (2007). "A National Survey of Substance Abuse Treatment for Juvenile Offenders," *Journal of Substance Abuse Treatment*, April: 32(3), 255-266 (published online on March 9, 2007).
- Henderson, Craig E., Faye S. Taxman, and Douglas W. Young (2008). "A Rasch Model Analysis of Evidenced-Based Treatment Practices Used in the Criminal Justice System," *Drug and Alcohol Dependence*, January: 93(1-2), 163-175 (published online on October 29, 2007).
- Skills for Offender Assessment and Responsivity in New Goals (SOARING2)*. George Mason University, Center for Advancing Correctional Excellence, Fairfax, Virginia, <http://soaring2.gmuace.org/>.

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HANDLING CRITICISM

by

Randy Garner, Ph.D.

The one thing we know about criticism is that most of us would prefer to not deal with it. However, criticism is a reality of life. Therefore we can either continue to be stunned by it or consider other ways in which we can better handle the criticism that we receive. Words can have the ability to cut through us like a searing knife. Feelings of self-worth and an individual's sense of competence can be dramatically shaken by the words of others. When someone criticizes you how do you reply? Do you react or respond? Do you seek vindication even before the critic has finished their statement? Do you retreat? Do you attack? Do you agree with the critic even if they are wrong? How do you handle seemingly hostile criticism?

Interestingly, criticism can provide a great opportunity to learn more about ourselves. How we handle other stressful events in our life can be a proxy for how we deal with criticism. How you define success or failure, how accurately you can assess your strengths and weaknesses, and how you deal with your own internal self-talk are all indications of your internal capacity to handle criticism. The real key to dealing with criticism is to become more effective at appraising the criticism and not fall into the "it's all right or wrong" mentality.

When criticized, ask yourself: What can I learn about myself? How can I view this criticism as information rather than an attack? Is there a truth here that I need to hear, even if the criticism is hurtful? What fear or threat does the criticism bring up in me? Why am I taking the criticism personally? Criticism can be like a painful sting of the physician's hypodermic needle containing valuable medicine, your decision is to determine if you will focus on the pain or focus on the gain.

Several years ago I wrote a book entitled *Constructing Effective Criticism: How to Give, Receive, and Seek Productive and Constructive Criticism in Our Lives*. In this book I discuss strategies that may help us to become better at giving criticism, better at seeking criticism, and better at receiving criticism. One of the tools that I address, as it relates to receiving criticism from others, involves the **L.E.A.R.N. Method**. This approach can help you in your appraisal of criticism. This is an acronym that suggests we need to: 1) Listen actively, 2) Evaluate the criticism, 3) Acknowledge the criticism, 4) Respond effectively, and 5) Navigate the response and the outcome of this approach.

Listen Actively

Often we get caught in a "reply trap" where we become so involved in crafting how we are going to respond to the criticism, we do not truly listen. Unless you carefully listen to everything the person is saying, you will not be in the best position to assess the accuracy of the comments or obtain clues as to the motivation of their message. Even if the criticism is not accurate, the one offering the criticism may think it is. Try to refrain from responding too quickly. We listen more effectively when we are not defending. Often times the critic may only need to feel as though

they have been heard. You will decide, once you have carefully listened, how best to proceed. The goal is to listen without defensiveness. I like the quote from the book of James "everyone should be quick to listen, slow to speak, and slow to become angry." If we could simply follow this wise advice we would have much less strife.

Listening is a skill that takes time to develop. Unfortunately we spend little time honing these skills. One of the best ways to focus on listening is to emphasize Active Listening, and one of the best ways to actively listen is to ask questions. This helps in a number of ways. It allows you to be better informed and get better information about where the critic is coming from. It clearly demonstrates that you are listening, concerned, and really want to understand. When you're listening to another you are usually forming your own internal questions. For example, you may ask yourself "how did they come to that conclusion?" "I wonder why they think *that*?" "What information do they have that I do not have?" "Why do they feel so strongly?" "Where did they get their information to arrive at that opinion?" "How do they see things differently than I do?" It can be helpful to give voice to some of those questions when appropriate. The strategic goal is to be curious rather than caustic in both your thought and response. If you are able to authentically express inquisitiveness without conducting an inquisition, you will be more likely to get the needed information and clarification that allows you to better assess the comments.

Evaluate the Criticism

To evaluate means to examine something in order to judge its value, quality, or importance. We should not simply and unquestioningly accept the conclusions of others. We must assess received criticism and appraise its merits, its potential, and its applicability. There are several areas that can help us with this task.

Engage in Honest Evaluation – It requires a great deal of personal integrity to honestly evaluate, assess, and appraise criticism. It is much easier to defend, deny, or attack the critic or the criticism. Even if the critic is not well spoken or mannered, there may be an important bit of information that we might be able to use in their comments to our advantage and personal growth.

Consider the Source – Simply because someone decides to offer criticism does not mean that they are in a position that makes their comments valid. In the process of assessing criticism you should ask yourself a few questions similar to these:

- Is the person knowledgeable about the area they are criticizing?
- Is this person trustworthy?
- Is this a person who is trying to help me improve or are they being destructive?

- Is this person one who has offered productive criticism to others or to me in the past, or are they a chronic critic?

Psychological research tends to focus on two broad areas when assessing one's communication credibility: perceived expertise and trustworthiness. If the source of the criticism is highly credible, then that should heavily weigh in your assessment. Conversely, if the critic is offering their uninformed opinion about a topic of which they are unfamiliar, the result of your assessment may be quite different. However, it is important to *honestly* evaluate the source and not be too quick to dismiss the criticism. Although the chronic critic is often motivated for reasons other than to help you improve, some individuals may offer useful information, even if you are unaware of their credentials to criticize. Regardless of the critic's motivation, it's often best to ask yourself, "Is there anything in the criticism – in spite of the delivery method or the deliverer – that could allow me to improve in some way?" If so, you may want to consider their criticism more carefully.

Keep Your Perspective – Even when criticism might be valid, it is important to not get "caught in the thick of thin things." In other words, the issue being criticized maybe so trivial that the effort to institute change exceeds the potential benefit derived. Keep it in perspective. When evaluating the criticism, determine how does it rank on the scale of importance.

Try Not to React or Take it Personally – Of course, this is often easier said than done; however, there is a big difference between reacting and responding. Responding has the connotation of some level of thoughtful reflection. Between the stimulus of the criticism and your response or reply you have the opportunity to exercise a choice. In considering your choice it is often best to resist the temptation to blast the critic. Instead, consider why this person may have this perception, and consider if there is a grain of truth in the information – being very honest with yourself. There is a subtle balance involved in remaining open to the productive aspects of criticism, while ensuring that your own self-esteem remains intact.

Ask Yourself "What can I learn from this criticism?" – This is a very healthy attitude to take when dealing with someone offering you criticism. It helps you to psychologically remain somewhat detached from the criticism. Instead of absorbing the criticism and potentially growing angry or frustrated, you are placing yourself in the position of an analyst. You are mentally assessing the information as a "third-party" rather than taking each comment personally. This places you in a much stronger and more mature position in the criticism communication cycle. By converting your role to an observer of the one who is offering the criticism and their comments, you place yourself in a position to more objectively assess the intention of the critic and the importance of the criticism. As always, it is vital to recognize the opportunity for personal growth. Never be too quick to dismiss the criticism of others; you never know what potential growth opportunity you may find.

Accept that Criticism can be Unpleasant – In your evaluation of criticism, accept that criticism is inevitable and – properly communicated – can provide you with feedback that can help you better yourself and your performance. That may not make receiving criticism more enjoyable, however, if you are

prepared with the proper mindset you will be in a better position to consider the critical comments of others. If there is a lesson to be learned, be sure you fully embrace the experience. We sometimes wish to wiggle out of uncomfortable or unpleasant situations too soon – before we gain the insight we need to avoid problems in the future.

Have a Sense of Humor – A good sense of humor can help to defuse hurtful criticism and help us to gracefully accept criticism that hits the mark. This does not mean that we flippantly laugh off the critical comments of others – that would defeat the potential gain in personal and professional growth. Instead, the ability to be amused rather than offended at the misguided comments of another can be invaluable. Similarly the capacity to not take yourself too seriously and see the humor, even at your own expense, allows you to be more adaptable in managing criticism.

Acknowledge the Criticism

Even if you do not necessarily agree with the criticism that has been communicated, simply acknowledging the critic lets them know you have received their comments. This acknowledgment may be nothing more than a brief statement such as "thanks for sharing your thoughts about this with me." Often times, if you do not at least acknowledge the criticism that has been provided, the critic will continue with their comments and concerns because they are unsure if you understand their position. Acknowledging that you have at least heard the comments helps to remedy this situation.

Respond Effectively

An effective response to criticism is determined by a number of considerations including all the information identified in the L.E.A.R.N. model. You must actively listen, work to keep your emotions in check, evaluate the merits of the criticism, and so forth. The goal of your response is to effectively address the criticism without eliciting – in yourself or others – increased tension or defensiveness. Sometimes merely thanking the critic for taking the time to visit with you and offer feedback can be disarming. Occasionally, our first response is sometimes to immediately call attention to the minor inaccuracies in the comments of others or to look for ways to assert that we are correct and the critic is wrong. It is important to stay mindful of this impulse; focus on the information, assess it for content, and look for the positive intent of the critic. Act as though they mean well, even if it seems that they do not (For a much more detailed discussion and ideas on how best to effectively respond to criticism see the text cited in the reference section of this article).

Navigate the Response and Outcome

Finally, anytime a criticism event occurs it is important that you assess your response to the criticism. Consider what went well, consider what could have gone better, and consider how you could improve your criticism reception in the future. Delivering and receiving criticism is a process, not an event; and a good process must include an assessment of outcomes.

The L.E.A.R.N. Method can be helpful for all of us when dealing with criticism. It allows us the opportunity to take steps to better manage and assess criticism. Ultimately, how we manage the critics and their criticism speaks volumes about us as leaders. If we work to focus our thoughts about criticism as something that has the potential to be improvement-oriented (even if that involves nothing more than developing our ability to have increased patience), we can transform our thinking about criticism more generally.

References

Garner, R. (2010). *Constructing Effective Criticism: How to Give, Receive, and Seek Productive and Constructive Criticism in Our Lives*. Prescient Press.

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A BEACON OF HOPE – SUNNY WAYS: LIFE SENTENCED OFFENDERS

by

R. E. “Bob” Brown

Introduction

The plight of life sentenced offenders is the focus of this article. This focus has been and remains an extremely controversial issue for legislators, policy makers, the offender population, and civil society. Voluminous would be an appropriate descriptor of the relevant literature and research that is available for review. Starting with a reference to the Council of Europe would be appropriate.

A crime prevention policy which accepts keeping a prisoner for life even if he is no longer a danger to society would be compatible neither with modern principles on the treatment of prisoners during the execution of their sentence nor with the idea of the reintegration of offenders into society (United Nations, 1994, p.4).

