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PRESIDENT'S MESSAGE

As the 1998 calendar year quickly comes to a close, I do what most people do and review the year's list of accomplishments and disappointments. This act of closure is important in better defining and clarifying one's administrative and professional successes during the year while also coming to grips with our shortcomings and mistakes. Once 1998 is better recognized and appreciated, the all important task of designing goals and objectives for 1999 comes into play. While the preparatory effort for 1999 can be a singular undertaking, I encourage you to involve your key administrative, managerial, line, and support staff in the process. As directors and chiefs of probation and court programs, we do hold many answers, but we do not hold them all, and that is where input and suggestions from all agency and departmental staff can truly benefit operations and the clientele and community we are entrusted to serve.

In 1999 feel free to contact other NAPE members for information and assistance. I plan to contact many NAPE members during 1999 — many of whom I do not know — to learn of their goals for NAPE and to solicit any suggestions on specific initiatives they may wish the organization to pursue. I also wish to learn more about the unique and innovative programs they have developed and introduced at the local level. NAPE's greatest strength is its membership, and the 172 members can offer expert and diverse opinions on all probation-related matters. Tap this magnificent resource and be better for it in 1999.

On a related matter, our corporate member, Corrections Software Corporation, is in the process of developing a comprehensive web page for NAPE. Please visit our temporary web site at www.correctionssoftware.com/nape and feel free to offer any suggestion on how it might be improved. This is a work in process, and any suggestions you might have would be appreciated.

A special recognition of thanks is especially fitting to NAPE Vice President Dan Beto and his most capable assistant, Christie Haney, at the NAPE secretariat at Sam Houston State University in Huntsville. Their contributions to NAPE and its membership during 1998 have been truly invaluable.

In closing, I know I speak for the entire NAPE Board of Directors when I offer our most genuine wishes for a safe, joyous, and meaningful holiday season. Enjoy this special time of the year with your employees and, most importantly, enjoy and savor it with your immediate and extended family.

Robert L. Bingham
President

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THE CRAFT OF PREVENTION

by
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"The place to fight crime is in the cradle."

Judge Charles D. Gill
Connecticut Superior Court

At the turn of the century, Sir William Osler established a new goal for the next generation of physicians: "No longer is our highest aim to cure, but to prevent disease."[1] Prevention is now recognized not only as a powerful public health tool in fighting disease, but also as an effective strategy in reducing delinquency and crime. The most successful prevention programs have the characteristics listed in Table 1.

Table 1. Characteristics of Successful Prevention Programs

Continuity	• Begin early in the life of the child and continue to make a positive impact on growth and development throughout later childhood and adolescence
Responsibility	• Address multiple risk factors through the dedicated involvement of one person with the courage to take responsibility for the outcome of the child
Accountability	• Continue to evaluate and substantiate their effectiveness through scientific research
Frugality	• Involve the entire community in order to have as much long range impact as possible on fundamental problems affecting the population as a whole and give the most return for the money spent
Time	• Increase the nurturing capacity of future parents in order to sustain and enhance the positive effect of prevention over many generations

These five key principles represent the essential core elements of the art and science — *the craft* — of prevention. Programs of proven worth, such as prenatal care, intensive home visiting, early childhood intervention, preschool education, school-based parent training and support, and mentoring for at-risk youth, each possess one or more of these critical attributes. One program that successfully incorporates all five prevention principles is the award-winning Parents as Teachers Program.

Parents as Teachers is an early childhood family education and support program designed to empower all parents to give their children the best possible start in life. Based on an outstanding curriculum covering child development information from the third trimester of pregnancy to age 5, the program provides parents with training that enables them to enhance their children's emotional, social, intellectual, language, and physical development. Support services include personal visits by a trained parent educator, group meetings, a child development resource center, developmental screening, and referrals for other services when appropriate.

The Parents as Teachers Program, which originated in Missouri in 1981, has been implemented in more than 2,000 sites in 48 states and seven countries. Over 7,000 families were served in 114 programs in Texas in schools, churches, childcare centers, and nonprofit organizations in 1997.[5]

Henry David Thoreau observed that for every thousand attempts to strike at the leaves of a problem, there is one blow delivered to the root. The Parents as Teachers Program delivers a powerful blow to the preventable origins of many costly social problems. These problems are listed in Table 2.

Table 2. Preventable Social Problems

- Low birth weight and developmental delay related to parental substance abuse before birth[7,42,46-48]
- SIDS and childhood respiratory disease related to environmental tobacco smoke from parental substance abuse after birth[7,23,42,45,47,50,52]
- Childhood accidents and injuries related to parental substance abuse and incompetence after birth[39,49]
- School failure, lack of job skills, and unemployment related to prior parental incompetence during critical developmental windows of opportunity for intellectual growth in early childhood[20,51]
- Psychological and behavioral problems in childhood related to antecedent emotional abuse[10,32-34,54,57,64]
- Alcohol, tobacco, and illegal drug dependency related to antecedent physical abuse[7,20,22,25-32,43-45,53,54-58]
- Delinquency, gang activity, and crime related to antecedent exposure to violence in the home[7,15-20,24,39,42,59]
- Difficulty with interpersonal relationships, irresponsible sexual behavior, HIV infection, and other sexually transmitted diseases related to antecedent sexual abuse[7,21,25,26,32,55]
- Intergenerational transmission of domestic violence including child abuse and neglect[35-42,59-63]

These social problems are linked in a vicious cycle of intergenerational cause and effect, as illustrated in Figure 1. This vicious cycle has significant repercussions in terms of years of potential life lost and direct and indirect economic costs for Texas.

Figure 1. Vicious Cycle of Failure to Nurture Children

Many independent evaluations have demonstrated the effectiveness of the Parents as Teachers Program in helping families interrupt this intergenerational cycle. These outcome studies are summarized in Table 3.

Table 3. Summary of Prevention Research

- At age three program children were significantly more advanced in language, problem-solving, and social development than comparison children, despite the fact that the sample was over represented on all traditional characteristics of risk. More than half of the children with observed developmental delays overcame them by age three.[67,71]
- Program children scored higher on standardized measures of reading and math at the end of first grade than did comparison children.[66]
- Parents as Teachers children still scored significantly higher on the Stanford Achievement Test than the control group *in the fourth grade.*[72]
- Program parents were more familiar with age-appropriate child development and child-rearing practices and more confident in their parenting skills.[65,70]
- Parents who graduated from the program continued to read more to their children and be more involved in their children's school experiences long after finishing their Parents as Teachers training.[66,68]
- Child aggression was reduced in the most vulnerable group: boys from single parent homes (Texas follow-up study of Parents as Teachers children in grades K-3).[73]
- Parents as Teachers families have shown a lower incidence of child abuse and welfare dependency.[69]

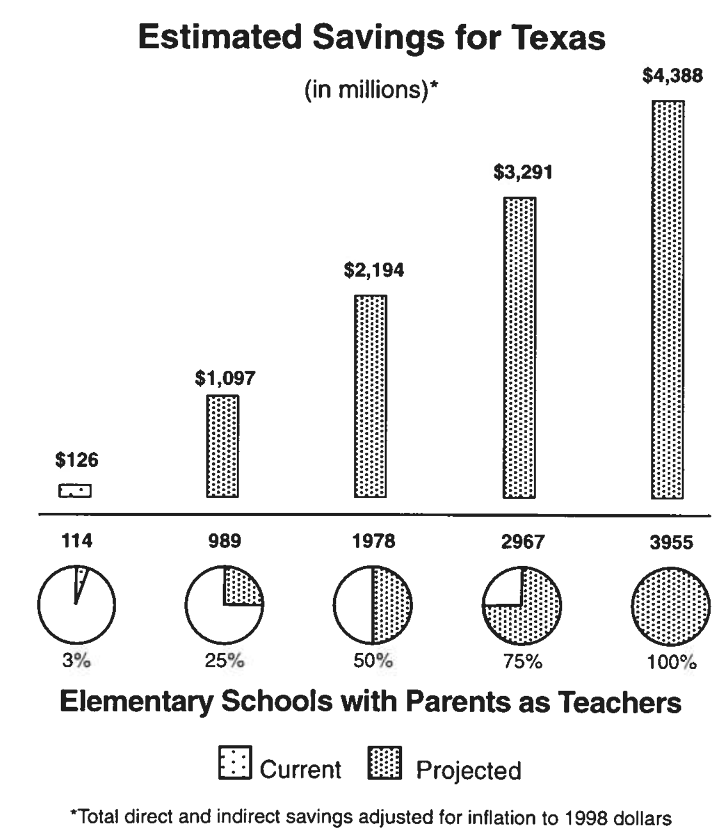
These research findings translate into enormous benefits to Texas, both in terms of years of potential life and in direct and indirect economic savings. Full implementation of the Parents as Teachers Program in Texas would save Texas citizens more than 14,856 years of potential life and over 4.3 billion dollars *each year.*

Surveys of representative Parents as Teachers Programs nationwide indicate that the average annual cost of Parents as Teachers services per family is $646. Start-up costs include $475 per parent educator for initial week-long training and curriculum, plus travel and lodging at the training site. The cost of teaching materials is very reasonable, because parent educators are encouraged to use "everyday items" that can be found in homes. Master copies of parent handouts are included in the curriculum, eliminating the need for ongoing direct purchase of consumables. Facilities costs are minimal, because as a home-based program, Parents as Teachers requires only limited center space. Office space and room for parent-child activities and meetings in a multi-purpose facility are generally adequate.[5]

The program pays for itself after 20 years in direct special education and grade retention savings to Texas school districts alone; and over the lifetime of the program participants, generates more than a $25 dollar return for every dollar invested.

An annual cost per family of $646, and an average of 60 families served per program, generates an average annual cost of $38,760 per elementary school. Full implementation of the Parents as Teachers Program in 3955 elementary schools in Texas would cost an estimated $153.3 million dollars per year.

Figure 2. Economic Impact of Prevention



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RELIGIOUS LIBERTY IN CORRECTIONAL INSTITUTIONS: ONE YEAR AFTER THE CITY OF BOERNE v. FLORES

by
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One year ago the United States Supreme Court rendered an opinion that would have profound implications for the degree of religious liberty that must be afforded inmates in correctional institutions throughout this country. In *City of Boerne v. Flores, Archbishop of San Antonio*, 117 S.Ct. 2157 (1997) the Supreme Court invalidated the federally enacted Religious Freedom Restoration Act (RFRA). Although this opinion addressed the validity of a city zoning ordinance restricting a local church's right to expand its physical structure, this opinion would have much deeper ramifications than a dispute between a property owner and a city government. Indeed, this opinion would alter the manner in which correctional authorities meet the religious demands of inmates in an institutional setting.

This article will review the previous judicial decisions establishing the constitutional right to free exercise of religion in a correctional institution and examine the effect these decisions had on the administration of penal facilities. In addition this article will explain Congress's response to these judicial holdings through its enactment of the Religious Freedom Restoration Act (RFRA) and in turn will discuss the Supreme Court's nullification of RFRA. Finally, this article will examine the current state of the law concerning the allowance of religious practices in a correctional setting and the manner in which the federal and state courts have addressed post-RFRA claims regarding the denial of religious accommodations in a penal institution.

Over the last thirty years, one of the most pressing problems for administrators of correctional facilities has been to determine the degree of religious expression to be afforded inmates in an institutional setting and then to provide accommodations to satisfy that judicially recognized right. While we Americans recognize the importance of guaranteeing the right to express one's religious beliefs, for correctional authorities, the allowance of the freedom to practice one's religion in an institutional setting often conflicts with certain vital concerns for the well-being of a facility. The most obvious concern is the proper maintenance of the security in the facility and ensuring the safety of the employees and inmates. However there are other concerns that must be taken into consideration, such as the effective utilization of programs and services at a facility and the possibility of having to accommodate a myriad number of religious beliefs and practices.

In order to understand the present standard for determining an unconstitutional infringement on the practice of religion in a penal environment, one must examine a series of Supreme Court holdings dating to the 1960s. One significant decision of the United States Supreme Court that would ultimately lead to Congressional efforts to accommodate religious practices in a penal setting had nothing to do with prison litigation but instead involved a suit contesting the denial of state unemployment benefits. In *Sherbert v. Verner*, 83 S.Ct. 1790 (1963) an employee who was a member of the Seventh Day Adventist Church was discharged by her employer because she would not work on Saturday, the Sabbath Day of her faith. She applied for unemployment benefits with the State of South Carolina and was turned down because the state unemployment commission determined that her restriction upon her availability for work on Saturday brought her within the provision the state law disqualifying for benefits insured workers who fail, without good cause, to accept "suitable work when offered . . . by the employment office or the employer."