This should be digested in concert with the concept of tertiary crime prevention which addresses the issue of offending after it has happened. The main focus is on intervention in the lives of offenders in an attempt to prevent re-offending (Attorney General, par. 10) providing them, their families and the community hope for a better future.

In 1974 when discussing criminal justice reforms in Canada and more specifically the incarcerated population of Canada's prisons Warren Allmand, Canada's Solicitor General stated emphatically “we have to give them some hope” (Wilde, p. 15). The LifeLine Program¹ developed in Canada in the 1990s, when fully operational, provides life sentenced prisoners with hope – a beacon of hope in a world mislead by notable phrases that have stained the fabric of the criminal justice reality from coast to coast to coast, from country to country, and from continent to continent. Phrases such as: “nothing works”; “just deserts”; “tough on crime”; and “truth in sentencing” all have been used in the political arena to further stoke their fear of crime agenda.

Definition

In 1976 the death sentence was removed from the Criminal Code of Canada, the death sentence was abolished and was “replaced with a life sentence disposition” (Olotu, et al., par. 2). The term life sentence has been used internationally in a variety of ways. For the purpose of this article unless otherwise specified the following definition will be the “working definition”:

In Canada although life sentences and indeterminate sentences may both result in imprisonment for life, they are different. A life sentence is a sentence of life imprisonment, imposed by a judge at the time of sentence, for example, for murder. An indeterminate

sentence is a result of a designation, where an application is made to the court to declare an offender a Dangerous Offender, and the consequence of this designation is imprisonment for an indeterminate period. (Public Safety Canada, p.59).

Canada by the Numbers

From a Canadian perspective, the following data is provided for review.

Figure (1) Offenders with Life or Indeterminate Sentences Represent 23% of the Total Federal Offender Population 2014*

Sentence	Incarcerated	Day Parole	Full Parole	Total	%
Offenders with a life sentence for 1 st Degree Murder	935	43	161	1,139	5%
Offenders with a life sentence for 2 nd Degree Murder	1,947	203	1,250	3,400	14.8%
Offenders with a life sentence for Other Offences	129	8	69	206	.9%
Offenders with indeterminate sentences resulting from the special designation	542	12	22	576	2.5%
Total	3553	266	2502	5321	

* PSC p. 60.

Data for the US and other international jurisdictions will be shared below.

The following shows an increase in the incarcerated population over a 23 year period of 1,004 and an increase in the community supervised population (day parole and full parole) of 1,643.

¹ The LifeLine Program has also been referred to as the LifeLine Concept. For the remainder of the article, unless in a direct quote, both will be referenced as LifeLine.

Figure (2) Offenders with Life Sentences 1992 vs 2015 Excluding “Special Designations”

Year	Prison Lifers	Day Parole	Full Parole	Total
1992*	2007	210	881	3098
2015**	3011	254	2480	5745

* Braithwaite, 1992, p. 16.

** PSC p. 60.

Canada a Brief Retrospective – the 1980s and 90s

In Canada the responsibility for the administration of prison sentences of two years to life rests with the Federal Government and primarily with the Correctional Service of Canada (CSC). A review of federally generated documents prepared during the 80s highlights a number key issues/recommendations – highlights that I am confident are consistent with findings found in the international criminal justice community.

Solicitor General Canada (1981) *Solicitor General’s Study of Conditional Release*:

Life-sentence inmates present unique problems for the penitentiary and release systems. To many of the penitentiary officials we talk to, this situation represents a prison management problem which is beginning to be felt and which will be increasingly felt in the future since lifers have such long periods of “dead time” to serve without hope of relief and without direct incentives to good behaviour, many penitentiary officials believe that they create, and will increasingly create, direct and indirect disciplinary problems (p. 118).

Solicitor General Canada (1984) Report of the Advisory Committee to the Solicitor General of Canada on the Management of Correctional Institutions:

We are concerned that unless suitable programming is developed and other humane alternatives are found, the growing number and unique problems of long-term offenders will increasingly strain the resources of the Service (p.51).

Standing Committee on Justice and Solicitor General. (1988) *Taking Responsibility: Report of the Standing Committee on Justice and Solicitor General on its review of Sentencing, Conditional Release and Related Aspects of Corrections*:

Recommendation 64 – The committee recommends that the Correctional Service of Canada develop programmes appropriate to the needs of inmates serving long periods of incarceration prior to their eligibility for conditional release (p. 208).

Subsequent to the 80s a progressive correctional period ensued with correctional literature being liberally sprinkled with influential Canadian researchers and academics, such as Donald Andrews, Paul Gendreau, and James Bonta, to name a few – researchers that debunked Martinson’s 1974 conclusion that “nothing works” as it relates to prisoner rehabilitation. As a result of this circumstance, the increase in life sentenced offenders following the abolition of the death penalty, and the findings of the various government reports, it became clear that there was a

need to tailor an approach to target this group of offenders who were incarcerated for lengthy periods.

A Lifer’s Reality in Brief

As noted above the subject of this article has and remains extremely controversial. We can look at the numbers and we can examine legislation and the policy. In balance there is a need to breathe some life into the lifer’s reality.

Rick Sauve was convicted of first degree murder in 1979 and spent over 17 years in the federal prison system in Canada. He shares that: “When I went to prison, I wasn’t prepared for it. It was one of those things like falling through the rabbit hole into a world where I was scared and I didn’t know if I was ever getting out. I thought about giving up. I thought about suicide. That’s what happens...you tend to lose hope” (MacLennan, par. 6 & 8). We will revisit Rick Sauve’s journey further below.

A CSC Case Management Officer stated: “I’ve got years left to live with most of these guys...if you could give even 1 or 2 of my Lifers some hope for life beyond the walls, maybe through helping them salvage relationships destroyed in a moment, or address their guilt...and come to terms with their remaining denial through seeing the victim impact...all of that makes life for me and for them much easier. There is no question about how such work will affect their ability to re-integrate into the community. Anybody can find a place to relocate...but what is a place without relationships? You can give them hope for reconciliation” (Braithwaite, 1992, p. 21).

A Scottish Prison Service employee observed: “the existence of a small group of individuals – within the overall lifer population – who, having served their punishment period, appear to have ‘retreated from release’. This effectively means that prisoners voluntarily decide to avoid release, and is characterised by a lack of willingness to engage in the parole process” (Woodrow, p.2). The following further highlights retreat from release (RFR) for lifers:

The sense of loneliness and isolation was another strong theme. Outside relationships that once existed with family and friends had been completely eradicated for the majority of prisoners. For some, this isolation was as a result of bereavement or natural breakdowns in relationships, yet for others relinquishing relationships was a survival strategy; a self-preservation technique. Whatever the reason for prisoners experiencing isolation, it clearly presented as a catalyst to RFR, as there was nobody or nothing for these prisoners to get out to. As such, the importance of social relationships in the successful reintegration of life-sentence prisoners cannot be underestimated (p. 70).

The UN reported that the loss of relationships in the outside world was regarded by prisoners themselves as one of the greatest problems they encountered (UN 1994, p.10). It highlighted further that “the most obvious means of maintaining prisoners contact with society at large is to preserve any social relationships they may have had before incarceration or to build up new ones inasmuch as that is possible” (p.9).

When positive relationships are recognized as extremely important for lifers; it is recognized that a percentage of lifers do not have positive external relationships; it is reported that a certain percentage of lifers “retreat from release”; and it is suggest-

ed that “new ones inasmuch as possible” be developed, how is this vacuum filled? How do “we provide them some hope” while at the same time ensuring that community safety and protection remains the primary goal for all involved?

To this point the focus has been on the incarcerated lifer. Is there a role that can be played by a released offender who has successfully re-entered, reintegrated, or resettled back into the community?

Consistent with these queries, in 1986 Canadian John Braithwaite, a former CSC Deputy Commissioner and American Correctional Association President (1974/75) challenged the St. Leonard’s Society to do something for the lifer population (Graham, par. 6). In 1991, the LifeLine Program was implemented in collaboration with the St. Leonard’s Society of Windsor, Ontario (Olotu, par. 6).

Following its introduction in 1991 a contracted review was completed for the government in 1993. It once again highlighted the plight of the life sentenced prisoner. “Consultations with staff leading up to the agreement to promote the LifeLine program, an Assistant Warden suggested that, ‘Lifers don’t have a priority – they’re not even on the agenda!’ As a senior headquarters administrator commented, ‘Unfortunately, it’s the squeaky wheel that gets the grease and lifers are always pretty cooperative’ (Braithwaite, 1993, p.34). These findings and the questions posed above contributed to further enhancements to LifeLine.

LifeLine

This article will unfortunately not have the luxury of sharing an in depth history of LifeLine, a program developed to respond favourably to both the “Braithwaite challenge” and the challenge of the 1988 *Recommendation 64* “develop programmes appropriate to the needs of inmates serving long periods of incarceration prior to their eligibility for conditional release”.

“The LifeLine concept focuses on those serving life sentences to offer hope, encouragement, and the possibility, ultimately, of supervised release to the community” (Braithwaite, 2006, par. 2). LifeLine was designed to identify and facilitate a structured and individualized release plan for offenders serving life sentences in the Canadian federal prison system. In-reach, the institutional component, had two primary objectives: a) identify and assist lifers in managing the course of their sentence while incarcerated; and b) assist lifers in preparing for parole (French, par. 1). LifeLine involved three key components: 1) in-reach services; 2) community support; and 3) public awareness (Olotu, par. 7).

A key ingredient to LifeLine is the conduct and performance of the In-Reach Worker (IRW). The whole concept of service rises or falls with the individual worker. While they are living testimony and inspiration for this progressive program, a failure can be devastating. In addition to orientation and initial training, a Code of Ethics was developed that commits the workers “to live a responsible life style that enhances the LifeLine concept and contributes to the safety of the community” (Braithwaite, 2006, par. 26).

Fast forward to 1998. Following continued review, development, and consultation involving the “tripartite alliance” – CSC, the National Parole Board, and the non-governmental proponents of LifeLine – contributions were made to the report entitled *Implementing the Life Line Concept: Report of the Task Force on Long Term Offenders*. The following two recommendations were included as part of the in-reach component:

- the initial target group for LifeLine services be offenders who do not have a warrant expiry date²; and
- the profile for In-Reach Workers – be lifers or long term offenders who have demonstrated successful reintegration by responsible, crime-free living in the community while on full parole for a minimum of five years³.

“LifeLine for Lifers” is a chapter in a book prepared for community corrections colleagues in China in 2006. It highlighted several of the LifeLine accomplishments over their initial 15 years:

- nine separate non-governmental organizations across Canada were sponsoring LifeLine;
- An In-Reach Worker was available to every inmate lifer in the federal prison system;
- 80% of lifers had used the service;
- 85% of the lifers reported LifeLine to be helpful and urged its expansion; and
- 85% of the staff saw the service as helpful (Braithwaite, 2006, par. 31).