The employee later appealed the denial of her claim to the United States Supreme Court. The Supreme Court, in addressing this issue, stated that if the action of the State of South Carolina were to withstand a constitutional challenge, then it would have to be either because the employee's disqualification as a beneficiary represented no infringement by the state of her constitutional right of free exercise, or because any incidental burden on the free exercise of her religion could be justified by a compelling state interest in the regulation of a subject within the state's constitutional power to regulate.

The Supreme Court thus turned first to the question concerning whether the disqualification for benefits imposed any burden on the free exercise of her religion. The Court noted that if the purpose or effect of a law was to impede the observance of one or all religions or was to discriminate individually between religions, then that law was constitutionally invalid even though the burden could be characterized as being only indirect. The Court found that in this case the ruling of the state's unemployment commission forced the employee to choose between following the precepts of her religion and forfeiting benefits, on the one hand, and abandoning one of the precepts of her religion in order to accept work, on the other hand. Consequently, the Court determined that the actions of the State of South Carolina did in fact impose a burden on the free exercise of her religion.

The Court next considered whether the state could still be justified in disqualifying her eligibility to receive unemployment benefits, even though such actions would substantially infringe the employee's First Amendment rights. In determining this matter the Supreme Court ruled that the state would have to assert a compelling state interest and not merely show a rational basis for denying the claim. The Court stated that in this highly sensitive constitutional area, only the gravest abuses, endangering paramount interest, would give occasion for the permissible limitation of the free exercise of religion. Moreover the Court stated that it would be incumbent upon the state to demonstrate that no alternative form of regulation would be sufficient to protect the interests of the state. Consequently in *Sherbert* the Court rejected the rationale advanced by the state for justifying its regulations and held that the State of South Carolina could not constitutionally apply the eligibility provisions so as to constrain a worker to abandon her religious convictions respecting the day of rest.

Although the Supreme Court adopted a standard of compelling state interest for justifying a state's actions infringing the free exercise of religion, the Court also excluded this standard in the area of secured correctional facilities. The Court had recognized in several decisions that an inmate in a correctional facility was entitled to certain constitutional rights, including those secured by the First Amendment to the United States Constitution. In *Wolff v. McDonnell*, 94 S.Ct. 2963 (1974) the Supreme Court stated that a prisoner was not wholly stripped of constitutional protections when he was imprisoned for a crime. Thus the Court acknowledged that prisoners had been held to enjoy substantial religious freedom under the First and Fourteenth Amendments to the United States Constitution.

Nevertheless, the Supreme Court further acknowledged that these rights could be diminished by the needs and exigencies of an institutional environment. The Court established the standard for evaluating a claimed infringement of the free exercise of religion in a correctional facility in *O'Lone v. Estate of Shabazz*, 107 S.Ct. 2400 (1987). In this case, an inmate in the New Jersey correctional system brought suit against state officials, asserting the certain prison regulations infringed upon his right to the free exercise of his religion. The inmate, a member of the Islamic faith, challenged the policies of prison officials, which prevented him from regularly attending Friday worship services.

The prison officials had adopted a policy requiring inmates to leave the prison building during the day and work on outside prison details. The prison officials stated that they could not accommodate the inmate's request to be escorted back to the building each Friday to attend worship services. The prison officials had adopted the policy requiring inmates to work outside because of overcrowding at the prison and to minimize security problems. The prison officials stated that to allow one or more inmates to go back into the building during the day would require escorting all the work detail under guard to the building, require a complete search of any individual going back into the building, and then having to escort the remaining group once again to the work site.

While the Court reaffirmed its past holdings recognizing that inmates retain certain constitutional rights, the Court also recognized that "lawful incarceration brings about the necessary withdrawal or limitation of many privileges and rights, a retraction justified by the considerations underlying our penal system." The Court noted that the limitations on the exercise of constitutional rights arose both from the fact of incarceration and from valid penological objectives — including deterrence of crime, rehabilitation of prisoners, and institutional security. Finally, the Court stated that in properly balancing the rights of the inmate with the interests of the penitentiary, the Court had committed the evaluation of penological objectives to the judgment of prison administrators, "who are actually charged with and trained in the running of the particular institution under examination."

To confirm the Court's position giving deference to prison officials in determining these matters, the Court stated that prison regulations alleged to infringe constitutional rights were to be judged under a "reasonableness" test less restrictive than that ordinarily applied to alleged infringements of fundamental constitutional rights.[1] Instead of following the standard established under *Sherbert*, the Court stated that the proper standard for determining the validity of a prison regulation impinging on an inmate's constitutional rights was whether the regulation in question reasonably related to legitimate penological interests. By adopting this standard, the Court rejected the claim of the inmate in *O'Lone* and held that the complained of regulations did not offend the free exercise clause of the First Amendment to the United States Constitution.

In all likelihood, Congress would never have attempted to alter the standard for determining an infringement of the free exercise of religion in a correctional setting as established in *O'Lone* had the Supreme Court not reexamined its position regarding the appropriate standard for determining an infringement of the free exercise of religion in the context of unemployment benefits for discharged employees. In *Employment Division, Department of Human Resources v. Smith*, 110 S.Ct. 1595 (1990), two employees were fired from their jobs with a private drug rehabilitation organization because they had ingested peyote for sacramental purposes at a Native American religious ceremony. At the time that they had consumed this drug, the State of Oregon had outlawed its use, even for religious purposes. When they applied for unemployment compensation benefits, the State of Oregon determined that they were ineligible because they had been discharged for work-related "misconduct."

After unsuccessfully contesting this decision in state court, the employees brought this issue before the United States Supreme Court. The Court characterized the issue as asking the Court to decide whether the guarantee to the free exercise of religion found in the First Amendment included a prohibition against requiring an individual to observe a generally applicable law that required (or forbad) the performance of an act that the person's religious belief forbad (or required). The court readily noted that the State of Oregon could validly enact a law making it a crime to possess or use peyote. Thus the Court had to decide whether a special exception had to be carved from a generally applicable criminal law in order to accommodate the religiously motivated actions of an individual.

The Court stated that it had never held that an individual's religious beliefs excused him from compliance with an otherwise valid law prohibiting conduct that a state was free to regulate. Moreover the Court distinguished its prior holdings affording constitutional protection from a state's interference with an individual's religiously based expressions. Finally the Court greatly restricted its previous application of the "compelling state interest" standard enunciated in *Sherbert*. Consequently, the Supreme Court held that because the employees' ingestion of peyote was prohibited under Oregon law, and because that prohibition was constitutional, the State of Oregon could, consistent with the free exercise clause to the First Amendment, deny unemployment compensation benefits when an employee's dismissal resulted from the use of the drug.