An International Perspective

Having briefly chronicled the development of LifeLine in Canada it would now be appropriate to address, through an international lens, the issue of lifers and the utilization of released offenders as peer support workers.

Figure (3) LifeLine International Recognition

Year	Award	Association
1998	Program of Excellence Award	American Correctional Association
2002	Offender Management/ Treatment & Reintegration Award	International Community Corrections Association
2012	Outstanding Achievement Award	Canadian Criminal Justice Association

(Braithwaite, 2012, p. 10/11)

A Guiding Principle of CSC’s Mission reads “We recognize that we must actively encourage the gathering, creation, application and dissemination of new knowledge if we are to remain a contributing member of the national and international correctional communities” (CSC, 1991, p.15). This principle remains significant today with the following caveat – the active encouragement must be a two way exchange, a two way learning process. The recognitions above exemplify the intent of the guiding principle.

The following *Rules* appear in the section of the *UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules)* entitled “Social relations and aftercare”:

- *Rule 106* Special attention shall be paid to the maintenance and improvement of such relations between a prisoner and his or her family as are desirable in the best interests of both.

² CSC 1998, Recommendation 3, par. 27

³ CSC 1998, Recommendation 7, par. 31

- *Rule 107* From the beginning of a prisoner's sentence, consideration shall be given to his or her future after release and he or she shall be encouraged and provided assistance to maintain or establish such relations with persons or agencies outside the prison as may promote the prisoner's rehabilitation and the best interests of his or her family (UNODC, p. 31).

1) Released Prisoners & Positive Peer Support

It is recognized that for many imprisoned lifers, for many reasons do not have family support or positive community contacts. A resource, similar to LifeLine that is utilized internationally is the successfully resettled offender.

Sweden

In Sweden, for example, there is the organization KRIS (Criminal's Return into Society) which consists mainly of ex-prisoners who have become well-established law-abiding citizens. They offer help to incarcerated prisoners to prepare for conditional release; offer to meet; and provide lodging to prisoners at the moment of release in order to insure that they do not drift back into criminal circles (PRI, 2010, p. 76). Formed in 1997, by 2002 a national federation was created. In 2003 it was found that only 3% of a sample of 218 "peer directors" had reoffended (Frodlund, p. 63).

Scotland

In Scotland the Routes out of Prison Project (RooP) provides a confidential support service to prisoners returning to Glasgow and surrounding areas after serving a sentence of between three months and four years. RooP offers its clients peer support to link them to services in the community (Whyte, p. 2). The project recruits ex-offenders as life coaches to support repeat offenders serving prison sentences. The aim is to assist with acquiring life, relationship and employability skills that will help ex-offenders to re-integrate and resume their place within the family and society, to reduce harm, to improve their work prospects and their health and, ultimately, to reduce re-offending (Understanding Glasgow, par. 2). A University of Edinburgh evaluation highlighted that "All interviewees, including Chief Officers and Prison Governors, hoped that RooP would secure the funding required not only to continue, but also to expand across Scotland" (Whyte, p. 4). Adequate and sustainable funding for key supportive programs remains a key issue.

2) International Interest in LifeLine

Japan

Interest in the LifeLine program has been shown by colleagues with the United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders (UNAFEI) headquartered in Tokyo. Meetings have occurred and Information exchanged. It is anticipated that by the time this article is published a two person UNAFEI delegation will have met in Toronto with LifeLine co-founder Skip Graham. Information provided on August 8, 2016, by UNAFEI concerning their lifer population is shared below.

Figure (4) Life Sentenced Offenders in Japan 2005 to 2014

Year	Life Sentenced Prisoners	Parolees Released*
2005	1,467	13
2006	1,596	4
2007	1,670	3
2008	1,711	5
2009	1,772	6
2010	1,796	9
2011	1,812	8
2012	1,826	8
2013	1,843	10
2014	1,842	7

* Data for the total number of life sentenced parolees was not available.

Republic of Ireland

A non-governmental organization in Dublin, Ireland, has also shown an interest in LifeLine. A quick look at the lifer reality in Ireland would be appropriate.

Figure (5) Life Imprisonment in Ireland 2001 to 2013

Year	Prisoners in Custody*	Lifers in Custody	% Lifers	Lifers Released	Lifers Recalled
2001	3,112	139	4.4%	5	1
2002	3,165	N/A	N/A	3	1
2003	3,176	166	5.2%	1	0
2004	3,199	193	06%	1	1
2005	3,151	221	07%	2	1
2006	3,191	234	7.3%	N/A	1
2007	3,321	239	7.2%	6	0
2008	3,544	264	7.4%	2	3
2009	3,881	276	7.1%	5	1
2010	4,290	286	6.6%	6	1
2011	4,390	291	6.6%	5	1
2012	4,318	305	7.1%	4	1
2013	4,148	319	7.7%	4	1

(*) Includes prisoners on remand

Griffen, p. 14 – Obtained from Annual Reports and Strategy Statements – Irish Prison Service

A snapshot of Irish Prison sentenced population on 30th November 2015 indicates that 345 prisoners were serving life sentences (Irish Prison Service, p. 24). Although the custodial population in **Figure (5)** includes remanded offenders it is significant to highlight that the lifer population increased by 26 from 2013 to 2015 and from 2001 by 206. Data provided by the Irish Probation Service via their June 2016 Monthly Offender Population Report indicates that 78 life sentence prisoners were on supervision in the community.

The Care After Prison (CAP) Model situated in Dublin highlights that “what makes Care After Prison’s expertise so special is that it is peer-led, that is by ex-prisoners, for ex-prisoners.” This fact gives CAP a knowledge and a level of respect that is impossible to replicate (Walsh, p. 16). This is supported further by a key Value “We recognize and draw on the experience of those affected by imprisonment” (p. 4).

Prior to receiving a life sentence in Canada, Rick Sauve, introduced previously, left school after grade 9. During his 17 years in prison and post release on parole he earned undergraduate degrees in psychology and criminology followed by a master’s degree in criminology from the University of Ottawa. He started as a LifeLine in-reach worker in 2008. In the summer of 2016 Rick Sauve, as an experienced LifeLine worker, initiated a two way cooperative relationship across the Atlantic Ocean with the CAP Executive Director, Stephen Doyle. For both, there is a beacon of hope for the life sentenced offender.

United States – Colorado

The Sentencing Project in the United States, in referring to the Colorado Department of Corrections involvement with LifeLine, shared the following:

Reentry and reintegration principles must be extended to persons serving a life sentence. Correctional programs can contribute to a successful release and persons serving life should be encouraged to access the types of services that will help them transform their lives and improve their presentation before the parole board. One model is the Life-Line program, first enacted in Canada and now in its early stages in Colorado. In Life-Line, persons who have successfully reintegrated into society after serving a life sentence serve as mentors to those about to be released. So-called “in-reach workers” prepare individuals while they are still in prison for the challenges they will face and also assist those who have been released to the community (Nellis, p.20).

The Colorado program modeled after LifeLine and referred to as the Long-Term Offender Program “pairs inmates with mentors-former convicts who know firsthand what it’s like to walk out of prison after decades inside” (Pacific Standard, par.8). This “highly successful parole program that helped inmates serving decades-long sentences transition back to society – and had the potential to save the Colorado Department of Corrections millions of dollars each year in reduced housing and medical care costs for geriatric prisoners – was scuttled without adequate explanation, say supporters of the program” (Prendergast, par. 1).

International Reality Check re Paroled Lifers

What will a quick international look at the recall, revocation rates of released lifers tell us? Clearly the mission and mandates of correctional administrative bodies and agencies around the world including the various paroling or releasing authority stipulate that community safety and protection are paramount.

1) England & Wales

A 1992 article reported that “five years after release, the life licensees were still making good progress. Only 4% were convicted of a grave offence and about 22% of a standard offence. In

many cases, the standard offences were relatively minor” (Harris, par. 41). Further findings from the 1992 article reports that the:

- average rate of recall within two years for those life licensees first released between 1972 and 1987 was 8%. For these same licensees, the average rate of recall within five years was 16%. It is not possible to compare these recall rates with those sentenced to determinate sentences since, in most cases, the period under supervision is far less than two years; and,
- recall indicators give the clearest picture of our success in helping lifers to be safely released into the community. More than 80% remain at liberty after five years. This is an encouraging picture, but we are not complacent and are now looking to improve this statistic – our target is 100% (par. 43 & 43).

A 2013 update reports that once released “the vast majority of life sentence prisoners are successfully integrated back into the community with only 2.2% of those sentenced to a mandatory life sentence and 4.8% of those serving other life sentences reoffending in any way, compared to 46.9% of the overall prison population” (HMI of Probation, p.11).

2) United States

The reporting highlighted below is also significant to the subsequent section that looks at the sentencing disposition referred to as life without parole (LWOP) and by others as death in prison (DIP).

- Lifers are less than one-third as likely as all released offenders to be rearrested within three years of release from prison. Four of every five lifers are not rearrested. Of the lifers released in 1994, 20.6% were rearrested, compared to an overall rearrest rate of 67.5%.⁴ (Note that these data all refer to rearrest rates, and that not all arrests result in a conviction on a new offense) (Mauer, p. 24).
- In the past a number of studies have examined the recidivism rate of released lifers, particularly those imprisoned for homicide. Generally, these have found that lifers have very low rates of recidivism, including for violent crimes. For example, in Michigan, 175 persons convicted of murder were paroled between 1937 and 1961; none committed another homicide and only four were returned to prison for other offenses (p. 23).

3) Canada

In Canada, between 1920 and 1967, 119 persons originally sentenced to death for murder had their sentences commuted to life and were eventually released on parole; one was convicted of another homicide. From 1959 to 1967, an additional 32 persons were released and by 1967 only one had been convicted of a new offense (not a murder) (Mauer, p. 23).

As reported in Parole Board Canada’s (PBC) 2013 Performance Monitoring Report 2011 – 2012 between 1994/95 and 2011/12, offenders serving indeterminate sentences had completed 2,727 federal full parole supervision periods. As of April 15, 2012, 58% of the supervision periods were still active (supervised), 17% had ended because the offender had died while on parole, 15% were revoked for a breach of condition, 7% were re-

4 Concerning this data the possibility of standard error issues inherent in working with small sample is acknowledged.

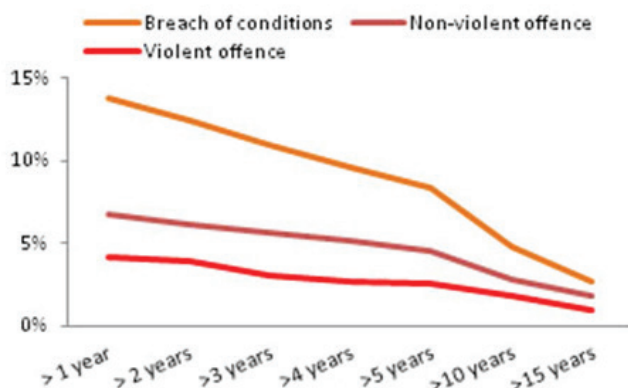
voked as the result of a non-violent offence, and 3% were revoked as the result of a violent offence (PBC, 2013, p. 54).