In scaling back the application of the *Sherbert* test, the Supreme Court was attempting to resolve a dilemma in analyzing a claim under the free exercise clause that is impossible to fully resolve. On the one hand the Court has been adamant that it will not judge the validity of an ascribed religious belief or determine the central importance of anyone's religious tenets. Thus one reason the Court in *Smith* rejected the application of a compelling interest test was because it was "no more appropriate for judges to determine the 'centrality' of religious beliefs before applying a 'compelling interest' test in the free exercise field, than it would be for them to determine the 'importance' of ideas before applying the 'compelling interest' test in the free speech field."

Moreover the Court recognized that requiring the state to demonstrate a compelling interest whenever an individual refused to obey a law because of religious reasons could lead to anarchy. For example, if a person could claim that his religious beliefs required him to drive faster than the established speed limit, burn trash in his front yard, or play loud music at night in his neighborhood and the state had to justify taking action against the individual by first showing a compelling state interest, then no law could be generally enforced. The Court's solution to this dilemma was to refuse to rule on the validity of any religious belief but at the same time hold the individual accountable under a standard used for determining the validity of a law applicable to the public in general, i.e., a rational relationship test.

Nevertheless the decision in *Employment Division v. Smith*, supra, was very controversial and received a great deal of criticism, especially among religious groups. In response to the demands of religious organizations that the Supreme Court's decision in *Smith* be overturned, the United States Congress in 1993 enacted the Religious Freedom Restoration Act (RFRA) under 42 U.S.C. Section 2000 bb et seq. This law stated that the government could not substantially burden a person's exercise of religion even if the burden resulted from a rule of general applicability, i.e., one that was neutral on its face. However this law further stated that the government could substantially burden a person's exercise of religion if it demonstrated that application of the burden to the person (1) was in furtherance of a compelling governmental interest and (2) was the least restrictive means of furthering that compelling governmental interest. Finally, RFRA applied not only the governmental actions at the federal level but also to state governmental actions.

The preamble to this law expressly stated that the reason for enacting this measure was to overturn the Supreme Court's decision in *Employment Division v. Smith*, supra, and to restore the standard for determining the unconstitutional infringement of the free exercise of religion previously followed by the Court in *Sherbert v. Verner*, supra. During the debate on passage of this law an amendment was offered to exclude penal institutions from the scope of RFRA. However this amendment was purposely rejected. Consequently even though the Supreme Court had formally applied a different standard for determining the denial of a religious liberty in a prison environment than the standard used for determining an unconstitutional infringement of a religious liberty in a civilian setting, under RFRA prison policies and regulations would now have to conform to the standard established under *Sherbert*.

In applying the RFRA standard in a prison setting, correctional officials first had to ascertain whether the regulation or policy in question substantially burdened a person's religious practice. If no substantial burden could be shown, then the provisions of RFRA were not implicated. However if a regulation or policy of a correctional facility did in fact substantially burden a person's exercise of religion, then correctional officials had to examine the state's interest in having the particular regulation and determine whether that interest was compelling. Finally in completing an analysis under RFRA, once a plaintiff had demonstrated the existence of a substantial burden on his or her exercise of religion, the burden then shifted to the government to establish that the challenged action or policy furthered a compelling interest in the least restrictive manner.

Until the summer of 1997 correctional officials were required to comply with the standard established under RFRA whenever a prisoner complained that a policy or regulation of the correctional facility infringed on his religious liberties. That changed on June 25, 1997, when the Supreme Court finally examined the constitutionality of RFRA. In *City of Boerne v. Flores, Archbishop of San Antonio*, 117 S.Ct. 2157, the Supreme Court determined that RFRA could not pass constitutional muster. In this case a Catholic church built in 1928 and located in the city of Boerne, Texas, had become too small for its parishioners. The Archbishop of San Antonio sought permission from the city of Boerne for a building permit to enlarge the church's building. The city denied the building permit because it had designated the church an historical landmark.

The Archbishop brought suit challenging the denial of the building permit under RFRA. The City of Boerne questioned the constitutionality of RFRA. The United States District Court sided with the city but the United States Court of Appeals for the Fifth Circuit reversed the ruling of the District Court and held the Act to be constitutional. Consequently the United States Supreme Court was confronted with the issue concerning whether Congress exceeded the scope of its enforcement power under Section 5 of the Fourteenth Amendment to the United States Constitution by enacting RFRA.

In examining this matter, the Supreme Court first observed that RFRA was expressly enacted to overturn its decision in *Employment Division v. Smith*, supra. The Supreme Court further acknowledged that legislation which deterred or remedied constitutional violations could fall within the sweep of Congress' enforcement powers under Section 5 of the Fourteenth Amendment even if in the process it prohibited conduct which was not itself unconstitutional and intruded into "legislative spheres of autonomy previously reserved to the States." Finally the Court noted that broad as the congressional enforcement power was, it was not unlimited. The Court emphasized that Congress' power under Section 5 extended only to "enforcing" the provisions of the Fourteenth Amendment and that Congress did not have the power to decree the substance of the Fourteenth Amendment's restrictions on the States.

As such, the issue for consideration by the Court was whether RFRA could be construed as enforcement legislation or whether it was legislation which altered the meaning of the Free Exercise Clause to the United States Constitution. The Court noted that the appropriateness of remedial measures must be considered in light of the evil presented. Thus the Court stated that there must be a congruence between the means used and the ends to be achieved. In light of this constitutional analysis, the Court concluded that RFRA was so out of proportion to a supposed remedial or preventive object that it could not be understood as responsive to, or designed to prevent, unconstitutional behavior. Instead, the Court found the measure to be an attempt to substantively change a constitutional protection. Consequently, the Supreme Court held RFRA to be unconstitutional.

With the invalidation of RFRA it now appears that an aggrieved inmate in a correctional facility may have only three possible avenues for redress for a denial of a religious practice in a correctional setting. The inmate can still assert a deprivation of his First Amendment right to the free expression of religion by filing suit under 42 U.S.C. Section 1983. If the inmate is in a state facility, he may also claim a violation to a state constitutional guarantee to the free practice of religion. Finally, if a state has enacted a comparable measure to the federally enacted RFRA or has enacted a civil rights measure comparable to the federally enacted Civil Rights Act of 1964 , then the inmate may be able to assert a cause of action under these local provisions.

Nevertheless these avenues may be problematic for an inmate asserting a claim for an alleged violation of his right to the free expression of his religious beliefs. For example, while the Supreme Court's action invalidating RFRA in *City of Boerne v. Flores* does not prevent a state from enacting a measure requiring a demonstration of compelling state interest before an individual's religious liberty guaranteed by a state constitutional provision can be infringed, I am unaware that any state has yet to enact a measure similar to RFRA. Moreover, even if a state does enact such a protection, it is entirely possible that an exception to its enforcement will be made for claims by state prison inmates.

Also, while all of the states in the union (and many municipalities and local governments) now have comparable measures to the Civil Rights Act of 1964 prohibiting the violation of the civil rights of a state resident, I have found no court decision that has treated prison inmates as a "suspect group" and extended a locally enacted civil rights ordinance protecting the general population to prison litigants in a suit alleging an infringement of a religious practice. The State of New York has a special statute guaranteeing prisoners in state penal facilities the right to free exercise of religion. Nevertheless in applying this special statute the New York courts have used a balancing test substantially similar to the one enunciated by the United States Supreme Court in *O'Lone v. Estate of Shabazz*, supra instead of the compelling state interest test that is usually used in addressing claims filed pursuant to a civil rights measure.[2]

Moreover an attempt to enforce a state constitutional guarantee of the free exercise of religion by an inmate in a state court poses some difficulties. Certain state constitutional guarantees are not self-executing and there is no remedial state law for enforcing state constitutional violations as that provide under 42 U.S.C. Section 1983 for enforcing federal constitutional guarantees.[3] In addition, even when an inmate does file suit in state court claiming a deprivation of the right to the free expression of religion, the inmate may assert a claim under federal constitutional protections and not state law.[4] Lastly, even when a state constitutional guarantee to the free exercise of religion may be enforced in state court, in prison litigation the state courts apply a reasonable test as under *O'Lone* and not a compelling state interest test as was mandated under RFRA.[5]

Consequently, it may come as no surprise that the vast majority of the post-RFRA prison suits alleging a violation of the guarantee to the free exercise of religion have been filed in federal courts and have asserted a deprivation of a federal constitutional right. Nevertheless as a result of the Supreme Court's action in *City of Boerne v. Flores*, supra, the federal standard for determining the appropriate accommodation for religious practices in a correctional facility has reverted to the standard established by the Supreme Court in *O'Lone v. Estate of Shabazz*, supra.[6] Thus, no longer do corrections officials have to justify a policy or regulation that substantially burdens the free exercise of an inmate's religious beliefs by demonstrating a compelling governmental interest. Instead corrections officials now must only show that the policy or regulation in question reasonably relates to the furtherance of a legitimate penological interest.

Nevertheless, even under the lesser standard established in *O'Lone*, corrections officials must still afford inmates certain religious liberties. At a minimum it is clear that persons housed in penal facilities are entitled access to religious services of their own choosing and to religious literature. Moreover, correctional facilities must make reasonable efforts to accommodate special dietary needs of persons belonging to certain faiths.[7] In addition, although corrections officials should make allowance for inmates wearing religious medallions or maintaining religious symbols, the allowance or maintenance of such religious artifacts can still be proscribed or restricted in the interest of maintaining the security and safety of a penal facility.[8] Finally, the constitutional guarantee to the free exercise of religion extends to all religious beliefs, even those that many people may view with disfavor.

Over the years the Supreme Court, state courts, and the Congress have grappled with the problem of defining the appropriate degree of religious expression in a penal environment. In struggling to achieve a proper balance between the rights of the individual and the interests of the state, both federal and state courts have consistently given deference to the concerns of prison officials while Congress has shown greater sympathy to the religious demands of the individual. Presently the views of the United States Supreme Court are paramount in this matter and facility administrator now have less difficulty in demonstrating the constitutionality of policies and regulations that adversely affect the religious practices of inmates. Nevertheless, this is an area of constitutional law that is subject to continuing litigation and it is important that facility administrators ensure that inmates have the right to exercise their religious beliefs to the extent afforded by the United States Constitution and state laws.

References

[1] The factors that courts have considered in determining the reasonableness of a prison regulation that infringes on the constitutional rights of an inmate were enunciated by the United States Supreme Court in *Turner v. Safley*, 107 S.Ct. 2400 (1987). The factors relevant in determining the reasonableness of a restriction are as follows:
1) the connection between the regulation and a legitimate, neutral government purpose;
2) the existence of alternative means of exercising the right;
3) the impact accommodation of the right would have on guards, other inmates, and prison resources, and
4) the absence of ready alternatives to the regulation.

[2] See, for example, *Thomas v. Lord*, 664 N.Y.S. 2d 973 (Sup. 1997).

[3] For example, the courts in Texas do not recognize a cause of action for damages for an alleged deprivation of a state constitutional right. See *City of Beaumont v. Bouillion*, 896 S.W.2d 143 (Tex. 1995). Also, Pennsylvania courts have held that state officers can assert official immunity and state agencies can assert sovereign immunity for claims of a deprivation of a state constitutional guarantee. See *Robinson v. Ridge*, 996 F. Supp. 447 (E.D. Pa. 1997).

[4] See, for example, *Africa v. Horn*, 701 A.2d 273 (Pa. Cmwlth. 1997).

[5] Even though the State of New York has a strong state constitutional guarantee to the free exercise of religion that can be enforced in state court, the courts in New York have still applied a balancing test that 'weighs the importance of the right asserted and the extent of the infringement against the institutional needs and objectives being promoted in prison litigation. See *Lucas v. Scully*, 521 N.E.2d 1070 (N.Y. 1988) and *People Ex Rel. Abraham J. v. Sarkis*, 668 N.Y.S.2d 435 (Sup. 1997).

[6] See, for example, *Anderson v. Angelone*, 123 F.3d 1197 (9th Cir. 1997) and *Freeman v. Arpaio*, 125 F.3d 732 (9th Cir. 1997).

[7] See, for example, *Beerheide v. Zavaras*, 997 F. Supp. 1405 (D. Colo. 1998). However, see also, *Abdullah v. Fard*, 974 F. Supp. 1112 (N.D. Ohio 1997).

[8] See *Sledge v. Cummings*, 995 F. Supp. 1276 (D. Kan. 1998) and *Combs v. Corrections Corporation of America*, 977 F. Supp. 799 (W.D. La. 1997).