In 2016 PBC reported that over the last 21 years, offenders serving indeterminate sentences on full parole were:

- 1.8 times more likely to have died than to have had their supervision periods revoked for having committed a new offence; and
- 4.7 times more likely to have died than to have had their supervision periods revoked because of a violent offence. The ratio almost doubles for those offenders who were on full parole over five years (PBC, 2016, p. 51).

As noted below in Figure (6) “the majority of revocations for breach of condition and revocations with offence for offenders serving indeterminate sentences on full parole occurred within the first five years of the federal full parole supervision periods, and the number of revocations gradually decreases afterward. Thus, the likelihood of having a supervision period revoked drops significantly the longer the offender is on full parole” (PBC, 2016, p. 51).

Figure (6) Revocation Rates on Federal Full Parole for Offenders Serving Indeterminate Sentences between 1994/95 & 2014/15



Reviews of LifeLine

The review of the revocation, reconviction rates for lifers from three different international jurisdictions speaks volumes as to the rehabilitation potential for paroled lifers. Such a conclusion is consistent with Core Value 2 of CSC’s 1991 Mission document “We recognize the offender has the potential to live as a law-abiding citizen” (CSC, 1991, p.10). This value was prominent in 1991 at the time of the introduction of LifeLine.

In 2012, at the height of LifeLine, there were twenty-eight dedicated, devoted individuals on parole for life striving to help lifer inmates become responsible productive citizens (Braithwaite, 2012, p. 12). The same year the Canadian Broadcasting Corporation (CBC) posted the following headline on April 16, 2012, sixteen days into the new federal government’s fiscal year: “Prison Rehab Program Axed Due To Budget Cuts”. The “Rehab Program” was LifeLine. Reflecting on values, the following is attributed to U. S. Vice President Joe Biden: “My

Dad used to have an expression: ‘Don’t tell me what you value. Show me your budget, and I’ll tell you what you’ll value’” (The NY Times, par. 17). Succinct and to the point.

The same CBC posting highlighted that “Officials with CSC declined to be interviewed, but in a statement they said the program was not proven to be cost-effective”. Such a statement needs to be placed in context. In 2011-12, to incarcerate one offender for one year in a maximum-security federal prison cost the federal government \$135,000 and in a medium-security federal prison, \$101,000 (Chang, par. 14 & 15).

In his 2012-2013 Annual Report Canada’s Correctional Investigator shared his disappointment and concern about “the end of funding for Lifeline, a program that provided in-reach and out-reach services and support to life sentenced offenders, appears unwarranted and contrary to long-established practice...these measures reflect a narrowing of the rehabilitative potential of corrections” (Office Correctional Investigator, 2014. p. 04).

In November 2010, CSC prepared the following research brief – *A Preliminary Investigation of Institutional Outcomes for Life Line Participants*. The results of the research highlight the potential benefit of LifeLine by uncovering positive trends in service participation. Results also indicated the need for the collection of robust, accurate, and detailed quantitative data on service provision. “Future research on the LifeLine service would benefit from improved and increased quantitative data collection, as well as an extended data collection period in which more long-term institutional and community outcomes can be examined” (Gottschall&Axford, p. 14). Although presented as preliminary research it highlighted positive results and recommended that LifeLine receive more in-depth research and attention. This however did not occur, and LifeLine was axed sixteen months later.

LWOP – Life Without Parole

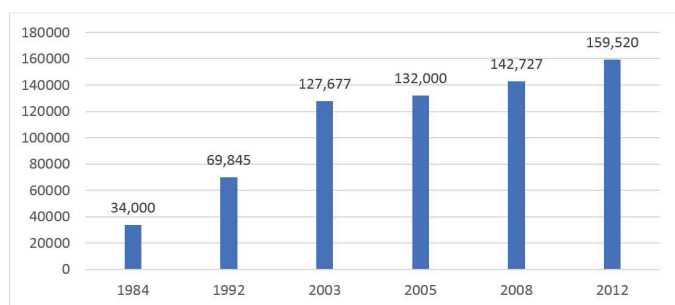
Unfortunately this article would not be complete without providing an overview of the United States LWOP sentencing option. Let the following numbers paint the picture.

Figure (7) 2012 Population of Men & Women Serving Life & Life without Parole⁵

Sentence	Female	Male
Adult Life	3,491	99,084
Adult LWOP	1,596	44,986
Juvenile Life	211	7,651
Juvenile LWOP	63	2,435
Gender total	5,361	154,156
Total %	3.4%	96.7%
Population Male & Female	159,520	

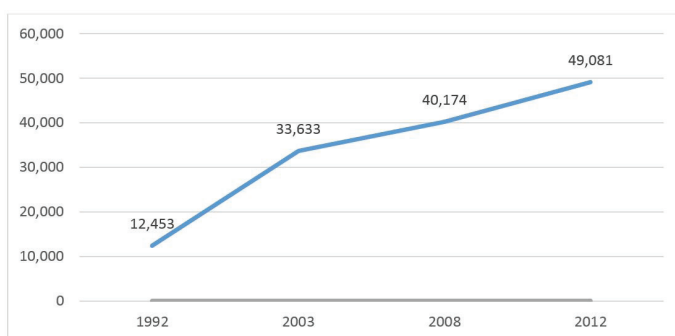
5 Nellis, 2013, p. 11

Figure (8) Expansion of Life Sentences in the US 1984 - 2012⁶



The figure below illustrates the annual increased LWOP utilization going unabated over the past twenty years.

Figure (9) The Rise in Life Without Parole Sentences in the US



A Sentence of LWOP means that an individual is perpetually confined in prison until death, with no hope of redemption, save the remote possibility of executive clemency (Henry, p.68). LWOP as a sentencing disposition dates back to Michigan in 1953 (Davidson, p.1) and is available in every state except Alaska. Prisoners are disproportionately represented in Florida, Pennsylvania, Louisiana, California, and Michigan. Combined, these five states account for over half (57.7%) of all LWOP sentences nationwide (Nellis, p. 5).

Clearly the length of this article cannot do justice to the injustice of LWOP and other lengthy sentences included in the “catch all” death in prison (DIP) sentences. “They are varied and complex. LWOP or other lengthy prison terms, offer the offender no possibility of release. Other sentences, such as life imprisonment, provide the offender with the theoretical possibility of release, but in practice often result in the offenders’ death in prison. While there are differences between the definitions of LWOP, life imprisonment, and lengthy prison terms, individuals serving those sentences share a common trait: with very few exceptions, they will remain behind bars until the expiration of their natural life” (Henry, p.68). This revelation is even more alarming upon further review of **Figure (7)** above. Effective 2012 in the United States there were 2,497 juveniles serving a LWOP sentence.

Age is also a significant factor with another population profile. “Keeping so many older prisoners incarcerated does not

significantly reduce the crime rate and is extremely expensive” (Gottschalk, p. 265). It vacuums up dollars that might be better spent on other correctional priorities.

The United Kingdom has a variation of LWOP referred to as a whole-life tariff (WLT). Data recorded in 2015 indicated that there were 55 prisoners serving a WLT in the UK (Thorton, par. 3). There were 53 whole-life prisoners at the end of June 2016, with six additional life prisoners being treated in secure hospitals (UK Ministry of Justice, p. 6). Although the numbers are small in the UK, I would prefer to focus and fully support the recommendation contained in the Sentencing Project’s report *Life Goes On: The Historic Rise in Life Sentences in America*. The following is found under the heading “Eliminate Sentences of Life Without Parole”:

Life without parole sentences are costly, shortsighted, and ignore the potential for transformative growth. States with life and LWOP sentences should amend their statutes to make all life sentences parole-eligible. The six states and the federal system with LWOP-only sentences should replace this structure with parole eligible terms. An example may come from Canada, where all persons serving life are considered for parole after serving 10 to 25 years (Nellis, p. 19).

Unfortunately Canada is no longer the shining example to the north.

Lifers Parole Eligibility Post 1976

When capital murder and the death penalty were finally removed from Canadian law in 1976, they were replaced by a two-tier scheme for intentional killing:

First degree murder was defined as intentional killing that was planned and deliberate, and carried a mandatory sentence of life imprisonment with full parole eligibility at 25 years.

Second degree murder was defined as intentional killing, and carried a mandatory sentence of life imprisonment with full parole eligibility to be set by the court at between 10 and 25 years.

In 2009 parole eligibility for lifers in the country of Georgia was 25 years. In the same year a project review completed by Penal Reform International recommended “the period of imprisonment after which parole can be granted be reduced (PRI, 2009, p.119).

Canada Post 2006 – Critical Observations

During an interview on August 04, 2016, with Mary Campbell, (retired 2013) Director General, Corrections and Criminal Justice Directorate, Public Safety Canada, she shared her perspectives:

- When the Conservative government came into power in 2006 after 13 years of Liberal governments, they came with a long history of rhetoric about “getting tough” on crime. There were no shades of gray in their thinking, and to them all offenders were defined by the crime they committed. The greater the severity of the crime, the more deserving of harsh punishment for the offender. Personal circumstances, potential for rehabilitation, evidence-based laws and falling crime rates were irrelevant

6 Figures (8) & (9) Nellis, 2013, p. 13

to the perceived need for severe and unrelenting punishment.

- Lifers were at the top of their list. While Canadian judges have ruled that consecutive life sentences are not available, the former Conservative government skirted this by legislating the availability of consecutive parole ineligibility periods for murder.
- Although many experts agree that the Criminal Code provision is almost certainly a violation of Canada's Charter of Rights and Freedoms as being cruel and unusual punishment, the matter has not yet been put to a court challenge.
- To date, this provision has been used three times. In the most recent, the offender is 40 years old and with a 75 year parole eligibility he will not be eligible for parole until he is 115 as opposed to 65. The judge who imposed the sentence was the former Public Safety Minister in the Conservative government.
- This is an egregious and pointlessly cruel law. The Parole Board has dealt with multiple murder offenders since it was created in 1959 – the cases are rare and the Board has had no difficulty assessing these presumptively more problematic cases. And the Supreme Court of Canada ruled many years ago that it is the possibility of parole that keeps indefinite sentences (similar to life sentences) from being cruel and unusual punishment. So unless the current Liberal government repeals the provision, we must await a case making its way up to the Court.

Conclusion

In 1974, the same year as Martinson's infamous conclusion "nothing works" the Solicitor General of Canada, when referring to the prison population, stated "we have to give them some hope". In 1976 the death penalty was abolished in Canada. In the 1980s considerable brain power was dedicated in Canada to long term and life sentenced offenders resulting with numerous studies and recommendations. The beginning of the 1990s saw the introduction of a creative program to meet the challenges identified and was supported by the "tripartite coalition" consisting of the Correctional Service of Canada, National Parole Board and well respected members from non-government agencies. Life was literally breathed into the challenge to create a "beacon of hope" for life sentenced offenders – LifeLine commenced in 1991.

For twenty-one years the beacon of LifeLine, or in Quebec Le Service Option-vie, became stronger and stronger, the program gained considerable support from both correctional staff and the lifer population, research reports and briefs identified numerous positive observations, and the program was honoured by two international associations and the Canadian Criminal Justice Association. During this period the reconviction rate for paroled lifers was and remains extremely low. It is acknowledged that other international jurisdictions are successfully utilizing "community offenders" to provide positive peer support for those in need and the international community remains interested in the LifeLine concept.

During almost the same period 1992 to 2012 LWOP sentences in the US jumped dramatically from 12,453 in 1992 to 49,081 in 2012. This represents an increase of 36,628 DIP or death in prison sentences (Nellis, p. 6). This is sad commentary. Canada

is not exempt from sad commentary, as LifeLine was defunded in 2012 reportedly because it had "not proven to be cost effective". Recent legislation in Canada now allows for consecutive parole eligibility periods, translating into a 75 year eligibility review date in a recent case and translating further into death in prison. With the UK now having the whole-life tariff disposition, the significant over utilization of LWOP in the US, as a Canadian with over forty years experience in criminal justice nationally and internationally it is sincerely hoped that when eventually challenged our Charter of Rights and Freedoms will strike down the consecutive parole eligibility period legislation. It is also significant to challenge our current and future governments to forcefully oppose any potential LWOP creep across the US northern border.

Gottschalk addresses a routine challenge of the correctional agenda – the "correctional divide" – a chasm that divides institutional and community corrections.

The current economic crisis presents an opportunity to re-direct US penal policy that opponents of the prison boom should exploit . . . successful decarceration will cost money. The people re-entering society after prison need significant educational, vocational, housing, medical and economic support. We need to make considerable reinvestments in re-entry . . . (p. 266).

The issue of life sentenced offenders encompasses both custodial and community corrections realities and deserves equal attention. To date the balance sheet between the two is unacceptable – considerable reinvestments in re-entry are well overdue in both the US and Canada. The US faces the challenge of eliminating or drastically reducing LWOP sentences and reallocating the resources to policies and programs that support safe and timely re-entry and strategies that reduce the numbers of failures of conditionally released offenders. The latter is also a challenge for Canada. The adequate allocation of funding to programs that overcome the "correctional divide" remains a challenge in Canada. Reinvestment in LifeLine, a program that successfully overcame the divide, remains a challenge.

Two Canadian Prime Ministers, Sir Wifred Laurier in 1895 and Justin Trudeau in 2015, referred to "sunny ways" in support of their political agendas. "Sunny ways" refers to an Aesop's fable in which the sun and the wind hold a contest to see who can remove a traveler's coat. The sun's warm rays prove more effective than the wind's bluster" (LPC, par.3).

Recently a proposal has been submitted to Public Safety Canada to reintroduce LifeLine as a pilot in the Correctional Service of Canada's Ontario Region. It is sincerely hoped that the LifeLine proposal will receive a "sunny way" review as opposed to the "wind's bluster" that trumpeted "get tough on crime" and legislated consecutive parole eligibility for certain lifers. "Sunny ways" has an opportunity to respond favourably to the emphatic statement "give them some hope". For many, LifeLine remains a beacon of hope, a beacon of hope that deserves our collective support.

References

Attorney-General's Department (2016). "Crime Prevention Fact Sheet," Government of South Australia.

- Biden, Joseph R., Jr. (2008). "Biden's Remarks on McCain's Policies." *New York Times*. Posted 15 September.
- Braithwaite, J. (1992). *More Than a Matter of Time*. LifeLine Incorporated, St. Leonard's House, Windsor.
- Braithwaite, J. (1993). *This Time*. LifeLine Incorporated, St. Leonard's House, Windsor.
- Braithwaite, J. (2006). "LifeLine for Lifers." *An Overview of Community Corrections in China and Canada*. International Centre for Criminal Law Reform and Criminal Justice Policy.
- Braithwaite, J. (2012). "LifeLine – Down – But Not Out." *Justice Report*, vol. 27, no. 3 (Summer), pp. 10-11.
- CBC.CA (2012). "Canadian Broadcasting Corporation Prison Rehab Program Axed Due To Budget Cuts," *The Huffington Post*, Posted 16 April.
- Chang, A. (2015). "By the numbers: 'Lifers' in Canada's prisons," *Global News*. Posted 4 March.
- Correctional Service of Canada (1991). *Mission of the Correctional Service of Canada*. Ottawa CN: Ministry of Supply and Services Canada.
- Correctional Service of Canada (1998). "Implementing The LifeLine Concept: Report of The Task Force On Long Term Offenders," Correctional Service of Canada.
- Davidson, T. (2010). "Year That States Adopted Life Without Parole (LWOP) Sentencing," Washington, D.C.: Death Penalty Information Center (DPIC). Accessed 18 August 2016.
- French, T. (1992). "The LifeLine In-Reach Program." *Forum on Corrections Research*, vol. 4, no. 2. Correctional Service of Canada.
- Frodlund, A. (2003). "KRIS. A Survey of the Organisation Criminals' Return Into Society" (English Summary). Sweden, Stockholm: National Council for Crime Prevention.
- Gottschalk, M. (2012). "No Way Out? Life Sentences and the Politics of Penal Reform," *Life Without Parole: America's New Death Penalty*. Edited by C. Ogletree and A. Sarat. New York: New York University Press, pp. 227-281.
- Gottschalk, S. and M. Axford (2010). *A Preliminary Investigation of Institutional Outcomes for Life Line Participants*. Correctional Service of Canada.
- Graham, S. (1992). "The LifeLine Project," *Forum on Corrections Research*, vol. 4, no. 2. Correctional Service of Canada.
- Griffen, D. (2015). "The release and recall of life sentence prisoners: Policy, practice and politics," School of Law, National University of Ireland, Galway.
- Harris, V. (1992). "The Management and Review of Life-Sentence Prisoners in England and Wales," *Forum on Corrections Research*, vol. 4, no. 2. Correctional Service of Canada.
- Henry, J. (2012). "Death-in-Prison Sentences: Overutilized and Underscrutinized," *Life Without Parole: America's New Death Penalty*. Edited by C. Ogletree and A. Sarat. New York: New York University Press. pp. 66-95.
- Her Majesty's Inspectorate of Probation (2013). *Joint Inspection of Life Sentence Prisoners*. Joint Inspection by HMI Probation and HMI Prisons.
- Irish Prison Service (2016). *Annual Report 2015*.
- Liberal Party of Canada (2016). "The Sunny Way," Accessed 19 August.
- MacLennan, R. (2016). "Life sentence an inspiration for change," *BarrieToday.com*. Posted 10 August.
- Mauer, M., R. King, and M. Young (2004). *The Meaning of "Life": Long Prison Sentences in Context*. The Sentencing Project.
- Nellis, A. (2013). *Life Goes On: The Historic Rise in Life Sentences in America*. The Sentencing Project.
- Office of the Correctional Investigator (2014). *Annual Report of the Office of the Correctional Investigator 2013-2014*. Public Safety Canada.
- Olotu, M., D. Luong, and A. Brews (2009). *Evaluation Report: LifeLine Program*. Correctional Service of Canada.
- Pacific Standard Staff (2012). "Overcrowded Prisons Giving Old Inmates New Life." *Pacific Standard*. Posted 21 February.
- Parole Board Canada (2016). *Performance Monitoring Report 2014-2015*.
- Parole Board Canada (2013). *Performance Monitoring Report 2011- 2012*.
- Penal Reform International (PRI) and Partners (2009). *Life Imprisonment and Conditions of Serving the Sentence in the South Caucasus Countries*.
- Penal Reform International (2010). *Making Law and Policy That Works: A handbook for law and policy makers on reforming criminal justice and penal legislation, policy and practice*.
- Prendergast, A. (2014). "Why Did Colorado Shut Down Its Most Successful Parole Program?," *Westword*. Posted 23 September.
- Public Safety Canada (2016). *2015 Annual Report: Corrections and Conditional Release Statistical Overview*. Public Safety Canada.
- Solicitor General Canada (1981). *Solicitor General's Study of Conditional Release*. Solicitor General Canada.
- Solicitor General Canada (1984). *Report of the Advisory Committee to the Solicitor General of Canada on the Management of Correctional Institutions*. Solicitor General Canada.
- Standing Committee on Justice and Solicitor General (1988). *Taking Responsibility: Report of the Standing Committee on Justice and Solicitor General on its Review of Sentencing, Conditional Release and Related Aspects of Corrections*. Canadian Government Publishing Center.
- Thorton, L. (2015). "Life now really does mean life for Britain's most evil killers after landmark ruling." *Mirror.CO.UK*. Posted 3 February.
- UK Ministry of Justice (2016). "Offender Management Statistics Bulletin, England and Wales". Accessed 15 August.

Understanding Glasgow (2016). "Routes out of Prison (RooP)." Glasgow Centre for Population Health. Accessed 3 August.

United Nations Crime Prevention and Criminal Justice Branch's Report (1994). *Life Imprisonment*. UN Document ST/CSDHA/24.

United Nations Office on Drugs and Crime (2016). *United Nations Standard Minimum Rules for the Treatment of Prisoners* (the Nelson Mandela Rules). UNODC.

Walsh, P. (2015). *Care After Prison Three Year Impact Report 2011-2014*. Care After Prison.

Whyte, B. (2011). *Evaluation of the Routes Out of Prison: Final Report*. The Wise Group, Edinburgh Research Explorer, University of Edinburgh.

Wilde, J. (1974). "We Have to Give Them Hope." *Time*, 9 December, pp. 8-16.

Woodrow, S. (2016). *Retreat from Release by Adult Male Life Sentence Prisoners*. University of Cambridge: Submitted in part fulfilment of the requirements for the Master's Degree in Applied Criminology, Penology and Management.

R. E. "Bob" Brown of Victoria, British Columbia, Canada, is a former District Director of the Vancouver Island Parole District, and a former Director of the Corrections Program at the International Centre for Criminal Law Reform and Criminal Justice Policy. He is a current member of the Board of Directors of the American Probation and Parole Association.

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 review found in this issue has been contributed by Donald G. Evans, Senior Fellow at the Canadian Training Institute in Toronto, Ontario, and a Contributing Editor of *Executive Exchange*.

Privacy and Public Safety in an Age of Mass Surveillance

A Review of Surveillance After Snowden, by David Lyon, Polity Press, Cambridge, 2015 183 pp. (paperback).