THE BUTTE COUNTY REVIA PROJECT

by
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In 1996, Butte County Probation and the Butte County Superior Court teamed with members of the community to begin the ReVia Project. Initially planned as a 90-day trial project, ReVia quickly demonstrated value for a specific population of offender: the repeat drinking driver. Based upon that first series of cases, the ReVia Project was extended. It is now approximately two years out, and the results appear distinctly promising. In some cases, the results have been astounding. A preliminary review of the data reveals that ReVia is far and away the most successful method of dealing with high blood alcohol, repeat drunk drivers.

Butte County was one of three courts in the United States that directed the use of ReVia (generic name: Naltrexone) as part of a court ordered treatment model. The model was designed as an expedited case processing system, where identified alcoholics would be moved quickly into the treatment process. Key to this treatment process was ingestion of ReVia.

ReVia is a medication utilized for many years as a highly effective opiate treatment (referred to as an opioid receptor antagonist). Recently, it was determined that the brain pathways utilized by alcohol and opiates may be the same. Because of this, ReVia reduces or stops the cravings experienced by alcoholics during treatment. It is these cravings (physiological reactions which are triggered by behavioral cues) which interfere with an alcoholic's ability to complete a treatment program. While on ReVia, they can maintain sobriety long enough to successfully establish a pattern of behavior modification. At the end of 180 days, the client is examined for reduced use of ReVia.

Essentially, ReVia functions as a tool to aid recovery and treatment. It is not a "stand alone" treatment. While being utilized by these recovering alcoholics, ReVia functions in two manners: (1) it blocks cravings, and (2) there is no pleasure derived from drinking alcohol when the addict "tests" the medication. There is no "buzz" and no reward for drinking. Thus, if an alcoholic is sincerely working on behavior changes through treatment, true progress can be made.

Common Questions

- ReVia can be given with Antabuse, but we have not found that to be necessary.

- Persons who drink alcohol while taking ReVia *can* become intoxicated. ReVia does not interfere with the absorption of alcohol-it only interferes with the pleasure and cravings. Persons who are given ReVia must be screened through a liver panel prior to issuance of a prescription and administration of the medication. There are specific physical conditions which are not compatible with the administration of ReVia.

- Additionally, it cannot be given to active opiate addicts. ReVia can be *extremely dangerous* if administered unknowingly to an active heroin or opiate addict. It is absolutely critical to make certain that the client is not using opiates, or has had a specified period of abstinence prior to the administration of opiates.

- ReVia can seem expensive: up to $5.00 per pill. However, compared to the cost of alcohol, or a jail bed, it is quite inexpensive. Some defendants have had assistance with the costs from their families. Also, purchasing a supply one-week at a time assists with "sticker shock." The cost of a one-month supply will frighten many clients. It is easier to have them obtain a smaller amount.

- We have learned that close physical monitoring by a physician will allow us to address any side effects which may occur without having to drop the person from the project. The "standard" dosage needs to vary slightly with the unique physiology of the probationer.

- Public safety remains the number one priority. Field visits to the homes of ReVia clients have been helpful. There have been occasions when arrests have been necessary. Terminations have resulted from new criminal charges (such as a child endangerment case) during the project, and for medical reasons.

Outcomes

Comparisons with such a small group can be difficult. Small fluctuations can change the results dramatically, thus, more study is needed. However, the preliminary data between the two closest demographic groups shows that ReVia is far more effective than Antabuse and standard probation with AA terms and conditions. Of particular interest, ReVia has the lowest recidivism rate, the longest period of time prior to recidivism, and the lowest rate of persons "at warrant."

Protocol

This is a community-based and -supported project. ReVia must be ingested no less than three times per week. Dosage can be adjusted to match the unique physical attributes of the individual in question. Administration of the medication is done by civic-minded local pharmacists who work closely with the project staff. These pharmacists personally observe the ingestion, sign the log of the offender, and keep a separate log to document and compare. Customary safeguards are taken to protect against false ingestion attempts.

ReVia Project Protocol

1. Each defendant assigned to ingest ReVia through the Court's DuPont ReVia Project will be placed on formal supervised probation.

2. At the time the defendant is sentenced by the Court, s/he will be provided with a form of ReVia Log and ordered to:
(a) Immediately report to a physician for an examination and issuance of a prescription for ReVia (sometimes referred to as Naltrexone).
(b) Show the physician the probation order so the physician is aware the defendant is a part of the Court's ReVia Project, and further provide the Log form to the physician for his/her signature and insertion of the date of the issuance of the prescription.
(c) Upon issuance of the prescription for ReVia, the defendant will report, with the prescription form to Probation Officer Devra Lopez, Amy Asher, or their designee, at the Butte County Probation Department, 2279 Del Oro Avenue, Suite C, Oroville, CA, telephone 538-7661, on the first Wednesday at 2 p.m. following the Court appearance. The defendant will be indoctrinated and then directed by the probation officer to report to the pharmacy at Enloe Hospital Outpatient Center at 888 Lakeside Village Commons in Chico to have the prescription filled, and to begin the ReVia regimen. The Probation Department will provide the name of the referred defendant to Enloe Hospital Outpatient Pharmacy.
(d) The defendant is to provide the Enloe Pharmacist, or his designee, the original of the prescription. The Pharmacist, or his designee, will then date and sign the log each time the defendant appears for ingestion of ReVia. The original of this log will be kept at Enloe Hospital.
(e) The pharmacy will be available for dispensing of ReVia and for logging in the ingestion by the defendant on Mondays, Wednesdays, Fridays and Saturdays from 12:30 p.m. to 6:30 p.m.
(f) Ingest ReVia three times per week, at Enloe Hospital Outpatient Center Monday, Wednesday, and Friday, and/or as directed by the probation officer.
(g) The ReVia must be ingested at the Enloe Pharmacy unless the probation officer or their designee has approved another site for the ingestion upon prior request of the defendant.

3. Each probation order shall provide that the defendant is to:
(a) Follow all orders and directions of the probation officer (paragraph C.1. (a) of the Court's standard conditions of probation).
(b) Commence and continue a drug, alcohol, or other program (including attendance at NA/AA meetings), as directed by the probation officer (paragraph C.2 (a) of the Court's standard conditions of probation).
(c) Totally refrain from the use, possession, etc., of alcohol and controlled substances, and submit to a search and test for the same, all as provided in paragraphs D.1, 4. and 5. of the Court's standard conditions of probation.
(d) Appear in court for his/her first review on a date 7 weeks from the date of sentencing, or as directed by the probation officer.