With the tension between law enforcement agencies and technology companies over access to personal data, and the reported wish of Edward Snowden to return to the United States, David Lyon's latest book is a must read. Lyon is currently the Director of the Surveillance Studies Centre at Queen's University in Kingston, Ontario, and has published a number of books and articles on the subject of surveillance. This book adds significantly to his contributions to the emerging field of surveillance studies. The heightened interest in privacy and public safety should lead us to think seriously about these issues and allow for more evidence-led discussions, but to date some of the information we need is shrouded in secrecy. A recent example of the secrecy surrounding the National Security Database relates to a news brief published in *The District Sentinel* on March 10, 2016, that reported:

The FBI has implemented new protocols that allegedly enhance privacy safeguards for Americans, when bureau agents search through the NSA's massive intelligence database for information. It can't be confirmed, however, since details about the reported minimization procedures are classified. They were approved by the top-secret Foreign Intelligence Court which oversees sensitive spying operations, both domestic and abroad.

As the reader will recall it was in 2013 that Edward Snowden pulled aside a little of the shroud of secrecy and revealed that the National Security Agency was engaging in mass surveillance by using the internet and cell phone data motivated by fear of terrorism and under the guise of national security. Snowden was seen as either a patriot or a traitor and his status is still that of a fugitive. However, his revelations have been instrumental in furthering surveillance studies and have given a glimpse into the operations of what is now called mass surveillance.

Lyon's book is about surveillance informed by the Snowden revelations and his concerns about mass surveillance. Lyon notes that "governments, corporations, police, indeed organizations of whatever kind, make use of surveillance, intentionally or unintentionally, for good or ill." In the introduction the author briefly discusses how this book came about and examines the issue of our own changed behavior in a surveillance culture. He comments that "in a surveillance culture we participate as never before in our own surveillance by willingly sharing our personal information in the online public domain." For me this is a good

reminder when tempted to be unduly exercised about encroachments on privacy. Privacy is important but so is safety! However the current surveillance apparatus has, as the author notes: "the main explicit aim is to focus on terrorists but it has become increasingly clear that others, especially if they are protesters or they disagree with government policy, are potential targets." It is this overreach of the surveillance apparatus that should cause us to be vigilant and desire appropriate accountability regimes. Lyon outlines three dimensions of surveillance practices that have emerged since 2013: governments engaged in mass surveillance of their own citizens, corporations share their own data with government to mutual benefit, and citizens participate through social media and cell phone activity. Lyon expands on these themes in informative and at times provocative chapters.

In the first chapter he summarizes the storm created by the revelations of Edward Snowden, which revealed that the National Security Agency's activities were layered and involved interceptions of data in-transit, access to stored data, and the installing of spyware on individual computers. A conclusion that might be made after reading this chapter is that the distinction between "mass" and "targeted" surveillance has been blurred. The author discusses trends in surveillance – its growth since 9/11 and the problems for researchers and journalists in gaining a fuller understanding of what is going on due to both analytic and techno-fog. He concludes the chapter by noting that "the issue goes beyond privacy, tightly defined, to questions of power."

His second chapter deals with the issues and problems associated with global mass surveillance and notes that it is hard to find a place in the world where the NSA is not present. The United States is not the only nation state involved in this activity, but due to its place in the global security network its capacity and reach exceeds that of any other single nation-state. This chapter reminds one once again that information is power and that this power can be exercised not only by governments but by corporations and individuals. Lyon comments that "analysis of the spread of surveillance has never been more significant, from threats to individual people to the consequences for war and peace, wealth and poverty, on a global level."

Lyon turns to the issue of what he calls "menacing meta-data." Metadata are those fragments of information that note where we are, when we were there, and with whom we were in touch. The information in this chapter is extremely important in that it provides useful insights, and one would find it worthwhile to re-read this chapter after finishing the book! In this chapter Lyon discusses the morphing of surveillance into "dataveillance"; that is the surveillance of someone's activities by studying or analyzing their data trail. He examines and explores big data's capacities and consequences and the role automation will play in the use of big data. We need to learn more about the changes that are occurring and what the impact will be on us personally, but also on how those of us in the criminal

justice system will do our work in the future. The development of “anticipatory analytics” will change how policing discover “persons of interest” and possibly how probation officers discover possible breaches and violations.

In the fourth chapter Lyon deals with the concept of precarious privacy and explores why privacy matters. He argues for a “rights based approach” to surveillance and stresses the need for this in regard to those in society who are at risk of being victims of unfair discrimination. He concludes this chapter with an interesting observation: “the kind of privacy that makes sense in post-Snowden times sees the common good as paramount: and cares deeply about protecting the other person, not merely about ‘my privacy’.”

In the final chapter the author examines how questions of surveillance, privacy, rights, and democracy are currently framed.

He reminds us of the fact that “we all have opportunities to minimize data or to be careful with how information about others and, of course, ourselves is used, in our social media worlds, our offices, our communities.”

Lyon concludes with a useful coda for those interested in working towards changing how we respond to the increasing use of surveillance technology in our world today. Whatever one’s position on Edward Snowden may be, there is no doubt that a dialogue is now possible based on a better understanding of what is or might be going on in the use of “big data” and an expanded discussion of what do we mean by privacy in a democracy. This book is worth reading and hopefully will lead to more studies in the growing field of surveillance literature.

Donald G. Evans

NEWS FROM THE FIELD

KOCH APPOINTED CHIEF IN SONOMA COUNTY, CALIFORNIA

In April 2016 the Superior Court of California, County of Sonoma, in conjunction with the Sonoma County Board of Supervisors in Santa Rosa, approved **David Koch** as the County's next Chief Probation Officer. Presiding Judges **Raima Ballinger** and **Virginia Marcoida** made the appointment, with the concurrence of the Board. Koch was selected through a national recruitment to fill the vacancy created by the retirement of **Bob Ochs**.

The nomination and appointment of Koch are based on the recommendation of an interview team comprised of representatives from the Sonoma County Board of Supervisors and the Sonoma County Courts. In Sonoma County, the Chief Probation Officer is a unique department head position, with the Juvenile Justice Commission nominating the candidate and the Presiding Judge of the Juvenile Court of Sonoma County appointing the candidate, though the position is paid by the County.

"I am excited to support the promotion of Mr. Koch as the Chief Probation Officer," said Board of Supervisors Chair **Efren Carrillo**. "In his role as Deputy Chief Probation Officer, Mr. Koch has advanced the use of evidenced based practices to provide high quality services, and has played an instrumental role in the implementation of Public Safety Realignment in our County."

Starting in 1978, Koch worked in Corrections in Oregon, with the majority of that time focused on community-based corrections. He began his career as a Probation/Parole Officer in Clackamas County, and retired as the Assistant Director of Multnomah County Department of Community Justice in 2011. He has served as a Deputy Chief Probation Officer in Sonoma County for the last four years.

"I want to thank the Courts, Juvenile Justice Commission, and Board of Supervisors for the opportunity to serve this community as Chief Probation Officer," stated Koch. "I am looking forward to working with the dedicated staff of the Probation Department and all of our justice partners to enhance the safety of our community through quality, cost-effective services that support the rehabilitation and reintegration of probationers."

Koch is a graduate of Southern Oregon University with a Bachelor of Science degree in criminology, and he earned a master's degree in justice management from the University of Nevada, Reno.

Ochs' last day on the job was April 29, 2016. He had been Chief Probation Officer since 2005.

TURCO APPOINTED COMMISSIONER OF DEPARTMENT OF CORRECTION IN MASSACHUSETTS

The Baker Administration announced in April 2016 the appointment of **Thomas Turco** as the new Commissioner of the Massachusetts Department of Correction. With his extensive background in probation, Turco is well positioned to implement the Administration's aggressive focus on enhancing inmates' ability to successfully re-enter society following their release.

"Ninety percent of inmates in state prison will return to a life outside the walls, and the Department of Correction therefore has an important responsibility to prepare them for the lives they will lead as productive members of society," said Governor **Charlie Baker**. "Tom Turco has the right background and expertise to accelerate re-entry programs and lead a department whose operations are critical to ensuring the safety of the people of Massachusetts."

"Throughout his career Tom has proven himself capable of leading important changes across the organizations he has managed, and I am very confident in his ability to lead the Department of Correction forward," said Secretary of Public Safety and Security **Dan Bennett**. "I want to thank former commissioner **Carol Higgins O'Brien** for her years of service to the people of Massachusetts and for agreeing to assist during this transition."

"The Department of Correction has responsibility for the 10,000 inmates in the state correctional system and the overwhelming majority of them will be released back into their communities, which is what makes it so important that we redouble our efforts on re-entry," said Commissioner Turco. "I am proud to take on the responsibility of leading this Department, which has so many professionals who are also dedicated to achieving this goal."

For the past year, Turco has served as Undersecretary of Criminal Justice within the Executive Office of Public Safety and Security. In this role he provided strategic direction to the Department of Correction, to the Parole Board, and to the Sex Offender Registry Board while serving as liaison to the county sheriffs.

Turco began his criminal justice career in 1989 when he was appointed as a Probation Officer in the Westborough District Court. In 2000 he was promoted to Probation Officer-In-Charge both at the Hampden and Worcester Community Corrections Centers.

In 2003 he was named Chief Probation Officer of the Worcester Superior Court, where he served for twelve years. Under his leadership, the Court implemented a number of programs that bolstered public safety. These included the Worcester Initiative for Supported Reentry program and Fatherhood Program and partnerships with a local treatment provider to offer weekly sex-offender treatment. "Operation Watchdog," a joint effort with the Worcester Police Department created in 2008, successfully combined efforts to enhance the supervision of sex offenders.

Turco earned a degree in criminal justice from St. Anselm College and holds a Master of Science in criminal justice administration from Western New England College. He is also a graduate of the Florida Commission on Criminal Justice Standards and Training Academy. Turco is active in his hometown of Auburn where he has served as Parks Commissioner and as a member of the Auburn Foundation Advisory Committee.

COMEAX PROMOTED AT CSS

In April 2016 **James Redus**, President of Corrections Software Solutions (CSS), announced the appointment of **Bridgette Comeaux** as Vice President of Operations. In her new role, Comeaux, a graduate of Sam Houston State University, will lead

CSS team efforts for client advocacy, training, and support, as well as product development.

Since joining CSS in 1993, Comeaux has played a pivotal role in making CSS the market leader in Texas with an 87% market share. She is widely recognized as one of the premier experts in probation automation in Texas and California and has been a principal player in CSS product design.

CSS, based in Austin, Texas, is a corporate member of the National Association of Probation Executives and has been a strong supporter over the years.

THREE NEW PROBATION CHIEFS APPOINTED IN MASSACHUSETTS

On May 17, 2016, the appointment of three new Chief Probation Officers was announced by Massachusetts Commissioner of Probation **Edward J. Dolan**, who will serve in three separate district courts across the commonwealth: Nantucket and Edgartown; Hingham; and Clinton.