4. At the 7-week review, the Court will be provided with a progress report from the probation officer and a recommendation as to whether or not the defendant should be continued on the ReVia program for the balance of the recommended

ReVia Project Protocol, *continued*

three-month regimen. If the defendant is continued on the program, at the 7-week review, a further review will be scheduled for a date which is 3 months from the date of the original sentencing.

5. The defendant will report to the probation officer, or her designee, every two weeks at the beginning of the program. Such reporting requirement will be at the discretion of the probation officer.

6. Each defendant is responsible for, and shall pay for, all medical expenses incurred for the cost of obtaining the prescription for ReVia. The drug itself is available through Medi-Cal, private insurance, or at your own expense. All laboratory tests and physician or clinic expenses will be paid by the defendant at the time s/he obtains the prescription for ReVia.

7. The Court is informed that most physicians (and certainly Chico Immediate Care) will require each defendant to be examined every 30 days for a new prescription.

8. Each defendant, of course, is free to consult any physician of his or her own choice. Defendants are to be informed that if they do not have another physician or clinic they wish to visit, the Court has discussed the ReVia Project with Chico Immediate Care Medical Center, and that such clinic is familiar with the Court's requirements. Any physician with any questions should contact Officer Lopez, at the Probation Department.

9. A review will be scheduled for a date three months from the date of sentencing. At the time of this review, the probation officer will report to the Court on the defendant's performance of the terms of probation, and will provide the Court with a recommendation as to what further programs the officer believes are appropriate.

10. At the subsequent three-month review, the probation officer will provide the Court with a progress report and recommendation for future treatment. Specifically, the probation officer will make his/her recommendation for possible requirement of inpatient/outpatient treatment, counseling, continuation of the ReVia Project, Antabuse, AA, NA, etc., and whether the defendant should, then, be terminated from formal probation and placed on informal court probation.

11. The Court will expect COMPLETE AND FULL compliance with all terms of probation and directions of the probation officer by each defendant. The probation officer will be expected to institute a violation of probation proceeding pursuant to PC Section 1203.2 and to take any non-complying defendant into custody as the probation officer in his/her discretion (and as authorized by law) deems appropriate. Any defendant placed in custody for a violation will be produced in court at 12:30 p.m. on the next Wednesday following the date the defendant is place into custody. If the defendant has not been taken into custody, she/he will be ordered to appear on the next Wednesday at 8:30 a.m. for further proceedings and action as deemed appropriate. If the defendant is on probation pursuant to an order made by the Oroville Court, the defendant will be produced in court at the next available date and time.

12. A copy of this protocol will be provided to each defendant placed in the ReVia Project.

Court Process Summary

1. Upon conviction or plea, the Court places the defendant on formal supervised probation.
2. The defendant is mandated to contact a physician immediately, to receive an examination and a prescription for ReVia. Ingestion is initiated and a log signed by the pharmacist or physician.
3. The defendant reports forthwith to Probation to be seen by specific probation officers to present proof of the prescription and ingestion to the probation officer.
4. The defendant is directed to participate in alcohol treatment programs as ordered by the Court, or Probation; to return every two weeks at a minimum, to submit to urine testing, search and seizure, abstention from all use or possession of alcohol, controlled substances, or entry into places where alcohol is sold or is a primary focus of business. Reviews before the court occur every 7 weeks, or as directed by the probation officer.
5. Probation officers conduct field searches, and are expected to arrest ReVia clients who are violating the protocol and presenting a danger to the public.
6. After 24 weeks, the Court examines the status of the probationer to determine if the supervision level will be reduced.

Community Partnership

Butte County does not have the financial capability of supporting this project. Because of the unique requirements of the medical protocol, we turned to the local community. A local hospital, the Enloe Medical Center, agreed to accept shipments of ReVia (the Court cannot accept and distribute a prescription drug). Their pharmacy has been instrumental in assisting with distribution of the medication to clients. Other local physicians and pharmacists in other cities of the county have assisted Probation and the Court by volunteering to observe ingestion of the medication.

Clients were directed toward their own physicians and insurance companies for funding of liver panels and prescriptions whenever possible. A local immediate care clinic also volunteered to assist, offering lower cost screening, explanations about ReVia to clients, and to observe ingestion on a walk-in basis. DuPont Merck generously assisted with informational support, a limited amount of the medication to the truly indigent, and assistance with gathering the statistics on the outcomes of this project.

Evaluation and Future Adjustments

Upon review, it is believed that improved outcomes could be achieved by moving ReVia directly into a Drug Court format. Within the next few months, ReVia will be fully incorporated into the Butte County Drug Court Program. Under the Drug Court design, weekly contacts and expectations on ReVia clients will increase, and the intensity of treatment will increase client accountability even further. More frequent testing will occur, but perhaps more importantly, ReVia clients will experience the immediate sanctions, excellent camaraderie, support and frequent praise which distinguishes Drug Court. This will reduce isolation, and assist in long term reinforcement for recovery.

The visual presentation of a ReVia case is profound. The project has had 15-year alcoholics successfully returned to stable sobriety. The changes in the physical appearance and attitude of these offenders is stunning in the level of contrast between before and after. While ReVia is not the "silver bullet" which will cure alcoholism, it is far and away the most effective tool we have used in Butte County to assist with treatment and reduce the extraordinary level of danger presented by the drinking driver.

It is believed that the utilization of ReVia will be useful in a number of other contexts. The Court also orders ReVia treatment in domestic violence cases. It has obvious applications in the public inebriate, self-medicating mentally ill and homeless populations which plague most American cities. Most importantly, it offers real hope of control to an extremely dangerous population: the repeat drinking driver.

For further information, please contact:

Helen Harberts, Butte County Probation Department (530) 538-7664,

Jane E. Pfeifer, Butte County Drug Court Program Manager (530) 891-2796, or

Judge Darrell Stevens, Butte County Superior Court (530) 895-6502.

The authors acknowledge the generous assistance of Percy Menzies and DuPont Merck Pharmaceuticals.