Nantucket and Edgartown District Courts Chief Probation Officer **Jennifer Pease** began her career with the Massachusetts Trial Court in 1995 as a clerical employee at Falmouth District Court. Three years later in 1998, she was hired as an Associate Probation Officer in the Barnstable District Court before being promoted to the position of Probation Officer at Barnstable District Court in 2000. Pease transferred to Barnstable Superior Court, where she continued to work as a Probation Officer until she was promoted to her current position as Chief Probation Officer at Nantucket and Edgartown District Courts. Pease earned a Bachelor of Arts degree in English from Boston College in 1989 and a master's degree in educational counseling from Bridgewater State College in 1999.

Hingham District Court Chief **Jennifer Brady**, who assumed her new role on April 11th, served as an Assistant Chief Probation Officer at Stoughton District Court, a job she was promoted to in May 2013. Brady first joined the service as a Probation Officer at Stoughton District Court in 2001. She holds a Bachelor of Science degree in sociology with a concentration in criminology and law from Suffolk University, which she earned in 1996. Brady also earned a Master of Science degree in criminal justice from Bridgewater State University in 2003.

Clinton District Chief Probation Officer **Patrick Ball** started his new job on March 1, 2016. Prior to his appointment, Ball was Assistant Chief Probation Officer at the court, a position to which he was promoted in 2006. He began his career at the court in 2000. Ball is a 1986 graduate of the University of Maryland where he earned a Bachelor of Arts degree in government and politics. Under Ball's leadership, the Clinton District Probation Department is involved with the local Domestic Violence High-Risk Team.

"The selection of these three new Chief Probation Officers is recognition of their talent, dedication, and passion for the dual mission of the Massachusetts Probation Service, which is to maintain the safety of our communities while guiding those individuals in our care and custody toward a better path in life," said Dolan.

COLLIER NAMED EXECUTIVE DIRECTOR OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE

On June 24, 2016, the Texas Board of Criminal Justice appointed **Bryan Collier** Executive Director of the Texas Department of Criminal Justice (TDCJ). The nine member board is appointed by the Governor to oversee the agency and is responsible for hiring the Executive Director. Collier assumed the new role August 1st.

"Bryan is a proven leader who stands ready to continue to fulfill the department's mission and commitment to public safety," said Texas Board of Criminal Justice Chairman **Dale Wainwright**. "He brings a wealth of knowledge and experience having served more than 31 years in various positions within the department. I'm confident he'll serve TDCJ and the State of Texas well in this new role."

Collier, 51, joined the TDCJ in 1985 as a clerk. He has held a wide variety of positions to include Correctional Officer, Parole Officer, Unit Supervisor, Program Administrator, and Parole Division Director. Collier has served as Deputy Executive Director since July 2007.

"I am honored and humbled by this appointment and the confidence shown in me by the Board of Criminal Justice," said Collier. "I look forward to the opportunity to serve the dedicated professionals employed by the Texas Department of Criminal Justice who do the important work of keeping our communities safe."

Collier has served on the American Correctional Association (ACA) Delegate Assembly, was previously recognized as one of the ACA's "Best in the Business", and is currently the Chair of the ACA Adult Corrections Committee. He is the past president of the Texas Correctional Association (TCA) and received the *Dr. George J. Beto Hall of Honor Award* from TCA in 2013. He has a Bachelor of Science degree in criminology and corrections from Sam Houston State University.

Collier replaced **Brad Livingston**, who announced his retirement earlier this year. Livingston has been one of the longest tenured Executive Directors in the history of TDCJ.

The Texas Department of Criminal Justice has more than 38,000 employees and a total operating budget of more than \$3 billion. The agency is responsible for the care and custody of nearly 147,000 offenders, the supervision of more than 87,000 individuals released from prison on parole or mandatory supervision, as well as the broad oversight of adult probation departments that provide direct supervision to nearly 245,000 individuals on community supervision.

TODD APPOINTED FIRST DEPUTY COMMISSIONER OF PROBATION IN MASSACHUSETTS

In June 2016 Massachusetts Probation Commissioner **Edward J. Dolan** appointed **Lydia M. Todd** the new First Deputy Commissioner of the Massachusetts Probation Service. Todd will be responsible for day to day operations as well as oversight of administrative services.

As a member of Probation's senior leadership team, Todd will be responsible for setting the framework, programmatic goals, and guidelines of Probation programs, including those related to all Specialty Courts and the Electronic Monitoring Program.

The former executive director for NFI Massachusetts, Inc., will also provide strategic planning and policy development for probation programs.

"I am thrilled to be called to serve the Massachusetts Probation Service and Trial Court staff. I look forward to supporting their work in providing the best possible services to the Commonwealth's citizens: the public, probation and partner professionals, and probationers alike," Todd said.

Todd has extensive senior management and leadership experience and is a United States Air Force veteran. Todd has held the positions of Deputy Chief of Institutional Services for the Massachusetts Parole Board, Director of Program Evaluation for Massachusetts Half-Way Houses, Inc., and Director of Organizational Development for the Massachusetts Department of Youth Services.

Todd earned a Bachelor of Science degree in social psychology from Park College, a master's degree in applied sociology from the University of Massachusetts-Boston, and a master's degree in philosophy from Yale University. Todd is an instructor in the University of Massachusetts-Boston Sociology and Criminal Justice Departments.

NEW CHIEF NAMED IN ALAMEDA COUNTY, CALIFORNIA

The Alameda County Board of Supervisors in July 2016 announced the appointment of **Wendy Still** as the County's new Chief Probation Officer. Still, a former top probation official for the City and County of San Francisco, California, will replace retiring Chief Probation Officer **LaDonna Harris**.

"The Board extends our sincere appreciation to Chief Harris for stepping up to assist the County by leading the Probation Department for the last four years during a challenging period of transition and congratulates her on her 35 years of law enforcement service," said **Scott Haggerty**, President of the Alameda County Board of Supervisors.

Still retired as San Francisco's Chief Adult Probation Officer in 2015 after working more than 30 years in state and local community corrections. Since leaving San Francisco, she has consulted and worked on various projects in the field of corrections at the federal, state and local levels.

MASSACHUSETTS COMMUNITY SERVICE PROGRAM RECOGNIZED WITH AWARD BY JERICHO

According to a June 8, 2016, press release, the Massachusetts Trial Court Community Service Program, an initiative of the Massachusetts Probation Service, was recently recognized with the 2016 Humanitarian Award by JERICHO: The Bureau for Exceptional Children and Adults, for the work community service crews have performed on the agency's 37-acre property.

For more than a decade, the Community Service Program has provided supervised work crews on a weekly basis at JERICHO's Holyoke-based facility where probationers have cleared brush, weeded and mowed lawns, and planted gardens during the warmer months and cleared snow and ice during the winter. Crew members also clean the buildings on the property.

JERICHO is a non-profit agency whose employees and volunteers work with parents, families, and professionals through-

out Western Massachusetts to provide full inclusion of children and adults with special needs and disabilities into schools and the community. The award was presented at a recent luncheon held at the Summit View Banquet Hall in Holyoke. **Michael LeCours**, Assistant Statewide Community Service Supervisor, and **Michael Orlandi**, Assistant Court Services Coordinator, were on hand to accept the award. Orlandi supervises the crews at JERICHO.

JERICHO Associate Director **Maria L. P. Burke** said of the Community Service Program, "Working closely with staff and volunteers, these crews have helped to enhance the beauty of this peaceful property, been instrumental in maintaining the many gardens and tackled numerous projects. Best of all, everyone is always extremely nice to work with. It has been an honor for us to share our space."

LeCours said, "It is a great honor for Community Service to be acknowledged for the work our crews have performed for JERICHO over the years. I have witnessed the great sense of accomplishment the members of the crews feel when they complete a job."

Jeffrey Youens, a regular member of the Community Service crew at JERICHO for the past year, said he looks forward to performing the work. "I like going to JERICHO because I know that I am doing something that helps others. It is a very nice experience and I think of it as a job. Every week, I clean the church in Holyoke," Youens said.

Each year, probationers perform a total of 300,000 community service hours statewide in lieu of paying court fees. The Community Service Program is part of Probation's Office of Community Corrections, which includes 18 community corrections centers statewide. Offenders are transported from the centers or courts to the project sites where they perform a range of tasks – both traditional and non-traditional. This work includes trash pick-up along streets and highways; set-up of classrooms for the school year by moving furniture and painting walls; building cages for oyster seeds at state fisheries; stocking and distributing food at local soup kitchens; and setting up thousands of chairs and tables for community concerts and events. This work has also led to full-time employment for many offenders.

The work performed by probation is an example of restorative justice which focuses on the rehabilitation of offenders through reconciliation with the community-at-large, according to Probation Commissioner **Edward J. Dolan**. "This work enhances communities and enables offenders to give back in a positive way," Dolan said.

"Our program strives to provide the best service for the state and non-profit agencies where our clients perform community service work. It is also the goal of the Community Service Program to provide a learning opportunity and a sense of achievement for each client with every project they complete," said **David Skocik**, Statewide Community Service Supervisor.

SHSU AND TEXAS PROBATION DEPARTMENTS HOST POLISH SCHOLAR

For a three week period in June and July 2016, **Dr. Jurg Gerber**, Professor and Director of International Initiatives at the College of Criminal Justice at Sam Houston State University

(SHSU) in Huntsville, Texas, served as host to **Dr. Piotr Stepniak**, Professor of Penitentiary Studies at Adam Mickiewicz University in Poznan, Poland.

Assisting in hosting this visit were **Kristin Hunter** and **Shelia Hugo**, Director and Deputy Director of the Community Supervision and Corrections Department for Walker, Grimes, Madison, and Leon Counties in Huntsville, **Debbie Batten**, Deputy Director of the Brazos County Community Supervision and Corrections Department in Bryan, **Christie Davidson**, Assistant Director of the Correctional Management Institute of Texas and Executive Director of the National Association of Probation Executives, and **Dan Richard Beto**, Chair of the International Committee of the National Association of Probation Executives. Beto, who had served as Director in both Brazos and Walker Counties, had known Stepniak for a number of years, having visited him in Poland on several occasions and having hosted him previously in Texas.

During that time Stepniak was in Huntsville, he attended a trial in the court of **Don Kraemer**, Judge of the 12th Judicial District for Walker, Grimes, and Madison Counties. He also met with King and Hugo, who provided him with an overview of the local justice system. Stepniak also attended probation revocation hearings in the court of **Hal Ridley**, Judge of the 278th Judicial District for Walker, Leon, and Madison Counties. Hugo also made arrangements for Stepniak to tour the Walker County Jail.

While in Bryan, Stepniak received a thorough briefing on the Brazos County criminal justice system from Batten and Beto, met with members of the staff of the department, and visited the courts of Brazos County, where he met with **Kyle Hawthorne**, Judge of the 85th Judicial District, and **Travis Bryan**, Judge of the 272nd Judicial District. Following his time in Brazos County, Beto took Stepniak to Camp Hearne, the site of a World War II prisoner of war camp.