Recidivism
August 6, 1998

Formal Probation	Out of 17 repeat DUI offenders:			
	3 have re-offended	**17.65%**		
	2 (14601.1a VC)	11.76%		
	1 (270 PC, 166a4 PC)	5.88%		
	1 is out on warrant	5.88%		
	Average priors:	3.06		
	Average B.A.	NA		
Alcoholics Anonymous	Out of 51 repeat DUI offenders:			
	8 have re-offended	**15.69%**		
	1 (11377a PC)	1.96%	1 (496a PC)	1.96%
	1 (459 PC)	1.96%	1 (4230 BP)	1.96%
	1 (243 PC)	1.96%	1 (484, 488, 490 PC)	1.96%
	1 (273.5a PC)	1.96%	1 (40508a)	1.96%
	1 (476a PC)	1.96%	3 (14601 VC)	5.88%
	7 are out on warrant	13.73%		
	Average priors:	1.14		
	Average B.A.	.1753		
Antabuse**	Out of 17 repeat DUI offenders:		Age Range:	22-48
	4 have re-offended	**23.53%**	Ave. Age:	29.6
	2 (23152a,b VC)	11.76%	Male:	94%
	1 (11377 HS)	5.88%	Female:	6%
	1 (4462.5 VC)	5.88%	White:	65%
	3 are out on warrant	17.64%	Hispanic:	35%
	Average priors:	1.29		
	Average B.A.	.1866		
	Average duration in the program:	6.8 months		
	Average time since completion (7-98):	6 months		
	Average time from completion to re-offense:	1 month		
ReVia**	Out of 31 repeat DUI offenders:		Age Range:	20-56
	4 have re-offended	**12.9%**	Ave. Age:	34.7
	2 (14601.1a PC)	6.46%	Male:	77%
	1 (23152b VC)	3.23%	Female:	23%
	1 (40508b VC)	3.23%	White:	93.5%
	No one is out on warrant	0%	Hispanic:	6.6%
	Average priors:	1.32		
	Average B.A.	.206		
	Average duration in program:	7.2 months		
	Average time since completion (7-98):	10 months		
	Average time since completion to re-offense:	11 months		

****All numbers are totals of those who have successfully completed the respective programs**

NEWS FROM THE FIELD

NEW MEMBERS JOIN ASSOCIATION

Since the last issue of *Executive Exchange*, 13 new members have joined the Association: they are as follows:

Melvin Brown, Jr., Executive Director, Montgomery County Department of Community Supervision and Corrections, 2247 North First Street, Suite 218, Conroe, Texas 77301.

Carey D. Cockerell, Director, Tarrant County Juvenile Services, 2701 Kimbo Road, Fort Worth, Texas 76111.

Jesus J. Diaz, Director, Pinal County Department of Juvenile Court Services, P.O. Box 1009, Florence, Arizona 85232.

L. Caesar Garcia, Director, Bexar County Community Supervision and Corrections Department, 601 Dolorosa, San Antonio, Texas 78207.

John D. Holt, Chief Probation and Parole Officer, Crawford County Probation and Parole Department, Crawford County Courthouse, 903 Diamond Square, Meadville, Pennsylvania 16335.

J. W. Hutcherson, Director, Victoria County Community Supervision and Corrections Department, P.O. Box 165, Victoria, Texas 77902.

Glen Johnstone, Director, Collin County Community Supervision and Corrections Department, 200 South McDonald Street, Suite 210, McKinney, Texas 75069.

Jacolyn G. Levin, Deputy Commissioner, Westchester County Department of Probation, 112 East Post Road, White Plains, New York 10601.

Larry D. McKinney, Director, Hunt County Community Supervision and Corrections Department, P.O. Box 1137, Greenville, Texas 75403.

Montie E. Morgan, Director, Jefferson County Community Supervision and Corrections Department, 1225 Street, Beaumont, Texas 77701.

Noreen Renard, Bureau Chief, Bureau of Community Corrections, Delaware Department of Correction, 80 Monrovia Avenue, Smyrna, Delaware 19977.

James E. Rood, Deputy Director, Multnomah County Department of Community Justice, 421 SW 5th Avenue, Suite 600, Portland, Oregon 97204.

Bonita White, Deputy Director, Community Justice Assistance Division, Texas Department of Criminal Justice, 209 West 14th Street, Suite 400, Austin, Texas 78701.

In addition, one organization membership was received; it is as follows:

Nevada Division of Probation and Parole, Attn: Carlos C. Concha, Chief, 1445 Hot Springs Road, Suite 104, Carson City, Nevada 89710.

ASSOCIATION WEB SITE

In the President's message found earlier in this issue of *Executive Exchange*, reference is made to the development of the Association's web site. Please visit the temporary web site at www.correctionssoftware.com/nape. If you have any suggestions on how this web site might be improved to better represent the Association, please feel free to send your suggestions or comments to **James Redus**, President of Corrections Software Corporation. He is interested in receiving any comments or suggestions you might have; his e-mail address is jredus@correctionssoftware.com.

INFORMATION ABOUT EXECUTIVE EXCHANGE

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

Submissions for publication consideration should be typed on 8½ by 11 inch paper, double-spaced, with at least one inch margins. Manuscripts should be submitted in duplicate. Persons submitting articles, commentaries, or book reviews should enclose a brief biographical sketch or resume and a black and white photograph for possible inclusion. Manuscripts exceeding one page in length should be submitted on a computer diskette, with the software used indicated.

Specific questions concerning *Executive Exchange* should be directed to Dan Richard Beto at (409) 294-1675. Facsimiles may be sent to (409) 294-1671. All correspondence regarding *Executive Exchange* should be sent to the following:

Dan Richard Beto, Director
Correctional Management Institute of Texas
George J. Beto Criminal Justice Center
Sam Houston State University
Huntsville, Texas 77341-2296

The Criminal Justice Center at Sam Houston State University serves as the Secretariat for the National Association of Probation Executives. *Executive Exchange* is published by Sam Houston Press & Copy Center.

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.

Types of Membership

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

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

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

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

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

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.

Membership Application (TAX # 58-1497263)

NAME ____________________ TITLE ____________________

AGENCY ____________________

ADDRESS ____________________

____

TELEPHONE # ____________ FAX # ____________ DATE OF APPLICATION ____________

CHECK				
	Regular	☐ \$ 50 / 1 year	☐ \$ 95 / 2 years	☐ \$140 / 3 years
	Organizational	☐ \$250 / 1 year		
	Corporate	☐ \$500 / 1 year		

Please make check payable to **THE NATIONAL ASSOCIATION OF PROBATION EXECUTIVES** and mail to:

NAPE Secretariat
ATTN: Christie Haney
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