During the final days of Stepniak's visit, Davidson arranged a prison visit for him and Gerber, during which representative of the Texas Department of Criminal Justice provided an excellent tour and briefing.

Upon returning to Poland, Stepniak wrote Beto: "Thank you once again...I spent a very nice time with the probation offices...I am very glad for our continuing friendship and collaboration."

NEW CHIEF APPOINTED FOR LA PAZ COUNTY, ARIZONA

In July 2016 **Tyson Ross** was appointed Chief Probation Officer for the La Paz County Probation Department in Parker, Arizona.

Ross, a graduate of San Diego State University, has been an employee of La Paz County for over 14 years and has been with the probation department for close to 12 years. His latest assignment has been as the Adult Division Supervisor, as well as serving as Interim Deputy Chief Probation Officer just prior to this appointment.

"Tyson brings integrity, and accountability, along with hands on professional experience to his new position," said Superior Court Judge **Samuel Vederman**. "Community relations, offender management, and victim sensitivity are all areas in which he has taken a keen interest and has excelled. Most importantly, Tyson is a strong advocate for evidence based practices, and, along with his professional judgment, there is no doubt his

forthright leadership style will improve the quality of life for our community."

Ross, his wife Stacie, and three children are long time La Paz County residents, and he now joins the La Paz County Superior Court executive team with Judge Vederman and Clerk of the Superior Court **Megan Spielman**.

TRANSITION IN MENDOCINO COUNTY, CALIFORNIA

On July 5, 2016, **Pamela Markham** became the new Mendocino County Chief Probation Officer, replacing **Buck Ganter**, who retired. Prior to this appointment, Markham had been the probation program manager in Nevada County, and was also previously a deputy probation officer there. She has been an adjunct faculty member for the administration of justice program at Yuba Community College.

Markham earned a bachelor's degree in the administration of justice from Sacramento State University, and is pursuing a master's degree in justice management from the University of Nevada in Reno.

Ganter, a longtime county resident, has been the Chief Probation Officer in Mendocino County since 2013, when he took over for **Jim Brown**, who also retired from the position. Ganter joined the department in 1994 when he was a Juvenile Hall corrections counselor. He then oversaw the facility as its division manager.

Juvenile Court Judge **David Riemenschneider** chaired the search committee to fill Ganter's position, calling it a "thorough search process involving many people." The search concluded with Markham.

"I am honored to be chosen as the next chief probation officer, and I am excited to work with the court, the Board of Supervisors, community justice partners and community based organizations in Mendocino County, as well as the staff members at the probation department," Markham said in a statement. "I look forward to filling Chief Ganter's shoes and continuing to implement evidence based practices to promote public safety by reducing recidivism."

NEW JUVENILE CHIEF IN TARRANT COUNTY, TEXAS

In July 2016 the Tarrant County Juvenile Board in Fort Worth, Texas, announced the appointment of **Bennie Medlin** as the new Director of Tarrant County Juvenile Services. Medlin, who earned a bachelor's degree in psychology from Oklahoma Panhandle State University and a master's degree in criminology and corrections at The University of Texas at Arlington, brings to the position over three decades of juvenile justice experience.

Medlin, who had been serving as the agency's Deputy Director since January 2015, previously served as Assistant Director of Institutional and Educational Services, commencing in July 2005. Previous experience includes holding positions of increasing responsibility at the Dallas County Juvenile Department and serving as Detention Center Superintendent for the Florida Department of Juvenile Justice.

In announcing the Medlin's appointment, Tarrant County Juvenile Board Chair **Mollie Westfall**, Judge of the 371st Judicial District, speaking on behalf of the Board, said: "We look forward

to his continued leadership and service to Tarrant County as Director." Medlin replaces longtime Director **Randy Turner**, who retired recently.

BILLECI APPOINTED CHIEF IN CONTRA COSTA, CALIFORNIA

In August 2016 the Contra Costa County Board of Supervisors approved the County Administrator's selection of **Todd Billeci** to serve as the Chief of Probation. Billeci, who was serving as the interim chief, was recognized by the Board of Supervisors for the significant contributions he has already made to the Department, and Supervisors were encouraged by the vision he has to lead the award-winning operation.

Billeci has been a member of Contra Costa's Probation Department for 25 years, and has helped lead the Department through major changes in how probation, pre-trial supervision and parole services are delivered in California.

County Administrator **David Twa** praised Billeci for his exceptional service during his stint as Interim Chief following the retirement of former County Probation Officer **Philip Kader** at the end of March. "Todd will be a great addition to the County's leadership team," Twa said. "He will further the innovative approaches and programs already a hallmark of the Contra Costa County Probation Department."

Billeci was appreciative of the opportunity to lead the Department that has been the mainstay of his public safety career. "I'm pleased to be able to lead such a high quality team of professionals in Contra Costa County, whose role in keeping communities safe is often overlooked," Billeci said of the appointment. "Probation staff plays a vital role in the network of public safety, and I look forward to continuing and enhancing our ability to provide the best community service possible."

WILMOTH PASSES AWAY IN TEXAS

On August 9, 2016, in Seguin, Texas, former NAPE member **John A. Wilmoth**, age 68, passed away following a courageous battle with cancer. Prior to retiring, Wilmoth recorded a distinguished career as a probation director in two jurisdictions – the Uvalde County Community Supervision and Corrections Department in Uvalde and the Concho Valley Community Supervision and Corrections Department in San Angelo – where he was respected by the judiciary he served and by those with whom he came into contact.

Wilmoth was recognized as an innovative and visionary probation leader throughout Texas. He served as Vice President and President of the Texas Probation Association. In addition, he served on the Advisory Board of the Texas Probation Training Academy at Sam Houston State University. He was also a strong supporter of research that informed practice.

Wilmoth is survived by his loving wife, **Christine Taylor Wilmoth**; five children; six grandchildren; a great-granddaughter; brother; and numerous nieces, nephews, and loving friends.

On August 20, 2016, family, friends, and former colleagues gathered at the First United Methodist Church in Seguin, Texas, to pay respect to this former probation leader.

COURT SERVICES DIRECTOR IN MCLEAN COUNTY TO RETIRE

According to an article appearing in the Bloomington, Illinois, *Pantagraph*, **Lori McCormick** will retire as Director of the McLean County Court Services Department she has led for eight years.

Kevin Fitzgerald, Chief Judge of the Eleventh Judicial Circuit, announced the retirement that is effective September 30, 2016. In a statement, Fitzgerald said McCormick is "the embodiment of a dedicated court leader, never forgetting her commitment to the community, staff and probationers while working to improve the services provided by her department."

McCormick began her career with the county in 1981 as a juvenile probation officer. She was promoted to Deputy Director in 1989 and named Director of Court Services in 2008. She has served on the executive committee of the Criminal Justice Coordinating Council and the McLean County Juvenile Justice Council. Under her leadership, court services worked to expand mental health and drug court programs and intensive probation models for adult and juvenile probation.

In 2015, the Illinois Supreme Court appointed McCormick to its Probation Advisory Committee.

Cassy Taylor, Coordinator of Specialty Courts for McLean County, will assume McCormick's position on October 1, 2016. She previously served as a juvenile probation officer, Program Director, and Director of Ford County Court Services.

CORBETT PRESENTED UNIVERSITY OF CINCINNATI AWARD

During the 41st Annual Institute of the American Probation and Parole Association held in Cleveland, Ohio, **Ronald P. Corbett, Jr.**, a past President of the National Association of Probation Executives, was presented with the *University of Cincinnati Award*.

The *University of Cincinnati Award* is a non-practitioner award, presented to an individual who has made significant contributions to the field of probation, parole, or criminal justice technology. Recipients typically are individuals from an academic research or government agency not engaged in providing probation and parole services.

While Corbett has made significant contributions to the literature of the community corrections profession over several decades, that was in his capacity as a practitioner. Having retired as Commissioner of the Massachusetts Probation Service, Corbett left the profession and in now a lecturer in the School of Criminology and Justice Studies at the University of Massachusetts – Lowell. In addition to his teaching duties, Corbett serves as Project Director for the Community Sanctions and Revocation Project at the Robina Institute at the University of Minnesota Law School.

Corbett was specifically nominated for his scholarly article – "The Burdens of Leniency: The Changing Face of Probation" – appearing in the Spring 2015 issue of the *Minnesota Law Review*.

COCKERELL PICKED TO LEAD KENTUCKY'S JUVENILE JUSTICE DEPARTMENT

Kentucky Justice Secretary **John Tilley** announced that **Carey D. Cockerell**, the former head of family and child protective services in Texas, has been named as the new Commissioner for the state Department of Juvenile Justice.

Cockerell is taking the department's helm after more than 40 years of experience in youth programs. As commissioner for the Texas Department of Family and Protective Services, he implemented one of the largest reforms in Texas history, overhauling practices in child and adult services, expanding staff and establishing a first-ever health care project in child protection.

Prior to that, he worked for 20 years as Director of Juvenile Services in Tarrant County, where he managed probation, court and detention services, along with treatment and post-adjudication programs.

"Juvenile justice is undergoing a top-to-bottom transformation in Kentucky, and Mr. Cockerell brings the knowledge and expertise to shepherd reforms with transparency and accountability," said Tilley. "We were impressed by his commitment to public safety and his compassion for our youth."

Cockerell has a record of innovation, said **Bart Lubow**, retired director for the Juvenile Justice Strategies Group under The Annie E. Casey Foundation. Lubow developed the Juvenile Detention Alternatives Initiative, which is reforming detention practices in 40 states, including Kentucky.

Cockerell was selected through a national search. His appointment is part of an ongoing revamp to ensure the highest

level of performance and accountability throughout the Department of Juvenile Justice.

Tilley has made reforms to the department a priority since he took office in December. He announced in March that the department would undertake a sweeping review of policy and procedure, which has already resulted in additional training, policy revisions and reorganization of personnel. The department also plans to contract with an independent, nationally-recognized organization to conduct an external review and recommend possible reforms.

Cockerell, who took office on September 16, 2016, said he was eager to take up the task. "I am honored to be appointed to this critical position, and I want to thank Governor **Matt Bevin** and Secretary Tilley for the opportunity to serve Kentucky," Cockerell said. "Maintaining a strong and innovative system of youth services is essential for our future, and I'm committed to fostering a system of integrity and accountability."

Cockerell earned his master's degree in social work at the Kent School of Social Work at the University of Louisville.

During his career, he has held high-ranking positions with the Texas Youth Commission, including serving as superintendent of a 240-bed youth institution. He served as Director of Tarrant County Juvenile Services from 1984 to 2004. As commissioner for the Texas Department of Family and Protective Services, he oversaw all areas of the organization, including child and adult protective services, residential and childcare licensing, prevention and early intervention programs.

Cockerell, a former member of NAPE prior to leaving probation, was the 2002 recipient of the *George M. Keiser Award for Exceptional Leadership*.

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.

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